

Some Thoughts on Work-Life Balance and Client Development

Recently I had the opportunity to speak to the women lawyers in a medium sized firm. Prior to speaking to them, I asked them to give me 1-3 questions I could help answer for them. Many of the questions I received focused on work-life balance. Many others focused on how to develop clients. I thought it might be helpful to others if I shared my thoughts on these two important topics.

My Thoughts on Work Life Balance

There is no way to add more hours to your day. Other than the weekend when daylight savings time “falls back” to standard time, there are only 168 hours each week. The real question is how well we use those hours to achieve our priorities. Suppose you sleep 8 hours a night, or 56 a week. Suppose you bill 40 hours a week and you invest another 10 hours a week on your career development, client development and other firm activities. That leaves 62 waking hours of personal time for family, fitness, community, church, recreation, hobbies, commuting and other activities. That is really a significant amount of time. How you spend the 10 hours a week (or whatever number) of investment time will ultimately determine the quality of your life. How you spend the 62 hours (or whatever number) of family and personal time will ultimately determine the quality of your life and family relationships.

As explained in a true story at the end of this answer, many of us have a plan for our billable time (we plan to arrive at our office at __AM and leave at __PM) and if we go to church we have a plan for that (we plan to go to the 11:00 AM service on Sunday). I have always believed we do not have to do all our billable work from __AM to __PM Monday through Friday. When my daughter was young and I lived close to my office I worked most Saturdays from 6:00 to 9:00 AM. I also worked during the same hours on Sunday and then met my wife and daughter at church. Those were very productive six hours for me and they did not take me away from my family who were sleeping a good portion of the time I was gone.

I have also always believed that it was more important for me to plan my personal time than work time because if I did not plan it, I could easily find a work excuse not to do it. If I did not have a time set aside for working out, I could find any number of excuses not to go to the fitness center where I work out.

I have never liked the concept of work-life balance. Instead, I prefer the concept of priorities based on our roles. I learned long ago through reading books by Stephen Covey that if we plan our week around our roles and priorities, we have the best chance of the proper focus between our work roles and our personal roles. I also learned that our priorities change with our circumstances and work and that our priorities are an individual thing. One size does not fit all. When a lawyer is single with no family responsibilities, her priorities may be focused almost exclusively on work, recreation and having fun. When the same lawyer is later married and has children, her priorities will most likely be very different. I also believe that family priorities are not exclusively a

female lawyer issue. There are many young male lawyers who want to spend more time with their children, but may feel it will not be “macho” in their firm to do so.

Here is a true story about planning based on priorities:

Some Thoughts on Not Burning Out

I received a call last week from Samantha, one of my female associate friends here in Dallas. I could tell something was on her mind. Samantha told me that she felt like she was “burning out” and felt like she spent all of her time at the office getting her billable work done. She complained that she had no time for her own development, client development or for personal things. Samantha mentioned to me that she and Michelle had been speaking about this problem and they both felt they had no life other than getting their billable hours and they both felt exhausted by it. Samantha and Michelle are not the first associates to feel this way and they likely will not be the last. No matter what we do, there will always be 168 hours in a week. Since we can’t expand time what can we do?

After listening to Samantha for a while, I asked her to describe to me in detail what she had done the day before. She said she had gotten up at about 7:00 AM, showered and had gotten ready for work. I asked what time she had gotten to the office and she told me she had gotten there just before 9:00 AM. She told me she had done billable work till noon. I asked where she had eaten lunch and how long she had taken to lunch. At first she could not remember. Then it came to her. She had gone down stairs and brought something back and ate lunch at her desk. I asked what Samantha had done that afternoon. She said she worked on the same client matter all afternoon and had finally left the office at 7:30. I asked how many billable hours she had recorded that day and Samantha told me she had 9 ³/₄ that day. That seemed about right for the time she was there.

