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The essence of a good lawyer

I was recently asked what I considered to be the essence of a good lawyer, and my first thought was that it wasn't an essence I wanted in my Christmas stocking, bottled as it would be in grey feint pinstripe and smelling of all things sensible. It was, however, a very good question, and now seems an opportune time to consider the answer to it, with the fresh perspective that a new year brings.

Starting from the top, while (so far) none of the Alternative Business Structures have blown us out of the water just yet, the elephant in the room is that, for a profession which prides itself on comprehensive legal training, management training has barely featured. Shouldn't the essence of lawyer have a whiff of management credibility about it? Of course, while we delivered on our one third profit model we were the envy of professional managers in other sectors, and it is possible we thought we had little to learn from them. However, it is also possible we forgot we were operating in a monopoly which couldn't last. The deregulation of the profession, sectoral changes and long recession mean that what worked before is now not necessarily fit for purpose. Consider, for example, the way the legal sector has used paraprofessionals in a completely different way to most businesses; and the much-reported consequences of trying to roll out our atypical model on a large scale. Lawyers continue to resist generic management training – covering strategy, leadership, teamwork, finance, clients and markets - on the basis that we are 'different'. But are we, really? We would do well to cast out net wider than – gasp - the accountancy profession and look at other business – the likes of apple and even the public sector – to see what can be learned from their experience of management, and in particular about managing change in times of upheaval.

Moving to consider those entering the profession, many graduates emerge from their ivory towers convinced that the essence of a good lawyer is pure; it is knowing the law. It is not of course, it is a blend; because knowing and understanding something complex as a professional is of little use if you cannot communicate it to a client in a way they understand and appreciate. However, they are right to include it in the mix. Lawyers must graduate with an easy familiarity with the fundamental concepts of law, of basics such as the difference between a recital and an operative provision; the measure of damages in tort and contract. There is some knowledge which permeates our professional advice regardless of practice area and possession of it separates the real lawyers from the crowd.

And what of those in the middle, the 3-4PQE big guns in income generation who are not yet drawing salaries that force them into seeking partnership or pastures new? Clients report over again that they will instruct someone they want to be in a room with. These lawyers need at their core good people skills, to be able to connect with a client, seek to truly understand their issue and help them find the best solution for it. They need to be able communicators, calm under pressure, analyse risk well and have excellent attention to detail. Most lawyers don't struggle with the latter two; indeed, the entire recruitment process tends to favour completer-finisher types who cannot rest until all 'i's are dotted and all 't's crossed. Of course, this very attribute can rather impede the need to be calm under pressure. Following the 80:20 rule (Pareto principle) to pursue and accept 'good enough' is difficult when you've always been rewarded for delivering 100%. Good communication skills might have been difficult to practice if you've always had your head in a book.

So, who is this person who is interested in law, management and people, who can write and analyse issues precisely but chat easily and lightly, who can see risk but be comfortable helping a client to take one? Might it be that the essence of lawyer could, in fact, be a coffret of different scents unlikely to be found in one person, but which would blend beautifully when mixed and played to their respective strengths? If so, it might just make my wishlist for next year.