

A SURE FIRE WEAPON FOR THE TALENT WARS - EFFECTIVE DELEGATION

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With the continuing evolution of the law firm business model and as the recovery from the great recession has stabilized or even begun to show some signs of weakness, we are hearing more and more reports about the return of the *"talent wars,"* especially for associates. Many firms are elevating the importance of associate development and mentoring programs to stop the departure of their best associates. Others are looking at financial incentives and salary increases to ensure that their best stay with them.

We believe that the best employees, including associates, always have options in the marketplace. Unless a firm chooses to be a compensation leader, it will always be playing catch up when it comes to paying competitive, market based compensation. And having and keeping the best associates is not just a matter of good recruiting. Associate development, mentoring, and feedback are all critical to producing lawyers the way you want them, as well as serving as a training ground for future leaders.

Over the years, we have heard many firms make a commitment to *"developing"* their talent in-house. But all too often, the focus of the developmental efforts falls short of the hands-on activity needed to truly develop professionals' skills and capabilities as lawyers, managers, and leaders. A key element in the developmental tool arsenal is often overlooked or executed poorly - *"delegation."*

What Delegation Is Not

"Delegating" or allocating work to someone else, especially someone more junior than you, to merely get it off your desk is fundamentally wrong and dangerous. It is dangerous because you most likely have not thought through your objectives in delegating the task and it becomes a *"hip shoot"* with a high probability of failure. And all too often, work that is delegated to get it off your desk is basically *"unnecessary work"* - it should not be delegated. It should be scrapped.

Some think that delegating to others is a sign of a shirker or lazy individual. But, well-conceived delegation of tasks and responsibilities is anything but that. First of all, developing the people who report to you, be it on a matter, or a project, or a specific set of tasks, based on titles, or the organization structure of your firm, is a primary *"responsibility"* that you accept as you advance in any organization. And it is one of the hardest things managers so. Delegating almost always creates more work for the *"manager"* - different work, but more work.

Also, some believe that a *"manager"* who delegates lacks self-confidence to get things done. This is a vicious rumor, as you need confidence in yourself as well as confidence and trust in your subordinate to be an effective delegator.

Why Delegate

As said earlier, managers need confidence in themselves and confidence and trust in their subordinates to be effective delegators. The simple fact is that delegating helps to build that trust. And, you build trust in both directions - from you to your subordinate and from your subordinate to you.

Delegation is a marvelous motivator, it enriches your subordinates' jobs and serves as a sign of recognition. It is an indicator that you have bigger things in store for them. And by enriching your subordinates' jobs, you are helping them to develop their technical, professional and managerial skills.

When you delegate to others, you are inspiring them to grow. Teachers do not teach, learners learn! It is a manager's responsibility to motivate and inspire their staff to get better - effective delegation helps you to accomplish this.

Essentially, it comes down to the recognition that, as a leader, you must put your team into action. To do this, you must break down the elements of the matter at hand, its scope and the tasks that must be addressed and implemented, and assign responsibility for their execution. J. Douglas Brown refers to this as the *"art of delegation"* in his book The Human Nature of Organization. Let's now take a look at the components of that art.

As any good project or case manager knows, defining the specific tasks to be done can be one of the most difficult things to do. It's not that we do not know what must be accomplished, but rather, since we tend to think in terms of milestones – or events – and not in terms of tasks, defining a specific task list to achieve the milestone can be challenging. And a manager has to have a pretty good idea of the tasks involved to be sure that the assignment is understood and can be completed.

Following the identification of the tasks to be accomplished, the manager/leader has to be willing (and able) to give her/his subordinate the authority they will need to accomplish these tasks. An added benefit of a mutual effort to define the tasks that need to be accomplished accompanied by a well communicated *"grant of authority"* is that it builds on the mutual trust you shared with a subordinate. Another reason for the action or work plan to be comprised of discrete, actionable steps, beyond being certain that the delegatee knows what is to be done, is so that the supervisor of this plan can monitor progress (or delays) effectively.

A final benefit is that the authority granted to the subordinate does not mean authority is being ceded, but rather it is being shared for this particular assignment. At the end of the day, the full authority and full accountability for the delegated matter is that of the delegator !

