



2023 Future Leaders Seminar

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Let's Grow!
Building Future Leaders in the Legal Industry

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"Perhaps it is time to level set the mindset. Even though some confuse growth mindset with terms such as grit and effort that is not the case. Effort is involved, but it isn't just about effort. Far more than effort, your mindset is about your access to support and your repertoire of strategies to help you solve problems. Effort is your means to an end, not the end. The end is that learning is improving. When nurturing growth mindsets, it's important to acknowledge effort, but praise improvement." (Carol Dweck, 2015)¹

Introduction and Background

We are thrilled you are here as we explore what it looks like to grow, develop, and potentially even change your mindset in how you approach your development as a leader in the legal industry.

Be prepared though – growth requires action – so plan to get involved in this presentation as we discuss how a growth mindset can assist you as a future (or perhaps current) leader in the legal industry.

For this presentation, we are focused on learning a brief background about fixed v. growth mindset, examples of each mindset, and how each mindset can help (or hinder) your development as a future leader in your practice or position in the legal industry (whether you do litigation, transactional, or in-house work).

Fixed v. Growth Mindset

Do you find yourself thinking that you can't change much about yourself, such as when it comes to your intelligence? Or are you a believer that there is always room for improvement or change, including when it comes to your intelligence? Perhaps *it depends* on the day (or moment) you are asked those questions.

If you answered "Yes," to the first question, you would be exercising a "fixed mindset." With a fixed mindset, "people believe their basic qualities, like their intelligence or talent, are simply fixed traits."² People who exercise this mindset "spend their time documenting their intelligence or talent instead of developing them...[and] believe that talent alone creates success—without effort."³ This way of thinking often produces mindsets that believe their talents are innate gifts.⁴ Companies whose leadership operate with a fixed mindset report more cheating and deception among employees, because their employees are operating with almost a scarcity mindset and employees are trying to gain an advantage in the talent race.⁵

If you answered "Yes," to the second question, you would be exercising a "growth mindset." With a growth mindset, "people believe that their most basic abilities can be developed through dedication and hard work—brains and talent are just the starting point."⁶ People exercising this mindset perpetuate a view that "creates a love of learning and a resilience that is essential for great accomplishment."⁷ This way of thinking produces more achievement through hard work, good strategies, and input (or collaboration) from others. Essentially, this mindset is focused less on looking "smart" and more on continually learning. Companies whose leadership embrace and operate with this mindset have reported having employees who feel more empowered and committed and have increased organization support for collaboration and innovation.

Applying Mindsets to the Legal Profession

Let's face it – whether you are a litigator, work on the transactional side of the law, or do a mixture of both in-house, there are going to be issues, obstacles, and problems that you must tackle every day. As such, you are going to have opportunities to operate with either a fixed or growth mindset when approaching and resolving the same. The same goes for how you approach growing as a leader in your practice/profession – will you do things as they have always been done and keep your head down or will you seek out new opportunities and knowledge to help your practice/profession evolve? We will discuss more examples during the presentation, but here are some to consider in our various areas of practice/professions:

Litigation Practice

- Problem: You are a senior associate overseeing a case. Your client was just served with discovery. Due to your workload, you ask a younger associate to step in to do the initial objections and responses to the discovery. You ask for a draft two weeks prior to the deadline, so that you can review and coordinate with the client for any further information. The internal deadline comes, but only skeleton response pleadings have been created. Your deadline is still two weeks away, but there appears to be significant information still needed from the client. The younger associate had not indicated that they were having any issues with meeting the deadline. How do you handle the situation?
 - Fixed Mindset: Immediately think that the younger associate is incompetent and should be fired; Prepare to go into their office to yell or berate them because that's how you were treated as a younger associate when you missed a deadline – internal or otherwise; Resign to the fact that you are going to have to do everything yourself moving forward and there is no use in delegating projects like this again, because you cannot trust anyone to get work done timely or that meets your standards.
 - Growth Mindset: Immediately view this as an opportunity to discuss professional responsibility, accountability, and check-in on the younger associate with respect to their workload; Go to their office or set up a meeting with them to discuss what happened and what next steps need to be taken; Work together with the younger associate to divide up responsibility due to the limited amount of time and work together for the best outcome of your client.

Transactional Practice

- Problem: A new client has asked your team to take over the closing of a new merger deal from a different law firm. Typically, a closing of the type this client has asked for takes 30 days, but the client requires that the closing occur in 15 days. If your team can make the closing happen in this timeframe, the new client has agreed to move all its business to your firm, which could bring in up to \$5,000,000 over the next 5 years. How do you handle the situation?
 - Fixed Mindset: Despite wanting to bring in a new, lucrative client, decline because there is just no way that a closing can occur in half of the usual time.
 - Growth Mindset: Inform your client of potential issues with the timeframe, but also let them know that you and your team are working on a plan to make the closing happen as close as possible to the requested time frame; Collaborate with colleagues to learn how your team can make this happen.

In-House Practice

- Problem: You have been on your company's litigation team for 5 years, but are also in charge of submitting and presenting budgets to your company for the upcoming fiscal years based on anticipated expenses for known and anticipated litigation around the United States. Next year, your company is opening its products and services for sale globally. As a result, your company wants you to present a budget for the next five years, that includes expenses for litigation around the world. This has never been done before. How do you handle the situation?
 - Fixed Mindset: Throw up your hands at such a monster of a project with too many unknowns and hope that multiplying last year's budget by five will suffice.
 - Growth Mindset: Dive into research on similar products available around the world and current litigation involving the same; Contact ALFAI firms in the other countries to get an idea on relevant legal expenses there; Collaborate with your colleagues and brainstorm innovative ways to present this never before done budget.

Miscellaneous Areas to Consider the Effect of Your Mindset Across All Practices:

- Diversity & Inclusion
- Technology Advancement
- Cybersecurity

Time to Grow!

As you will or have learned through this presentation, both mindsets have their time and place in our profession. However, it's the growth mindset that appears to be the one that we can utilize more to assist us with our growth as future leaders in the legal profession, which will help our colleagues and employers grow for the better too.

We hope that this presentation, at the very least, got you thinking about small mindset changes that you can make in your professional and personal life to help you grow into the future legal leader that you want to become.

¹ "What is growth Mindset?" Renaissance, <https://www.renaissance.com/edword/growth-mindset/> (last visited 8/4/23).

² *Id.*; See also "What Have a 'Growth Mindset' Actually Means," Carol Dweck (2016), Harvard Business Review, <https://hbr.org/2016/01/what-having-a-growth-mindset-actually-means>, (last visited 8/4/23); "18 Best Growth Mindset Activities, Worksheets, and Questions," Jeremy Sutton, PhD. (2021), PositivePsychology.com, <https://positivepsychology.com/growth-mindset/> (last visited 8/4/23); "What is a growth mindset? 8 steps to develop one." WGU (2019), <https://www.wgu.edu/blog/what-is-growth-mindset-8-steps-develop-one1904.html#close> (last visited 8/4/23).

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*