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## Assessing the leadership challenge in legal services firms

Despite the present setbacks from Coronavirus and populist politicians, globalisation marches on. The digitalisation of information, technology-facilitated speed of working, democratisation and rising employee expectations of the workplace, are all trends which bring increasing volatility, uncertainty, complexity and ambiguity to the legal services marketplace. The present pandemic may even presage or speed up new ways of working. The challenge for law firms of maximising the efficiency benefits from artificial intelligence, as well as recruiting and retaining a diverse workforce, are all complex issues; how to secure a pipeline of future partners if much of the former junior and teeth cutting work is automated? For those leading professional services firms the additional concerns of the producer-manager dilemma remain; winning work, delivering the work (either directly or through supervising others) and running a business.

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Building and sustaining a profitable practice in a competitive environment has become more challenging in a globalised and increasingly commoditised market. Pressures on fees rates have never really eased, even as the financial crisis has abated. The temptation for new partners as they build a practice or seek to win work is to discount, which may bring short-term success but is unlikely to be good in the longer-term.

For new partners, making the transition to trusted advisor, going beyond technical expertise is critical to adding value.

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### Changing employee expectation

Much has been written about Generation Z (see also our article at [www.mdvconsulting.co](http://www.mdvconsulting.co)) and the increasing challenge of line management and talent retention. Gone are the 'get on with it' days of the past as employees have greater expectations of people management. Highly mobile top talent demands engagement and regular feedback as to how they are performing, seeks to understand their place, and wants rapid development and a career path. Any reading of RollOnFriday illustrates that young talent is not only more outspoken, but mobile and demanding. These shifts in generational expectation were not necessarily thought about in the past by existing partners. In larger firms, the HR function is there to align firm objectives with this changing employee agenda, ensuring the main effort of servicing clients is not jeopardised. Given partnership structures, business services functions such as HR are often not as influential as in more corporate environments, and HR perhaps more than say Finance or Technology suffers in that everyone often proffers to be an expert when it comes to managing people. In this context, partner behaviours as to how they lead, motivate, give feedback and develop others become more salient than in the past.

### Doing things differently

In a rapidly evolving 'VUCA' world, there are ever greater pressures on managing individual and personal demands on time. Significantly increasing non-fee earning responsibilities places added requirements on time management, work management and ultimately greater resilience. Many firms are transitioning to an understanding that some of these pressures can be alleviated by business services who can help. Where partners used to do it all, they may need to learn to delegate, to put others to work, to work with non-lawyers or people from other professional disciplines. When your success has been predicated on delivering excellence in practice it can be difficult to let go or accept standards that may differ from one's own.

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It is in this context that we seek to identify the future role demands and therefore future attributes required of partners, both those already in such a role (and who will need to adapt), and those that are being considered to join the club. Whilst in genuine partnership cultures the decision will always rest with the partners, increasingly HR experts from within or without are being asked to assist with the decision-making process through providing additional data and insights. Current assessment practices often tend to separate out the evaluation of the role demands from ongoing development but there are tremendous benefits in applying what we call 'developmental assessment'.

Excellence in practice will always be best assessed by those qualified to do so. Whilst past performance is often a good predictor of future behaviour, the significant transition from senior employee to partner involves not only acquiring new skills and behaviours but very often unlearning or discarding attributes that may have been useful in the past but which may be less helpful, redundant or downright unhelpful in the future – the diligent associate who now can't let go and delegate as a partner and succumbs to perfectionist micromanaging, or the likable colleague who finds it difficult to make the tough people decisions as an employer. Assessing the qualities required for the future, but which may not have been called for or witnessed in the past, is the task which the HR colleagues are increasingly being asked to assist with.

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### Delivering true added value with assessment

Given what is at stake with either an internal promotion to partner or a lateral hire, candidates and indeed their internal sponsors have a vested interest in putting their

best foot forward. Internal candidates who may have been under the spotlight for several years are likely to be well practised in presenting a face and a persona that others want to see. Clever people may be smart enough to second guess and attempt to manipulate the carefully constructed assessment process. Particularly for lawyers, trained to take apart a complex situation and re-present the facts, the temptation may be to 'game' the assessment given the size of the prize or simply (we have found on occasion) for intellectual sport. How to deliver then the additional value-add that the wider partnership is seeking; to augment decision making but to do so in a way that adds insight and isn't simply an additional hoop to jump through.

In our corporate work assessing and developing senior leaders, we have come across many people for whom assessment was something that was done to them. Whilst some self-insight was often delivered through undertaking a questionnaire or going through an assessment process, the development that accrued was often limited. All too often it felt as if an 'expert' was dissecting the individual and presenting a report in the hope that reading the findings would spur the candidate onto taking steps to develop. In a high stakes assessment, such as for a promotion or new job, the emphasis was often on 'passing' rather than learning. Given partners may have 20-25 years in the role ahead of them upon being made up, this seemed a highly unsatisfactory approach. Given that making a difference, whether at the individual or firm-wide level, is central to our mission, our assessments aim to be informative and useful for both the firm's decision-makers and the participant.

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### Assessment or development?

