

# Research Report

Leadership Development: Exploring the Content and Context of the Lawyer's Work and the Requirements of Legal Practice

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I am grateful to the lawyers who completed the research questionnaire and to their firms. I hope this report and its recommendations will be of use to them and to all who read it.

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## Executive Summary

This report presents research which identifies the factors most important for the development and effectiveness of leadership in legal practice.

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As a part of my MBA in Legal Practice degree I have undertaken research to identify the factors most important for the development of leadership by lawyers and for the effectiveness of leadership in legal practice. The aim is to help organisations identify where the gaps in their approaches to developing their lawyers as leaders lie and what they should be focusing on in order to achieve greater effectiveness as organisations.

In the course of this study, I have reviewed management theories on leadership and drawn out six influencing factors for the development of leadership and for its effectiveness. Using a survey of the perceptions of legal work of 233 lawyers of varying post-qualification experience levels in 14 countries, I investigated the influence of these six factors on the leadership actions of lawyers, as a measure of leadership development; and on the outcomes

achieved by firms, as a measure of the effectiveness of firm leadership. Of the six factors considered in this research, work design emerged as the only significant influence on lawyers' leadership development and one of the three factors which influence the effectiveness of firm leadership.

I have designed a model for leadership development in legal practice which shows that while leadership development in legal practice begins with getting the structures, culture and training right, these factors on their own do not have any direct influence on the development or effectiveness of leadership so firms should not look to restructuring, culture change or training programmes for results in terms of leadership. Their importance is in providing a foundation for strategy, work allocation and work design which are the real drivers of outcomes for leadership effectiveness.

In the case of leadership development, the model shows that only work design produces a direct outcome, while work allocation and strategy in turn influence work design, and again structures, culture and training provide support for the process.

Recommendations for embedding leadership development in legal practice have been presented as a three-part process which begins with a review of the characteristics of work, progresses with the building of a power base for influence and is strengthened by personal development planning for work redesign.

Overall, the findings of this research have implications globally for lawyers in every area of legal practice and more specifically, for law firms.

# I. Introduction

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## Leadership:

Leadership is the result of a social influence process through which people do things which enhance the viability of a system by influencing situations and others. For lawyers, this process is driven by the design of their work, the work allocation system and the strategic direction provided for the work. Leadership serves a different purpose from management, and is arguably more beneficial for dealing with complex organisational challenges – the purpose of leadership being to produce useful change and of management to keep the current system functioning. The aim of leadership development therefore is to enable people think beyond the restrictions of their current role and develop capabilities necessary to move between operational and strategic modes as required, balancing attention for detail with an understanding of the bigger picture.

## Firm Leadership:

The viability of a legal practice, and thus the effectiveness of its leadership can be assessed by a combination of how well it (1) satisfies clients and stakeholders through its work; (2) improves the combined capability of the legal practice for quality work and innovation; and

(3) ensures individuals are able to learn from and derive fulfilment in their work (Hackman 2008).

What organisations need to do to achieve these outcomes and system viability is the function of leadership. How well leadership succeeds in its function is influenced by the design of work, work allocation and strategy in the firm.

All the lawyers surveyed rate their firms highly on leadership effectiveness generally (and lawyers at the over 10 PQE level rank their firms significantly higher than other PQE levels do). However, the respondents only somewhat agree that they know what their firms are trying to achieve strategically and most of them do not have regular discussions about organisational strengths and vulnerabilities. These are two of the issues which prevent lawyers from carrying out leadership work in their firms to their full capacity but if taken proper advantage of, could improve their capability for quality and innovation.

## Individual Leadership:

Leadership work is carried out by those in formal leadership roles and also by

those without particular responsibility for leadership but who (1) take responsibility for the outcomes of their own work (2) continuously monitor their own performance (3) take corrective action at their own initiative to improve their own performance (4) actively seek from their organisation the guidance, help or resources they need to excel and (5) take the initiative to help others improve their performance and strengthen organisational performance as a whole. (Hackman 1986)

In their daily producing-managing-leading work, formal firm leaders set direction, gain commitment to that direction, follow through to get things done (execution), and set a personal example. (DeLong, Gabarro and Lees 2007).

All the lawyers surveyed do leadership work and are therefore leaders, as the mean scores on individual leadership indicate a high degree of agreement in respect of the five functions above. However, agreement in respect of the fifth was the lowest of the five, showing that many of the lawyers are not taking the initiative to influence others and so are not practising leadership in their firms to their full capacity.

## II. Leadership Development and Effectiveness

The research showed that only Work Design directly influences leadership development in legal practice. The research also showed that the requirements of effective leadership are (1) work characterised by autonomy, responsibility and accountability, and feedback; (2) work allocation practices which are integrated, balanced, consistent and applied fairly; and (3) a strategy for leadership which is constantly being adapted through everyday work decisions.

### Work Design:

The study on talent management conducted by McKinsey & Co. consultants in 1997 concludes that the most important influence in developing the ability to lead in organisations is the way jobs are structured, i.e. providing for “both headroom (authority and responsibility) and elbow room (scope and variety)”, (Handfield-Jones 2000).

Hackman and Oldham’s (1980) job characteristics theory states that performance, motivation and employee satisfaction can be enhanced by changing jobs in ways that affect the degree to which the employee experiences three core psychological states – meaningfulness of the work, accountability and responsibility for outcomes of the work, and knowledge of the results of the work; and these are in turn shaped by five characteristics of the work itself, each of which contributes to the potential of a job for internally motivating the person who performs it – “Skill Variety: The degree to which a job requires a variety of different activities in carrying out the work which involve the use of a number of different skills and talents of the employee. Task

Identity: The degree to which the job requires completion of a “whole” and identifiable piece of work i.e., doing a job from beginning to end with a visible outcome. Task Significance: The degree to which the job has a substantial impact on the lives or work of other people—whether in the immediate organization or in the external environment. Autonomy: The degree to which the job provides substantial freedom, independence, and discretion to the employee in scheduling the work and in determining the procedures to be used in carrying it out. Feedback from the Job: The degree to which carrying out the work activities required by the job results in the employee's obtaining information about the effectiveness of his or her performance.” (Hackman and Frank 1975).

Various studies in organisational behaviour have also confirmed that tasks and jobs shape the jobholder’s capabilities and influence the directions of behaviour in work situations (Hackman 1969 and Hackman 1977). The motivating potential of work in various industries has been measured in different

studies by using Hackman and Oldham’s Job Diagnostic Survey (JDS) or some adaptation of this survey. I have also used statements adapted from the JDS in assessing the characteristics of the work of lawyers in this research.

Over 75% of the lawyers surveyed in this research do not strongly agree that their work poses the five job characteristics which shape capabilities (and lawyers at the 0-4 PQE level rank the characteristics of their work significantly lower than other PQE levels do); indicating that there is much room for improvement of the job characteristics of the work of lawyers.

