

Presidential Debates and Law Careers

I don't know about you, but I hate watching Presidential Debates. First we all know they are not debates at all, but rather staged events where each candidate waits for the opportunity to get into his answer the sound bite his handlers have told him will sway the voters. I also don't like the tactics. Each candidate tries to convince the public that if the other guy is elected the voter and his or her family will be at great risk and suffer in some way, but if the speaker is elected the voter and his or her family will be safe and will gain great benefits from making the right choice. This approach is similar to advertising that attempts to convince consumers they will either reduce pain of some type or enjoy great pleasure from buying the product. Have you ever wondered why there are no overweight guys with beer bellies in the beer commercials?

Anthony Robbins, the great motivator, argues that ultimately everything we do in our lives is driven by our fundamental need to avoid pain and our desire to gain pleasure. He also argues we will do far more to avoid pain than we will do to gain pleasure. I am not sure if he is right about both his points, but I can see examples of them in each of us. When you were in law school, or even college, did you ever put off studying for an exam till the last minute? If so, why did you put it off and cram at the end? Well, I think you likely had other things you did that brought pleasure, like going out with friends or watching the football game. Shortly before the exam, the potential of great pain from not doing well on the exam took over and you crammed for the exam. When we each took the bar exam, we attended courses, took practice exams and studied hard on our own. It certainly was not because we gained pleasure from doing those things. Rather it was the desire to avoid the pain and embarrassment from failing and to realize the pleasure we would soon feel by being admitted to the bar, starting a job and being a "real" lawyer.

How you handle your own career development likely focuses on avoidance of pain and the desire to gain pleasure. I look back now on my own career development and know I was motivated by these factors. I started my career wanting to feel accepted and wanting to feel independent. I wanted to be accepted, especially by clients and by the senior lawyers for whom I worked. As a result, I worked very hard to be the expert, "go to" person on whatever the legal matter I was handling. It was even more important for me to avoid the pain of disappointing a client or the senior lawyer. I also set goals and developed plans to achieve those goals. I wanted to avoid the pain in the long term of being dependent on others for work. I also wanted to experience the pleasure of being a "rainmaker." Early in my career I noticed rainmakers were accorded a higher level of respect, not to mention a higher level of compensation. My goals were usually aimed at obtaining business and my plans focused on how I would get the business. Not all my plans worked, and I changed my plans accordingly.

I have written several times about young lawyers not setting goals or having no plans to achieve them. I think it may be a result of the pain/pleasure principles articulated by Anthony Robbins. Many associates believe the only thing their firm values are billable hours. There is definite pain associated with not making the hours, including the loss of a bonus, no raise and, in some instances, being laid off. Setting goals is not easy. It actually takes time to set goals and develop a plan and we all know that takes time away from billable work. And, since young

lawyers feel they must get their billable hours anyway, it takes time away from the family. Who would want to do that? Setting goals requires more self reflection than many young lawyers wish to undertake.. It requires making choices and setting priorities. In each instance, a choice made is a rejection of another possible choice. Some young lawyers do not want to feel the pain associated with making a bad choice. Many young lawyers fear a senior lawyer they respect will be critical of their goals and plans to achieve them. They also know in many cases the senior lawyer has never had goals or a plan himself. The young lawyers experience no short-term pain by not having goals or a plan and they don't bother to look 5-10 years into the future to see what their careers will be like then.

Anthony Robbins proposes a task-centered approach to change. The first task is to list four actions you should take right now to make your career meet your greatest desires. What is the pain associated with taking those actions that have prevented you from following through with them? He suggests writing them down. List any pleasures you get from *not* following through. Next, for each of the four actions describe what you will lose by not following through. As a lawyer,, it is doubtful you will lose anything this week or this month or maybe even this year. The loss will occur down the road, so think about the future. Imagine, perhaps, the consequence of eating junk food for twenty years. If you've got a good metabolism, the painful effects might not present themselves for at least a decade – and the immediate pleasure of Krispy Kreme breakfasts and KFC dinners may be great. But failing to eat properly just like failing to properly plan your career will catch up with you. Finally, what are the benefits of taking the actions? How will it make your career more exciting and satisfying? Finally, Anthony Robbins suggests that you change how you associate taking the actions. Instead of associating the actions with the effort and challenges to take them, associate the actions with eliminating the potential loss down the road and with making your career more exciting and satisfying.

The presidential debates – and the election – are over. But four years from now, we will be listening to another set of presidential candidates telling us what we will gain or lose by voting for one or the other. And beer commercials still will not feature overweight guys with beer bellies. Politicians and advertisers know what motivates -- knowledge of the pain or gain we will get from doing or not doing something. We make these determinations daily on even the simplest of matters. We owe it to ourselves to apply the same pain-pleasure principle to our careers.