Delegatee Traits to Look For

When contemplating the delegation of a particular assignment, it is important to recognize certain key traits about the available resources. Not everyone is a good candidate to become a delegatee. Sometimes that is true only for the short-term or a particular assignment and sometimes it is true for the longer term.

- Specifically, you want to find *"can do/will do"* attitudes. These pinpoint the ideal candidate, and more often than not, such candidates are happy to accept the full responsibility for a set of tasks and are happy to consult with others as they move ahead. And, they act on the advice they receive.
- There are others who *"will do"* but *"cannot do."* Supervisors will likely have to work harder with these delegates providing encouragement and perhaps additional technical training to overcome their inexperience or insecurity before they can reasonably take on the necessary responsibility for the project at hand.
- Then, there are the possible problem candidates – the *"can do, but will not do"* candidate. These people are reluctant to learn or accept opinions from others. They are not team players and, thus, are not strong delegatee candidates. Many of the people that initially fall into this group can, however, with proper nurturing, be developed over time into *"can do/will do"* individuals.
- The last set of traits is the most problematic in the short term. The *"cannot do/will not do"* group are those with a lack of motivation and, more than likely, a lack of ability. Attempts at delegation will likely fail and, in the short run, such individuals may need a different work environment (like a new firm) in order to succeed.

How to Effectively Delegate

We have defined what effective delegation is and is not, why we delegate, the components of delegation, and the traits of a good delegatee – following are a series *"how to"* in effective delegation.

- First, decide what project is to be delegated.
- Discuss the project with the delegatee and confirm their interest, enthusiasm, motivation and understanding of the discussion.
- Work with the delegatee to jointly develop the action plan. Some may think it is easier or wiser to suggest that the delegatee come back to you with a suggested draft action plan. We submit, that until the two of you have done this a few times together, it is more productive and efficient to develop the plan together.

- As part of this planning process, set process/procedures with the delegatee for feedback, monitoring and problem resolution. But, note that:
 - Feedback is a mutual effort (as is listening)
 - Monitoring is the supervisor's responsibility, since those supervisors is the accountability
 - And, problem resolution should not wait until deadlines are missed.
- More than just a series of tasks and milestones set a reasonable time expectation – time for each task and the elapsed time for the project. Absent these time expectations, it is often difficult for the delegatee to understand the real scope and value of the project.
- Finally, make sure that the supervisor responsible and the delegatee have agreed on the expected results and deliverable end products of this assignment.

After some repetition of this process, delegates will “*get it quicker and quicker*” and supervisors will be more confident in the candidates they are sponsoring for promotion.

About Smock Law Firm Consultants

Smock Law Firm Consultants is a focused strategic management consulting firm serving law firms (our primary industry concentration and over 80% of our work), other professional service firms, and commercial entities. We help law firms address and resolve those key issues that have a major impact on a firm's near term success and its long term direction and focus. We have seven key areas of practice – (1) **strategic planning** at firm and practice levels; (2) **strategic plan implementation and execution**, in essence, helping our clients do what they said they would do; (3) **mergers and combinations assistance**, helping identify, negotiate and implement combinations; (4) **practice team/group management**, helping the practice team concept achieve its potential; (5) **law firm economics**, helping our clients improve profitability and deal with longer term financial issues; (6) **operational excellence**, improving both the effectiveness and efficiency of firm operations (i.e. – process improvement); and (7) **strategic management issue resolution**, assisting in resolving issues of vexing management concern.

We believe there are three key factors that clearly set SLFC apart.

- The primary success factor for any consulting firm is the results achieved by our clients – in both the near and longer term. Our client references speak directly to the results achieved.
- Our first string and, actually, our only string (Smock, Giuliani, Fiebert, and Walker) is, simply, the most experienced group on senior consultants serving the legal profession. The four partners bring a collective relevant experience of greater than 160 years and each has greater than 40 years of varying but relevant experience in law and professional service firm management.
- We tailor our approach to every consulting assignment to the unique needs and requirements of the client. We are known for our originality and creativity in doing that and for our scrupulous avoidance of law firm management dogma.

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