It is important to point out that while most of the respondents agreed that their work was important for their firms, there was 20% less agreement among respondents that their work was of particular significance in the larger society. Respondents also indicated that they received insufficient feedback on their work and looked more to the work itself to figure out how well they were performing.

Going by the results of the stepwise multiple regression analysis of responses of the 233 lawyers in this research, we can expect approximately 26% of the variability in leadership development of a general population of lawyers to be explained by the characteristics of their work. Apart from Work Design, none of the other factors considered in the research were shown to be significant for the development of leadership.

It is important to note that that if a firm increases its mean score for Work Design by 1 point; its mean score for Individual Leadership (i.e. leadership development) would increase by 0.514. So that a firm can increase its mean score for Individual Leadership from say 4 to 4.514 ( $4 + 0.514 = 4.514$ ) by improving its mean scores on Work Design.

Based on knowledge of the way job characteristics influence behaviour, i.e., through hypothesis, arousal, cognitive activation and process-outcome links, various work redesign solutions have been used to alter specific jobs or interdependent systems of jobs in order to increase both the quality of the work experience as well as on the job productivity, resulting in considerable expansion of the scope, challenge and autonomy in these jobs. Indeed, outcomes of work redesign reported by Hackman (1977 and 1981) have been such as to suggest that successful work redesign begins by rejecting the assumption that

the job is inviolate and people have to be trained and motivated “within the confines of jobs as defined by others” (Hackman 1977).

According to Hackman (1969), the first influence of job characteristics is on the hypothesis formed in response to a task, i.e. the decision made about how to deal with the task, for example to try to do it well, etc. Relying on previous research, Hackman points out that early job experiences influence subsequent performance in an organisation and concludes that early job challenges produce more effective performance later. Going by Hackman’s framework, it follows that the effort and commitment with which a partner will approach management tasks are developed early on in his career by the types of experiences he has had in relation to these tasks. If he was exposed to routine tasks which did not affect the three psychological states positively and so did not challenge him to take them seriously or try to succeed at them, he would likely treat similar tasks with levity when he encounters them in future. Also, a partner who had been exposed to responsibility within an aspect of firm management which had a positive effect on his psychological states as an associate forms his hypothesis of what to do when he is primarily responsible for that area of firm management based more on his early experiences than on the content of training received on a

course as a partner. Consequently, understanding of the tasks constituting firm management should be developed at associate level when there is more latitude for learning and receiving constructive feedback and also freedom to generate new ideas and try things out. Indeed, Handfield-Jones (2000) reporting that training programs are not useful for producing leaders made an exception in the case of early management skills training, saying this provides useful basic tools and knowledge; and may be combined with action learning which facilitates development.

The second influence of job characteristics on work behaviour which Hackman highlights is how particular tasks arouse certain motives such as power and achievement. It follows that jobs can be designed to provide opportunity to arouse relevant motives like living out common values and taking responsibility for driving forward strategies for achieving firm goals. This concept of motive arousal, like Herzberg’s motivation-hygiene theory that work is central to motivation (Hackman 1980), shows the significance of the nature of the work experience of lawyers for stimulating desirable behaviour with respect to leadership.

Another important impact of job characteristics or tasks is on general cognitive activation, so that a worker becomes more sensitive to aspects of

tasks relevant to hypotheses which he has formed or motives he has been aroused to. In this way, early exposure enhances sensitivity to issues within the firm which associates can take responsibility for before they become partners with formal authority. Building on the arousal of motives (which flowed from the hypotheses formed in response to the task), cognitive activation enhances capabilities to the extent of the degree of complexity or challenge inherent in the activity or situation. Therefore, the more challenging and complex the task, the greater the capabilities which will be developed as a result of the job experience.

The fourth influence on behaviour at work which Hackman identified is process-outcome links, i.e. the specified outcome of possible behaviours in respect of a task, and gives the example of hard work becoming linked to achievement. The way this works is that as tasks are performed over time, people come to associate certain outcomes with particular behaviour and learn to affect outcomes by changing their behaviour, even so much so that eventually the objective demands of the task are ignored and behaviour becomes based entirely on knowledge of process-outcome links. This is of particular relevance to the way performance is measured in firms as it is often said that 'what gets measured gets done'. Therefore when firms encourage collaboration and cross-selling but do not

have ways of measuring or rewarding it, while at the same time perfecting ways of measuring individual utilization and billing and awarding bonuses on that basis, it is not surprising when very little is achieved with regards to collaboration and cross-selling. Lawyers come to learn over time what is really "important" in their career based on the outcomes they see and focus on those things, ignoring other things which their experience has not shown will be recognised or rewarded.

These behaviour links are inherent in job characteristics, and going by the results of the stepwise multiple regression analysis of responses of the 233 lawyers in this research, we can expect approximately 50.6% of the variability in leadership effectiveness in firms to be explained by the characteristics of the work its lawyers are engaged in, with a further 4.6% change explained by the way such work is allocated and another 1% explained by Strategy, meaning a total of approximately 56.2% of the variability in Firm Leadership will be accounted for by these three factors.

#### Work Allocation:

Work Allocation refers to the combination of work assignments and supervision used in law firms to ensure that fee earners get the opportunity to develop by doing different kinds of professional work in different capacities. (McKenna and Maister 2002, and Mayson 1997).

How a law firm assigns work to fee earners has a profound impact on the way the firm is managed and to what degree the firm achieves its strategic priorities, or does not. Maister (1993), acknowledging the strategic importance of this process, proposes a structure based on four variables – profitability; client satisfaction; professional development; and morale and motivation – which an allocation partner or committee must balance optimally.

Doing this requires having to hand, information about the skills necessary for the tasks to be performed, the nature of recent assignments lawyers have been involved in and in what sectors, the objective professional development needs of individuals and any personal considerations pertaining to each individual, as well as any particular client or partner preferences, as work allocation decisions have to take into consideration issues of supervision (McKenna and Maister 2002).

In addition to having designated individuals with clear authority who track lawyers' work experiences and development objectives and also having written procedures and ground rules made known to everyone and applied fairly and consistently, Abbott (2002) also recommends that an effective work allocation system should have administrative and technological support for processing the data needed to

allocate and monitor work assignments and for making the information available for tracking, measurement and assessment.

To maximize the development value of a work allocation system, it should be integrated into the firm's other professional development systems. Work allocation, performance evaluation, mentoring, and training systems produce the best results when they are linked together. All of these systems should focus on identifying and addressing lawyers' developmental needs. These needs may be identified during the evaluation process, in discussions with a mentor, or in the course of work. When needs are identified, targeted training programs can be provided, mentors can offer directed counselling, and work assignments can be tailored for developmental purposes. When firms integrate a work allocation system into a comprehensive professional development program, partners manage associates more effectively, and associates accelerate and enhance their development and performance.