We hear people often talking about assessment and development in a binary way – an intervention is for one purpose or the other. Some have described assessment and development as being on a continuum – harder edged 'yes / no' decision making at one end and purely developmental feedback or diagnostic at the other. We believe the choice to be a false one, that it is possible to

diagnose, measure or evaluate in such a way that an individual also finds the process informative, respectful and developmental – providing a platform for self-directed change. We challenge the notion that being judged or assessed will always make people guarded and suspicious and therefore closed to self-reflection and learning. Many report that the space we create provides an opportunity to take stock and plan ahead, even when they know the stakes to be high.

As mentioned earlier, we work with leaders and aspiring leaders, some of whom have been subjected to all sorts of diagnostic tools and assessment hoops over the years and yet taken little real value from doing so. Equally, we meet surprisingly many who have reached the giddy heights of a senior position without really stopping to reflect upon what it is that has made them successful and what might hold them back from further success or even trip them up. We've all seen successful people who have derailed, sometimes in spectacular fashion, when strengths became overused, or past behaviours became ingrained and imperious to adaption to changing requirements.

Our approach seeks to overcome the need for clients to choose between doing assessment – gathering data to evaluate – or doing development – diagnosing strengths and areas for development. We call it 'developmental assessment'.

### What is distinctive about this approach?

**Inside out approach** - Rather than dissecting people into a series of component parts, scores, scales and competencies, we work with individuals to develop a holistic understanding of their distinctive leadership capability. We find this enables us to generate an incisive view of performance and potential and powerful insights that fuel development.

**Engaging experience** - Developmental assessment is something we do *with* people, and not *to* them. Working in a relational manner through effectively engaging highly talented people, we encourage them to open up and reflect on their own capability, feelings and experiences and focus energy and attention on accelerating self and organisational development.

**Expertise** - Developmental assessors possess deep psychological expertise, forged by extensive executive-level experience, brought to life with warmth, pragmatism and a commercial edge.

### What do we measure?

Many, if not most, firms will have some form of competency framework or idea of key partner attributes. We believe that in complex organisations, it is deeply rooted personal attributes across three domains that enable sustained performance in partner level roles:

- **Thinking or conceptual** - processing the complexity around us, holding opposing lines of thinking simultaneously and navigating difficult dilemmas to come to more nuanced views.
- **Relating or interpersonal** - looking at the complexity of relationships and shifting perspectives to understand other perspectives and integrate those perspectives into our own.
- **Personal or self** - understanding ourselves in new ways and standing outside of ourselves to view what is going on for ourselves, in order to understand our patterns of thinking and emotion and manage the unhelpful ones.

Spikes of talent and individual style combine to create a unique leadership signature across these domains; development is rarely uniform across all three. Our process enables the participant to sharpen awareness of their own signature, and discover how to best apply their leadership capacity within a specific firm and commercial context.

### Assessment components

At the heart of our approach is the leadership 'DNA' interview which takes about three hours and covers current way of operating, personal and career history, and future aspirations. The participant's reflections on past experiences, and how these have shaped and continue to shape their behaviours in the present, provide a powerful means of working with and supporting the individual. The interview is designed to give a deeper and clearer understanding of leadership capability, motivations, strengths and development areas. Whilst the detailed content of the interview remains entirely confidential, we

draw out themes to inform the developmental assessment profile, firstly so candidates have a clear summary of these points and also to feed back into the decision-making process.

A detailed report for decision makers helps them to work through implications and next steps. For participants we work with them in a way they find stimulating and engaging. Many report the process is in itself developmental, offering a space in which to reflect. As assessors, sometimes we see lightbulb moments in the interview itself. Following the process, we offer detailed individual coaching feedback to the individual, which acts as a powerful launch pad for personal and group development.

### Developmental capacities

Our work with partners in legal firms, and more widely with senior leaders across sectors, points to four developmental capacities which align with the three domains described earlier to show a person's underlying evolving thinking, relating, and being. Identifying the developmental maturity of partners or potential partners within each of these, gives a valuable and often 'hidden' lens on their capacity for navigating the complex and changing environments of the partnership role:

#### Conceptual

- **Complexity Processing** – an individual's capacity to interpret all the information coming towards them in a situation.
- **Fluidity of Thinking** - how a person constructs different and new ways to think about problems or situations.

#### Interpersonal

- **Perspective Shifting** - how someone shifts perspective to understand different views, their own assumptions or biases.

#### Personal

- **Self-observation** – how a person understands and manages their own emotional and relational patterns and how they are affected.

### Summary

Given the challenges and complexities of partnership in the modern professional services firm, new ways are required to work with existing and aspiring participants in a manner that unlocks potential, equipping and sustaining people for the long haul.

Assessing people from afar, clipboard and stopwatch in hand, is a recipe for game playing and usually a deeply unsatisfactory experience for all concerned – the participant, the firm, and the assessor. Spending time and money on remedial development programmes that take people away from the coalface rarely delivers the full value promise made in the glossy business school marketing brochure.

Our view is to work with people in a manner that ignites the spark from within, to help people realise their true potential, to leverage strengths, but to watch for overplaying these. To reflect and learn from patterns of behaviour which may have served them well in the past but which are damaging to continued success. To leave them with the insight, motivation and wherewithal to address their own individual leadership challenge: the interplay between future aspirations, behaviours which can be deployed in the here and now, and which benefit both themselves and their firm.

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