



ATTORNEY SEARCH

by Stephen Seckler

Questions to ask when it's time to listen

"Better to remain silent and be thought a fool than to speak out and remove all doubt"

– Abraham Lincoln

"One of the best ways to persuade others is with your ears."

– Dean Rusk, U.S. secretary of state (1961-1969)

If you are a typical law school graduate, you learned how to research legal issues, write legal memoranda and present a cogent oral argument on an appellate legal issue.

In more general terms, law school taught you how to "think like a lawyer." In contrast, if you experienced law school like most law students, it is probable that you received little or no education in client counseling.

In other words, no one taught you how to "think like a client." Your education focused on written and oral persuasion. There was no emphasis on learning how to listen.

Certainly, lawyers need to be able to speak and write clearly. Language is the tool of a lawyer's trade, regardless of the practice area. But being able to write or speak with great clarity is only half the equation. Demonstrating that you can really hear the concerns of others is an equally important skill for a lawyer.

Experienced mediators know the power of listening. Parties to a dispute are more likely to compromise once they believe that they have been heard.

Successful salespeople also know the importance of listening. Top performers in a sales organization are the ones who encourage the prospective customer to talk. Similarly, top rainmaking lawyers in law firms really know how to listen to their clients' concerns.

Unfortunately, there are a number of reasons why lawyers have trouble listening. Aside from the fact that listening skills are not part of a law school curriculum, the inexperienced lawyer may believe that the client expects the lawyer to do a lot of talking. The novice attorney may harbor the false belief that talking is the best way to impress a client.

Ego can also be a barrier to being a good listener. Feeling pressured by high billable hour requirements can also make it difficult to take the necessary time to listen.

QUESTIONS TO ASK WHEN IT'S TIME TO LISTEN

The Mechanics Of Listening

Being a good listener is not a passive role. Rather, a good listener is someone who uses active listening skills. It is insufficient to keep quiet and let the other person do all the talking. It is only through some sort of feedback that the other party knows you are taking it all in and not simply day-dreaming about your upcoming vacation.

There are a number of verbal and non-verbal clues that tell someone you are actively listening to him or her. If you are meeting face-to-face, body language can send the right signals. Good eye contact and nodding one's head periodically can demonstrate a real interest in the other person. Repeating back to the person or paraphrasing what they have said is another active listening technique. Asking clarifying questions can also help.

If you want the other person to think that you are listening to them, try to get the other individual to speak 80 percent of the time (depending on the situation).

Taking copious notes may seem like a good way to show that you are listening; but it probably sends the wrong message. It is better to take only a few notes during a meeting and spend more time maintaining eye contact. You can always write notes to yourself after the meeting has ended.

Try to avoid looking at your watch, tell your secretary to hold your calls and give the client the time he needs to tell you his story.

The Right Questions

There are many situations where being a good listener can really pay off. Listening can help build client relationships and serve you well if you are in a job search or career transition. One tool that can help you be a better listener is to ask open-ended questions (as if you were taking a friendly deposition).

To help you ask these questions and get the other individual talking, I have come up with some suggestions to use in three situations: a client meeting, a job interview and a networking meeting.

Client meeting (make sure client knows that the clock is not ticking) – business development is all about relationship building. While of course you want to do a great job on existing matters for your existing clients, periodically you should take time to learn more about your client's business. This will help further the relationship, which may lead you to other business down the road.

Be sensitive to your client's time constraints. Not everyone is interested in "schmoozing." The client may just want to talk with you about the matter at hand. In fact, a good time to have a conversation like this is when you are not actively working on a matter for a client.

1. What are you working on these days?
2. What's going on with your company?
3. Where do you see your company growing in the coming year?
4. What problems is the company facing?
5. What is going on with your competitors and in the industry in general?
6. Are you doing anything for vacation?
7. Doing anything fun over the holiday weekend?
8. If you know the client has children, ask about his or her children (e.g., activities, colleges, careers).
9. See if the client shares any of your interests (e.g., Do you follow the Red Sox? Have you seen the remake of "Apocalypse Now"? Have you heard about the latest bombing in Israel?)
10. Is there anyone else in the industry you can introduce to me?

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Job interview (save the “what’s in it for me” questions until you sense that the employer is very interested in you, which may not happen until later rounds of interviews)

1. What are the job responsibilities for this position?
2. Who will I work with most closely?
3. Where is the organization heading?
4. How much travel can I expect?
5. What are the prospects for this company's future?
6. What do you like about working for this organization?
7. What are some of the things that could stand improvement in the company?
8. How entrepreneurial is this organization?
9. How is success measured here?

Networking meeting (i.e., informational interview when you are exploring a job shift)

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1. What are your job responsibilities?
2. What is a typical day like?
3. What are some of the challenges you face in your position?
4. What do you like about the job?
5. What do you dislike about the job?
6. How did you get the job you have?
7. What skills do you need to be successful in what you do?
8. What opportunities do you have for advancement?
9. What are the opportunities to find other jobs like yours?
10. What is the work environment like at your company?
11. How are lawyers regarded in your organization?
12. What resources are available to learn more about your position (websites, organizations, magazines, books)?
13. Are there any courses/workshops worth taking to learn more?
14. Is there anyone else you can suggest speaking with?

Follow up any networking meeting with a brief note of thanks. Include in the note some small reference to something the other individual said; this further demonstrates that you really were listening.

While it is good to come to these various situations prepared with a list of questions, the objective is not to get through your list. Rather, use these questions as a catalyst to help you get the other person talking.

The most important thing is to demonstrate that you are really listening to the client, prospective client, prospective employer or networking contact. This is the way that relationships are strengthened and the way you will get the business, job or advice that you need to be successful in your career.