Whatever assignment system a firm adopts (Engle (2007) identifies three - one where a partner is responsible for allocation, another where associates volunteer for work they like and the third where partners approach associates), the onus lies on the individual lawyer to influence how the deciding partner

exercises judgement in a way that ensures they get the experiences that will enable them develop relevant skills at each stage of their career. Maister (1993) points out that this is a process that requires lawyers to sell themselves, demonstrating the same qualities required in dealing with clients - initiative and political skills, drive, charisma, and judgement.

Strong leadership is needed to drive this clearly complex process requiring constant reflection on the best use of resources and sensitivity to opportunities to develop not only individuals but relationships, both with the client and amongst group members.

On the whole, most of the lawyers surveyed in this research do not think that their firms are making the most of work allocation systems as the overall mean of 3.4 out of 6 reveals. The respondents also indicated (1) that partners approaching associates with work is the most important feature of the work allocation systems in their various firms; (2) that appraisal/ performance evaluation systems are the most integrated with work allocations systems at their firms and (3) that most firms will give the most consideration to client satisfaction in making work allocation decisions and will give the professional development of lawyers 10% less consideration than utilisation in making work allocation decisions.

Going by the results of the stepwise multiple regression analysis of responses of the 233 lawyers in this research, we can expect that following the 50.6% variability in leadership effectiveness explained by work design, a further 4.6% change in the variability in leadership effectiveness of a general population of lawyers will be explained by the way their work is allocated.

### Strategy:

How a law firm assigns work to associates has a profound impact on the way the firm is managed and to what degree the firm achieves its strategic priorities, or does not. Strategy emerges within an organisation in informal ways Mintzberg (1987), and is effectively shaped by the decisions made by the managers at the bottom of the organisation through the allocation of resources (Bower and Gilbert 2007).

In law firms, practice group heads (or the partners acting collectively) shape strategy as they allocate work to members of the practice. Since practice heads possess knowledge, from the perspective of their role, about the interests and abilities of lawyers and staff within their practices and through their exercise of judgement in the work allocation processes they've established, they will act in relation to these people in ways that either encourage or constrain their development and capacity for initiative and innovation.

Seen as a clear direction for work (Hackman 1986), strategy goes beyond competitive advantage to become a tool for the development of an organisation over time by setting a course for an organisation and seeing it through the journey of implementation. Legal practices by asking themselves the question “What kind of firm/department/legal practice do we want to be?” will be able to arrive at a strategy which will be the way of life for the practice and which will define what the practice will be. Finding this “way” will define the nature of the work that must be done in every part of the firm, what kind of knowledge is required to do it and what learning is required to improve performance.

Guiding behaviour in interpreting and adapting strategy everyday to harness competitive advantages and develop the organisation will often mean influencing others to change their mind-set, not only in big, discontinuous leaps but in frequent small ones as well. Putting leadership into the strategy of a firm need not entail the re-writing of a big strategy plan or a grand re-structuring. Rather it consists of the

decisions made everyday and in particular in relation to work allocation. It depends on communicating values and purpose (Bower and Gilbert 2007), and on not holding on too strongly to a perceived way of working but recognising when the value of that way has diminished in significance and seeking to work in ways that ensure the firm is adding value over time (Drucker 1994).

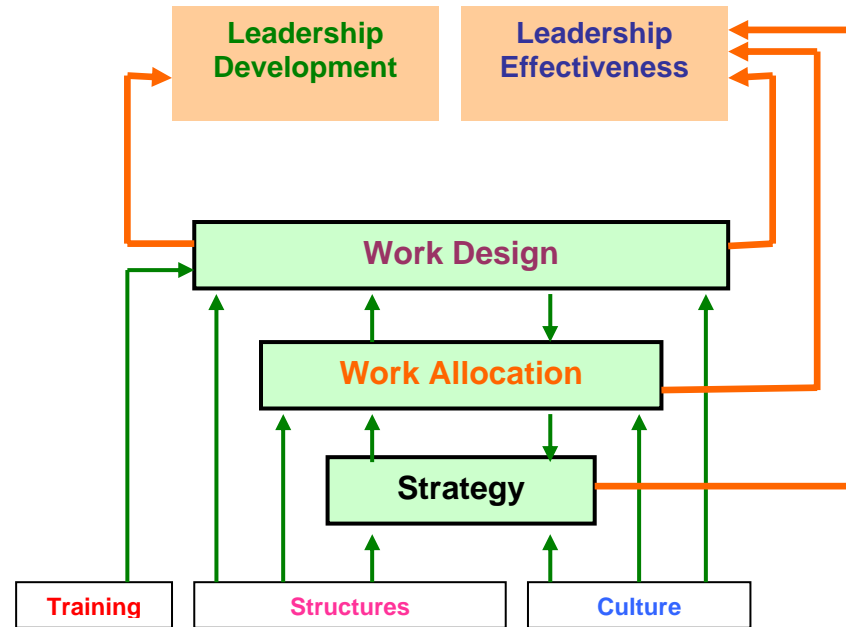
Putting leadership into strategy is itself leadership action which should be carried out in the eight stages outlined by Kotter (1999) where leaders (1) create a sense of urgency, (2) put together a team strong enough to direct the change process, (3) create an appropriate vision, (4) communicate that vision broadly, (5) empower people to act on the vision, (6) produce sufficient short term results to give their efforts credibility and disempower cynics, (7) build momentum and use that momentum to tackle tougher change problems, and (8) anchor the new behaviour in organisational culture.

Going by the results of the stepwise multiple regression analysis of responses of the 233 lawyers in this research, we can expect that following the 55.2% variability in leadership effectiveness explained by work design and work allocation, a further 1% change in the variability in leadership effectiveness of a general population of lawyers will be explained by the strategic direction of their work.

It is interesting to note that if a firm increases its mean score for Work Design by 1 point, it would improve leadership effectiveness by 0.54. In the same way, if a firm achieves a 1 point increase in mean scores for Work Allocation it would improve leadership effectiveness by 0.19, and if it increases the mean score for Strategy by 1 point, there would be 0.138 improvement in leadership effectiveness. So that a firm can increase its mean score for Firm Leadership (i.e. leadership effectiveness) from say 4 to 4.872 ( $4 + 0.540 + 0.194 + 0.138 = 4.872$ ) by improving its mean scores on Work Design, Work Allocation and Strategy.

### III. The Leadership Model

Model 1 – The Leadership Model in Legal Practice



Having established that the factors which most influence the development and effectiveness of leadership are Work Design, Work Allocation and Strategy, it would be useful to see what drives each of these.

The regression analysis of the survey results show that Work Design, is driven by Structures (32.7%), Culture (5.2%), Work Allocation (2.9%) and Training (1%).

Variability in Work Allocation is also explained by Structures (45.7%), Work Design (4.1%), Strategy (2.3%) and Culture (0.7%).

Strategy too is driven by Structures (51.5%), Culture (4.5%) and Work Allocation (1.2%).

Based these findings, a model has been designed to show the relationship between leadership development and effectiveness in legal practice; and the factors considered in this research. The model shows that while leadership development in legal practice begins with getting the structures, culture and training right, these factors on their own do not have any direct influence on the development or effectiveness of leadership so firms should not look to

restructuring, culture change or training programmes for results in terms of leadership. Their importance (shown by the size of each box) is in providing a foundation for strategy, work allocation and work design which are the real drivers of outcomes for leadership effectiveness.

In the case of leadership development, the model shows that only work design produces a direct outcome, while work allocation and strategy in turn influence work design, and again structures, culture and training provide support for the process.

## IV. Other Factors Considered

The research also considered the influence of Structures and Systems, Culture and Management Training on the development and effectiveness of leadership in legal practice.

### Structures & Systems:

Structures account for the biggest variability in each of the three factors that influence the development and effectiveness of leadership, i.e. 37% of Work Design, 46% of Work Allocation and 52% of Strategy is driven by firm structures and systems (together 'Structures'). As such, although Structures are not a direct influence, they are nevertheless very important in the development of leadership and in the viability of a firm.

Having the right structures and organisational practices in place increase the likelihood of harnessing and developing the leadership required to sustain system viability by opening up opportunities for leaders to do their work in their own way given their particular organisational contexts – be it task or person, power or role-oriented, using their own particular strengths and styles, and drawing on the full array of other resources that are available to them (Hackman 2008).

An enabling structure, as pointed out by Hackman (1986) is delivered through the design of work, group composition for knowledge and skill, and performance

management. With respect to these three components, the lawyers who responded to the survey ranked the quality of those they worked with highest, with an average of 4.55 out of 6. Statements dealing with performance management received the lowest scores. Generally, the overall mean score for Structures is only 3.4 out of 6 and 59.3% of respondents indicate that they do not have access to information about the performance and developments in other teams apart from those they work with directly. As mentioned (in the discussion on firm leadership), this is one of the issues preventing lawyers from carrying out leadership work in their firms to their full capacity but if taken proper advantage of, could improve their capability for quality and innovation.

Putting the right structures and organisational practices in place begins by closely examining how work gets done in the particular organisation (Neilson, Martin and Powers 2008). Bryan and Joyce (2007) urge organisations to undertake strategic redesign of the way they do thought-intensive work by removing the structural barriers to the interactions of professionals as they solve problems,

and making information available beyond immediate operational requirements, so that the greater value of knowledge creation and exchange (as opposed to knowledge management) can be realised.

According to Bolden (2007) the leadership a firm gets, rather than being something added to it, is what emerges from its own social systems in terms of how people relate, coordinate efforts, build commitments and develop extended networks by applying self-understanding to organisational imperatives, and as such firms should design appropriate approaches connected to organisational strategy which build on individual and organisational capabilities and provide opportunities to step back and reflect upon practice. Nonanka and Takeuchi (1995) also suggest creating opportunities for reflection by breaking down routines and setting (for oneself or for others) ambiguous and challenging goals; and also seizing opportunities for reflection which arise when chaos is generated naturally by market crisis or significant growth of competitors.

McMillan (2002) in considering organisational forms of the future points out that the need for size is giving way to speed of decision making, role clarity giving way to flexibility, specialisation is being replaced with integration and control abandoned in favour of innovation. She states that 20th century structures are no longer effective and advocates a structure built on a foundation of purpose and values. The model she develops for this kind of organisation is adaptive, supports learning and constant revision and allows people spend time in different roles or several roles at the same time. This is in line with suggestions offered by Nonaka and Takeuchi (1995) for cross functional working, strategic rotation of individuals and frequently changing the organisational structure.

Maister (1993) advocates organising professionals in small teams which enable even the junior professionals in these teams to share responsibility for business activities like client development. While Dive (2005) argues that firms should focus on providing an organisational structure that supports challenging jobs which promote responsibility and initiative, rather than focusing on developing individual leadership. Instead of letting job evaluations and remuneration drive organisation design, promotions should enlarge accountability and evaluation systems should better differentiate between potential for strategic responsibility and operational

responsibility. He points out that the practice of an organisation's values should not be taken as an indicator of leadership potential; rather, behaviour should be assessed for alignment with the requirements of a higher level of accountability.

### Culture:

If we take the culture of a firm as the collective self concept of the dominant group of people within that firm (Mayson 2007), we find that while lawyers are capable of acting at the level of cultures suited to the management of the larger organisation within which they work, their self concept, i.e. how they define themselves as individuals, may well be at a different level more suited to the leadership they prefer (Handy 1999 and Haslam 2004). So they may work within a power or role culture for example, while having a preference for a person or task culture<sup>1</sup> which allows them to participate in leadership.

While this view is at variance with the rather more popular view of the culture of an organisation being about the assumptions which underlie structures, behaviours and how people feel or impressions they have about aspects of their organisation at a moment in time (Hunt 1992), it provides an explanation

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<sup>1</sup> The first option in Statement 46/47 in Appendix I reflects a power culture, the second a role culture, the third a task culture and the fourth a person culture.

for the duality of cultures we often see in organisations. In particular, 60% of the research respondents indicated they have a preference for a culture other than the dominant culture at their firm.

In addition to the self concept of lawyers which the research data confirms is often task (45%) or person-oriented (27%), also important for understanding leadership within the context of legal practice is the often observed "professional psyche". Maister (1993, p.168) argues that "the average professional is different from the average worker in other environments: a difference based ... on the psyche of those who choose professional careers". It is this psyche that forms the bedrock of the self concept that many lawyers have of themselves and which makes them seek out self-management with clear goals and autonomy in their work and experiences that are challenging and varied.

When the high Individual Leadership average score of the lawyers who participated in this research - 5 out of 6 - is taken together with the professional psyche and the task or person-oriented self concept, we conclude that most lawyers want to be self-managing and have a preference for organisational cultures that accommodate self-management and allow them to participate in leadership. However, the research data shows that 25% of the

lawyers surveyed (who all work in law firms) see themselves working in role cultures while another 20% see the culture in their firms as a power culture. Like many other surveys which show that lawyers want more involvement in running their practices, only 20% of the lawyers in this research have a role-oriented self concept and fewer still, merely 7% prefer the power culture.

The question then is: why do firms perpetuate cultures that do not encourage participation? The answer may be that as firms get larger and clients more demanding, firm leaders have found it easier to respond to the resultant complexity by adopting the corporate managerial interventions such as centralisation, functional structures and systems of control which management consultants offer them. Surely, if they're paying these consultants so much, their ideas must work as well for their firms as they have in the other blue-chip companies the consultants have worked with. But what these firm leaders have failed to appreciate and which a few are now coming to realise is that managerial interventions alone without developing leadership make it difficult, well nigh impossible sometimes, for people to find their innate sense of personal responsibility, which allows them to be self-managing and practice leadership.

With regards to governance, the research respondents indicated that governance at

their firms leans more towards hierarchical management than either a combination of hierarchical management and self-monitoring or light collegial controls. However, Greenwood and Empson (2003) argue that collegial controls using self-monitoring practices are more suited to harnessing the productivity of professionals with expectations of autonomy than hierarchies and bureaucratic controls.

DeLong, Gabarro and Lees (2007) caution large firms against replicating corporate-like structures of firm-wide governance – characterised by separation of ownership and management, specialisation of functions and differentiation of producing and managerial roles – at the practice level because of the harmful effects of the resulting bureaucracy on the morale of professionals which impedes their ability to serve clients well. Like Greenwood and Empson (2003), they acknowledge that larger firms may need to adopt ambidextrous models using apprenticeship and partnership models at practice levels and corporate models with firm-wide functions at the global level. Their observation however is that even stronger leadership is needed to make this transition as a failure of leadership at this level may lead to a lack of trust among partners with professionals feeling disconnected, underutilised and overwhelmed by targets.

What is therefore required in legal practice is a context which leads to alignment between individual and collective objectives, provides self-managing individuals autonomy in monitoring and managing their work activities in pursuit of those objectives and which gives them (and their clients) a high level of satisfaction with their achievements (Hackman 2008). Thus, the cultural context of a firm becomes the starting point of its system viability and of the development of its leadership.

#### Early Management Training:

Traditional approaches to leadership development have concentrated on training individuals in new knowledge and skills. Being late adopters of corporate practices, law firms have recently been sending their partners on management and leadership training programmes, with alliances with business schools being set up and some firms even establishing in-house business schools/universities. However, it has now become widely recognized that the benefits of this approach for leadership development are limited and indeed will only be reaped when the training is provided at early career stages (Handfield-Jones, 2000).

However, a look at the regression analyses of responses in this research suggests that early management training offers even less significant benefits for leadership development for lawyers than

Handfield-Jones may have contemplated. The fact that majority of the respondents in this research have not had management training within the first three years of qualification while the average score for Individual Leadership is as high as 5 out of 6 confirms the research finding that the benefit of management training is not leadership development, rather it is a way of improving the characteristics of work.

By equipping lawyers to carry out management work, like people management, financial and strategic analyses, early management training plays an important role in influencing the degree to which lawyers carry out leadership work.

Sherr (2000), speaking with respect to the professional work of lawyers and how legal education should adapt to the changing nature of this work, advocates that lawyers in the UK should be provided with a foundation in “good management techniques” before “having to learn the hard way through experience and failure”. In-house and part-time programmes like Nottingham Law School’s MBA in Legal Practice may therefore offer a better solution if made available to lawyers at earlier career stages; both for equipping lawyers for modern legal practice and for reaping any benefits for leadership development.

Lawyers who only have a transaction/client/industry outlook without

thinking in broader terms about the business of the firm will be limited in the extent to which they can develop products and create the clients for those products. However, lawyers with dual expertise of law and business management will have an integrated, commercial and forward-looking approach to the way they work and in the process influence their colleagues to apply similar methods. In time, the entire firm advances to heights of commercial awareness and proactivity unattainable to competitors where people advance to leadership roles with only technical legal expertise and without any deep knowledge of the drivers of their own industry or of the business of their firm.

## V. Conclusions

This report shows that Work Design is the only significant influence on lawyers' leadership development and Work Design, Work Allocation and Strategy are the real drivers of leadership effectiveness in legal practice.

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This research has investigated the factors which influence the development and effectiveness of leadership in legal practice through the perceptions of 233 lawyers in 14 countries about the content and context of their work. The responses of the lawyers surveyed have presented evidence that for lawyers, there is only one significant influence on developing leadership. This is the design of the work itself which they do and how well this maximises the characteristics of skill variety, task identity, task significance, autonomy and feedback to enable lawyers experience accountability and responsibility, meaningfulness and knowledge of the results of their work.

I also learnt from the lawyers who participated in the research that contrary to the approach being taken by many firms in recent times, management training only plays an indirect role in leadership development by providing

additional meaningfulness and knowledge of work results, which in itself is motivating. But this influence is limited, ranking behind the influence of structures, culture and the work allocation system on the potential of work for developing leadership.

With respect to the factors which influence the effectiveness of leadership, what the 233 lawyers have said is that again, the design of work exerts the most influence on the degree to which lawyers will practice leadership. However, that is not the only important factor; how work is allocated and the direction for that work, i.e. the strategy adopted by their firms, are also significant influencing factors.

The results also show that the issues which prevent lawyers from carrying out leadership work in their firms to their full capacity stem from insufficient

opportunities and information, i.e. insufficient

- opportunities to take the initiative to influence others;
- knowledge about what their firms are trying to achieve strategically;
- opportunities to have regular discussions about organisational strengths and vulnerabilities;
- access to information about performance and developments in other teams apart from those they work with directly; and
- encouragement to make suggestions for improving their firm and its services to clients.

## VI. Implications and Recommendations

The research shows that the viability of legal practice is hinged on effective leadership.

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### Implications

Since the outcomes of this research show that leaders do not really enhance the viability of a firm, one may ask, why then should anyone concern themselves with leadership development? The reason is that leadership development should not merely be about producing leaders, because as we have seen, leaders in themselves do not have any significant influence on the viability of a firm. Rather, it is the capacity of a firm to

- engage lawyers in work which develops leadership by providing meaningfulness, accountability and responsibility, and knowledge of results
- establish appropriate work allocation systems, and
- provide strategic direction for work

within a participatory culture and enabling structures which facilitate communication and training that determine its viability. So, it is not how many leaders there are in a firm that matters, but how well lawyers are

enabled to develop and practice leadership.

This research corroborates the established linkage between work and leadership and it is particularly significant in that it goes beyond the design of work to show that the allocation of work plays a separate and important role in the effectiveness of firm leadership and thus its viability. By linking law firm work allocation practices with Hackman's (2008) measures of leadership effectiveness, this research provides an insight into the viability of legal practice and validates the use of these measures in legal practice, i.e. how well a legal practice (1) satisfies clients and stakeholders through its work; (2) improves the combined capability of the legal practice for quality work and innovation; and (3) ensures individuals are able to learn from and derive fulfilment in their work.

### Recommendations

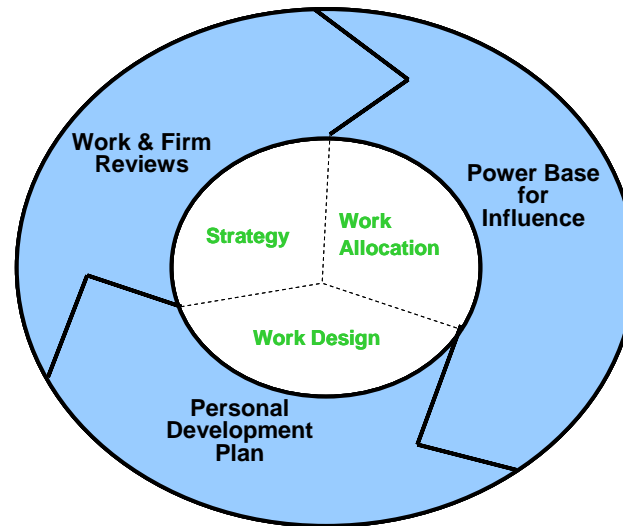
To ensure that lawyers are engaged in work which develops leadership by providing meaningfulness, accountability and responsibility, and knowledge of

results, firms should review the way work gets done and encourage lawyers to redesign their own work to by providing resources to assist them with personal development planning. This assistance could be in the form of human resources to provide guidance during the planning process, as well as information about job competencies at each level, about the firm's strategic priorities and values.

To ensure that work allocation systems are appropriate to their firm, firms should ensure that the approach adopted is known to everyone and is applied consistently and that the system is aligned with the firm's strategy and integrated with other professional development systems.

In order to provide lawyers with a strategic direction for work, firms should ensure that their strategic priorities are reflected in work allocation and reward practices and that this is communicated widely through the structures within which the work is carried out.

## VII. Action Plan



### Work Design, Personal Development Planning and Training

The research results in Table 4(a) in Appendix II show that lawyers at lower PQE levels experience less accountability and responsibility, meaningfulness and knowledge of the results of their work. This clearly calls for redesigning their work to increase skill variety, task identity, task significance, autonomy and feedback necessary for leadership development.

The first thing that needs to be done therefore is the redesigning of the work of lawyers through personal development planning, and on the basis of that plan, working out a programme for acquiring

any skills required to achieve the goals set in that plan.

The particular benefit of this approach is that apart from providing the necessary buy-in for successful redesign, the process of personal planning in itself provides lawyers with responsibility for their own careers and makes them accountable for what they commit to in the plan. The personal development plan helps lawyers retain as much scope for autonomy over their work as their experience, individual capability and firm structure will permit. Before going into the substance of the plan itself, lawyers can already begin experiencing the psychological states essential for the

development of leadership – autonomy and responsibility.

### Power Base for Influence

We saw in the survey results (discussed in page 2 above) that lawyers are not practising leadership in their firms to their full capacity as leaders since they are only influencing situations as relates to themselves, but not so much with regards to others. The practical implication of this is that lawyers need to develop for themselves, a power base from which to influence without authority.

This power base is a situation from which important business issues can be correctly identified and leadership

provided in dealing with those issues by influencing those over whom one has no authority and moving toward assignments which are of strategic importance and through which important contingencies can be controlled. The result is that people who are able to develop an adequate power base early on in their career ultimately emerge as effective leaders, particularly since the knowledge developed in the process makes it easier to perform difficult tasks well and increases relevant personal skills and track record (Kotter 1985).

### Work Reviews and Firm Assessments

To enhance the usefulness of personal development planning, lawyers must regularly review the characteristics of their work for skill variety, task identity, task significance, autonomy and feedback to ensure that work is meaningful provides accountability and responsibility, and knowledge of results.

As demonstrated by Neilson, Martin and Powers (2008), firms should also review the way work is being done to ensure that lawyers have adequate information about what their firms are trying to achieve strategically and about developments across the firm, the firm's performance, strengths and vulnerabilities.

Regular evaluations of how well each lawyer practices leadership in terms of taking personal responsibility for the outcome of their work, continuously

monitoring and managing their own performance and taking corrective action on their own initiative to improve their performance, actively seek the help, guidance or resources they need from around the firm when they do not have what they need to perform well, and taking the initiative to help other people improve their performance, even when they are not in their group or area of the firm (Hackman, 1986).

Assessments of the effectiveness of firm leadership should also be carried out by firms to ascertain how well the firm is satisfying clients and stakeholders through its work, how the combined capability for quality work and innovation within the firm has improved and how well individuals are able to learn from and derive fulfilment in their work.

### Work Allocation, Feedback and Performance Evaluations/Appraisal:

Teams should have regular discussions about members' personal plans as well as team strengths and vulnerabilities, not just client work and firms should make information about performance in all teams as widely available as possible. This will help lawyers understand what issues have the possibility of gaining strategic importance in the firm and so make decisions about how to align their plans with others', seek opportunities to influence work allocation to align their personal development with the firm's strategy and know what outcomes to

seek. Personal development planning in this context will help lawyers experience more meaningfulness and knowledge of the results of their work. Structural changes may however be necessary to ensure that prompt feedback on work performance is provided and that progress with the plan is measured regularly and reviewed in the larger firm context.

Feedback on work assignments' motivating potential for leadership practice should be included in deal reviews but separate from appraisals to keep the focus of the appraisal on the associate rather than the deals (Thwaites, 2009). However, both performance evaluation/appraisal and personal development planning should be adapted so that overall job characteristics can be measured and lawyers can regularly review the redesign of their individual jobs in line with their personal plans to preserve or enhance the motivating potential for leadership practice as desired.

The importance of standardizing the assignment system cannot be over-emphasised. It does not matter so much which work allocation system is adopted but that whichever system is being used is known to everyone and is applied consistently. Associates should be encouraged to take as much responsibility for their own development as their supervising partners or mentors.

One firm has a career development partner attached to each associate who meets with them every 6–8 weeks (Thwaites, 2009). The meeting is an opportunity to go over what associates have been working on and how that work is contributing to their achievement of their set objectives and for the career development partner to help them get on with achieving those objectives. IT systems and admin systems also play an important role in making available the information necessary for making these meetings productive.

#### Strategy, Structures and Culture:

To ensure that bureaucracy, with constantly shifting targets does not erode lawyers' autonomy and blot out their reason for embarking on a career in law,

firms should develop an enabling environment based on structures which facilitate cross functional interactions and accountability in roles and a participatory culture which reflects the self concept of its people.

This can be achieved by creating a sense in the firm that lawyers can participate in enhancing the firms' viability and achieving its strategy. This will help lawyers see leadership as part of their work to varying degrees at different levels and so make better use of information, coaching and training to help make the right personal development decisions at each stage of their career.

It may also be necessary for firms to make structural changes so that the right

level of support is available to lawyers as they redesign their jobs, with business analysts, marketing and other specialists helping lawyers in their initiatives. Firms may also want to review their ways of working regularly to ensure they keep on contributing to the motivating potential for leadership practice of their lawyers. As pressures from clients to drive down costs leads firms to evaluate options for increasing efficiency in the work process to deliver more value to clients, considerations of outsourcing, shared service centres, alternative working, etc must be assessed with an eye on the effect of these solutions on the motivating potential for leadership practice of the work of their lawyers.

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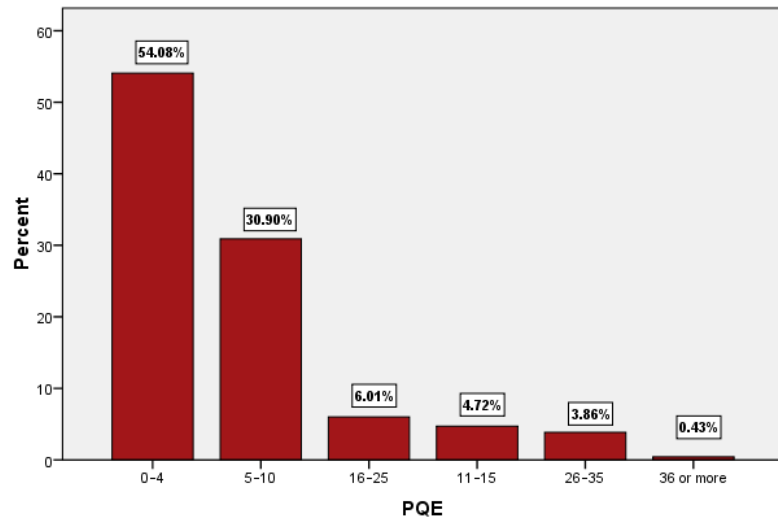
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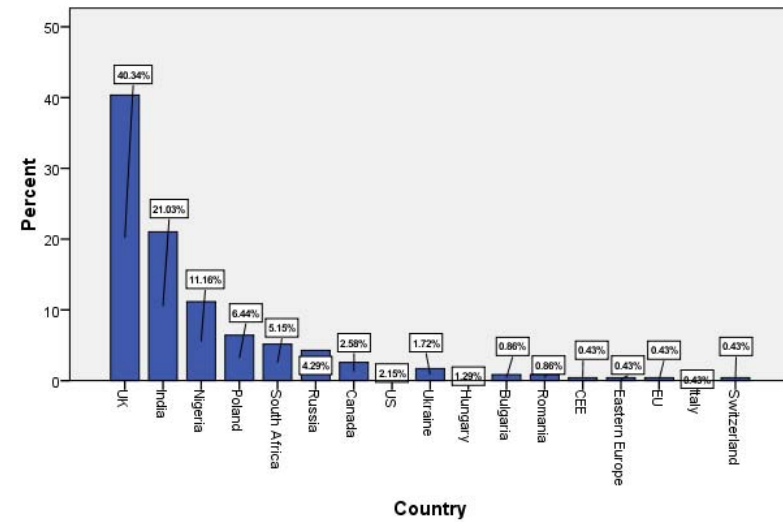
# Appendix I

The charts and tables in this section provide a description of the survey respondents.

PQE



Country



**Table 1 – Frequency of response within unnamed (WH) firm groups**

	Frequency	Percent	Respondent's office/city
UK_WH	47	20.2	Sophia, CEE, Budapest, Warsaw, Bucharest, Moscow, London, Edinburgh
India_WH	18	7.7	Mumbai, Delhi, New Delhi, Bangalore
Nigeria_WH	16	6.9	Lagos
Europe_WH	11	4.7	Bucharest, Turin, Warsaw, Moscow, Geneva
US_WH	4	1.7	Houston, Dallas, North East
South Africa_WH	3	1.3	Johannesburg, Cape Town
<b>Total</b>	<b>99</b>	<b>42.5</b>	

**Table 2 – Frequency of response within named firm groups**

	Frequency	Percent	Respondent's office/city*
UK1	74	31.8	Budapest, Warsaw, Bucharest, Moscow, London, Bristol, Edinburgh, Kyiv
India2	28	12.0	Mumbai, Delhi, New Delhi, Bangalore
South Africa1	9	3.9	Johannesburg, Cape Town, Sandton
Canada1	6	2.6	Montreal, Toronto
Nigeria2	4	1.7	Lagos
Nigeria1	2	.9	Lagos
UK2	2	.9	London
India1	1	.4	Bhubaneswar
India3	1	.4	Hyderabad
India4	1	.4	Mumbai
Nigeria3	1	.4	Lagos
Nigeria4	1	.4	Lagos
Nigeria5	1	.4	Abuja
Nigeria6	1	.4	Lagos
US1	1	.4	Houston
US2	1	.4	London
<b>Total</b>	<b>134</b>	<b>57.5</b>	

**Table 3 – Frequency of response within work area groups**

	Frequency	Percent	Respondent's main areas of work
Commercial	59	25.3	Commercial, Corporate/Commercial, Intellectual Property, Real Estate, Construction, Property, Planning, Energy, Telecoms, Media, Technology & Outsourcing, International Trade
Corporate	57	24.5	Corporate, Mergers & Acquisitions, Company Secretarial, Tax, Pensions, Employment, Employee Incentives, Insurance, Private Equity, Joint Ventures, Competition, Restructuring, Insolvency
Litigation	46	19.7	Litigation, Arbitration, Compliance, Contentious, Dispute Resolution, Insurance Disputes, Professional Negligence
Finance	39	16.7	Finance, Banking, Capital Markets, Projects
General	30	12.9	Solicitors, Advocate, Trainee, Transactions, Contracts, Drafting, Legal Services, General Practice, and combinations within other groups
Management	2	0.9	Management
<b>Total</b>	<b>233</b>	<b>100</b>	

## Appendix II

Statements from the research questionnaire and overall results for 233 respondents are set out in the table.

Table 4	Average Scores*	Percentiles*		
		Q1	M	Q3
1. I take personal responsibility for the outcome of my work and feel personally responsible for what I do	5.58	5	6	6
2. I continuously monitor my own performance and seek data and feedback to learn how well I am accomplishing my tasks	4.93	4	5	6
3. I manage my own performance and often take corrective action on my own initiative to improve my performance	5.09	5	5	6
4. When I do not have what I need to perform well, I actively seek the help, guidance or resources I need from around the firm	5.17	5	5	6
5. I take the initiative to help other people improve their performance, even when they're not in my group or area of the firm	4.27	4	4	5
6. The overwhelming majority of clients are satisfied with the work of our firm	5.21	5	5	6
7. Year on year, our firm becomes more innovative and improves on the quality of its work	4.66	4	5	5
8. I often get to do work I can learn from	4.87	4	5	6
9. I get a great sense of accomplishment from my work	4.69	4	5	6
10. I know exactly what my firm is trying to achieve strategically	4.25	4	4	5
11. At this firm, we regularly discuss our organisational strengths and vulnerabilities	3.84	3	4	5
12. I have undertaken an MBA, joint JD/MBA or other advanced business management degree or post graduate diploma and/or I participated in a business strategy/management/leadership training programme within my first three years of qualification (apart from the compulsory management skills training for new solicitors)	1.63	1	1	1
13. The overwhelming majority of the work I do is challenging rather than repetitive	4.19	4	4	5

Table 4	Average Scores*	Percentiles*		
		Q1	M	Q3
14. I have the chance to do a number of different tasks, using a variety of skills and talents	4.47	4	5	5
15. The results of my efforts are clearly visible and identifiable	4.4	4	4	5
16. My job provides me with the chance to finish completely any work I start	4.4	4	5	5
17. What I do is very important for the firm's success	4.46	4	5	5
18. What I do affects other people in society in very important ways	3.51	2	4	5
19. I have the freedom to make or participate in the necessary decisions to do my work properly	4.2	4	4	5
20. I can generally decide for myself the best way to get my work done	4.44	4	5	5
21. I receive prompt feedback on my work, good or bad	3.87	3	4	5
22. Just doing my work provides me with constant opportunities to figure out how well I'm doing	4.05	3	4	5
23. The most important feature in our firm's work allocation/assignment system is associates volunteering for work they're interested in	2.72	2	3	4
24. The most important feature in our firm's work allocation/assignment system is the partner or committee responsible for assigning work	3.88	3	4	5
25. The most important feature in our firm's work allocation/assignment system is partners approaching associates with work	4.31	4	5	5
26. The quality of supervision on client matters is uniformly high	4.13	3	4	5
27. The most important consideration in the work allocation/assignment system in our firm is client satisfaction	4.31	4	5	5
28. The most important consideration in the work allocation/assignment system in our firm is consistent utilisation (busyness)	3.77	3	4	5
29. The most important consideration in the work allocation/assignment system in our firm is the morale and motivation of individuals in the group	3.12	2	3	4

Table 4	Average Scores*	Percentiles*		
		Q1	M	Q3
30. The most important consideration in the work allocation/assignment system in our firm is the professional development needs of individuals	3.15	2	3	4
31. The most important consideration in the work allocation/assignment system in our firm is matter profitability	3.96	3	4	5
32. The most important consideration in the work allocation/assignment system in our firm is personal considerations	2.59	1	3	4
33. The rules and procedures for work allocation/assignment are known to everyone and are applied fairly and consistently	2.89	2	3	4
34. Work assignment patterns are tracked and the information made available to the group/team	2.82	1	3	4
35. The work allocation/assignment system is integrated with the training and professional development system	2.75	2	3	4
36. The work allocation/assignment system is integrated with the appraisal/performance evaluation system	3.17	2	3	4
37. The work allocation/assignment system is integrated with the coaching/mentoring system	2.82	1	3	4
38. Around here, you're encouraged to develop new skills by getting involved in working on non-fee earning assignments of strategic importance with business services teams	3.38	2	4	5
39. Associates often work closely with partners in developing new products and client relationships	3.86	3	4	5
40. I understand the various aspects and management roles involved in running our firm	3.65	3	4	5
41. Decision making authority at our firm is hierarchical with tight central management controls	3.9	3	4	5
42. Decision making authority at our firm is collegial with room for groups/teams to be self-monitoring	3.07	2	3	4
43. Decision making authority at our firm is through a combination of hierarchical management at firm-wide level and self-monitoring at group level	3.76	3	4	5
44. The emphasis in our office is on long term success rather than short term goals	4.21	3	4	5

Table 4	Average Scores*	Percentiles*		
		Q1	M	Q3
45. I actively participate in initiatives to promote/develop my area of practice or the firm	4.24	3	5	5
46/47. Pick the statement which most correctly reflects THE DOMINANT VIEW IN YOUR FIRM vs. (47. YOUR PERSONAL VIEW): o people who do well in the firm are/(47. should be) shrewd and competitive with a strong drive for power  o people who do well in the firm are/(47. should be) conscientious and responsible with a strong sense of loyalty to the firm  o people who do well in the firm are/(47. should be) technically competent and effective, with a strong commitment to getting the job done  o people who do well in the firm are/(47. should be) effective and competent in personal relationships with a strong commitment to the growth and development of people	3.02	1	1	6
48. My work provides me with responsibility and accountability for all or some aspects of a larger task	4.36	4	4	5
49. There is a close fit between my personal values and objectives and the objectives of the firm	3.83	3	4	5
50. In addition to their practice groups, people around here are allowed to invest a significant amount of time in small teams focused on making the firm more distinctive in a specific legal area or client group that interests them	3.46	3	4	5
51. The quality of professionals in our office is as high as can be expected	4.55	4	5	5
52. I receive good coaching to help me improve my performance	3.88	3	4	5
53. I only work with the team/group specified in my role description in the formal structure of the firm	3.1	2	3	4
54. I get to work with various teams/groups, provided the tasks involved require my contribution	4.03	3	4	5
55. We often reflect on our performance at the end of each client matter or project	3.14	2	3	4
56. Even after qualification people are allowed to spend time on secondment in different teams/groups, not just offices	2.58	1	2	4

Table 4	Average Scores*	Percentiles*		
		Q1	M	Q3
57. I have access to information about the performance of and developments in other groups/teams apart from those I work with directly	2.55	1	2	4
58. Channels exist for suggesting new ways of working	3.41	2	4	5
59. I am actively encouraged to volunteer new ideas and make suggestions for improvement of our firm and its services to clients	3.67	3	4	5
60. Leadership development is strongly aligned with our firm's strategic priorities	4.06	3	4	5
61. Those who contribute the most to the overall success of the firm are the most highly rewarded	4.33	4	5	5

Percentiles

Q1 - score exceeded by 75% of respondents, and which exceeds the score given by 25% of respondents

M - score exceeded by 50% of respondents, and which exceeds the score given by 50% of respondents

Q3 - score exceeded by only 25% of respondents, and which exceeds the score given by 75% of respondents

Scores

0 = Not applicable

1 = strongly disagree

2 = disagree

3 = somewhat disagree

4 = somewhat agree

5 = agree

6 = strongly agree

**Table 4(a) – Percent Difference from Overall Mean for Each Concept by PQE Levels**

	Overall Mean	0 – 4 PQE	5 – 10 PQE	Over 10 PQE
N	233	126	72	35
Individual Leadership	5.0086	-1.9%	+2.0%	+2.6%
Firm Leadership	4.5851	-2.4%	+0.1%	+8.5%
Work Design	4.1991	-5.3%	+3.9%	+11.1%
Strategy	4.0186	-3.0%	-0.5%	+11.8%
Culture	3.7967	-3.3%	+0.8%	+10.3%
Structures	3.4132	-2.6%	+0.0%	+9.4%
Work Allocation	3.4044	-1.9%	+0.4%	+6.1%
Training	1.6266	-18.5%	+17.0%	+31.7%