I then asked what she had done after work. Samantha, who is single and lives alone, told me she had stopped at the grocery store on the way home and picked up what she needed to fix dinner. When she got home she changed clothes, fixed dinner and ate. By that time it was after nine. After dinner Samantha remembered she needed to pay her bills and she spent the next hour taking care of that. Samantha went to bed at about 11:15 PM both exhausted and unfulfilled.

I would be exhausted and unfulfilled if that was my typical day. I asked Samantha what she wanted her day to be like and she told me she wanted to be able to work on her own development as a lawyer, on client development and on personal things that were important to her. I asked her to tell me what she had in mind for those areas. About a year ago, Samantha had developed an interest in doing legal work for construction businesses. Samantha’s mother actually owned a successful construction company and Samantha had worked for her mom during summers while she was in high school and college. If her mom could have her way, Samantha would give up her law firm practice and work full time for the company. Samantha’s mom had asked Samantha to go to

Florida and lead the company's efforts in the hurricane repair and reconstruction work the company was doing. Her mom would love to have Samantha ultimately take over the reigns of the company, but that was not what Samantha had in mind. In her eyes, the company would always be her mother's. After all her mother had started it with nothing after she and Samantha's father had divorced. Samantha did not want to be handed the business, or for that matter be dependent all her career on senior lawyer's clients. She wanted to develop her own business.

Over the last year Samantha had become active in several Dallas based construction associations. She had actually developed three clients over that time. Two were women who knew her mother and the third was a male owned company located in Fort Worth. Samantha told me she would like to be spending more time in her client development efforts and becoming more an expert in construction law topics.

I asked what her important roles were in her personal life. I knew she was very close to both her mom and dad and to her sister who was only a year younger than Samantha, so obviously she was a daughter and a sister. I knew Samantha owned a horse and enjoyed riding and I knew she was active in her church. So, when Samantha hesitated, I reminded her of those roles I knew were important to her. My gentle reminder gave Samantha other ideas. Health and fitness were important to her. She told me she used to run for exercise and had actually run in marathons. She had no time for that now. Samantha also said she was active in the Dallas community. She belonged to the Rotary Club and was very active in their community service projects. She also was a member of Success North Dallas, a group of up and coming business men and women and professionals.

I asked Samantha what it would take to feel better about the time she wanted to spend on her construction client development efforts and her family and other personal interests. Samantha said she simply felt she had no time. She was spending so much time at the office doing billable work that she had no time for the other things.

Finally I asked Samantha if she was interested in my observations. She said that was the reason she had called me. She wanted my advice. With her permission, I started to share my views. I told her billable hours were really not her problem. I told her she was neither planning nor using her non-billable time or personal time wisely. I told her she probably had a plan each week for her billable work. It appeared to me she planned to do billable work from 9:00 to about 7:30 on Monday through Friday. I reminded her that she could do billable work at other times. I knew she had a plan each week for her time in church and that was from 9:30 to noon on Sunday. I asked if she planned any other part of her life for the week. After a short pause, Samantha told me she did not plan any other part of her life, with the possible exception of attending the Rotary Club meetings and the Success North Dallas meetings. The reason she had stated those were possible exceptions were that she frequently found a work related excuse not to attend.

I asked Samantha when she used to run and work out. She said she used to get up at 5:00 AM and workout till about 6:15 and then shower, eat breakfast and get ready for

work. When she did that she generally got to work no later than 8:00. I told her I get up at 4:30 and get to the Cooper Fitness Center when it opens at 5:00. Over my lifetime, whenever I tried to workout either at lunch or after work, I had missed many times because something else got in the way. I might get a call from a client at the end of the day and when I finished I would no longer “feel like” taking time to work out. For me, planning to workout from 5:00 to 6:00 or 6:30 made it more likely I would do it.

I also told Samantha that after my daughter Jill was born, I frequently worked in my office (which was close to home) from 6:00 to 9:00 on Saturday and Sunday. I chose to do that because Jill was never up early and frequently my wife Nancy was not up early on Saturday or Sunday either. Working during those hours allowed me to be home early and eat dinner most evenings with Nancy and Jill. I was not suggesting that she, or anyone, follow my pattern. I was merely suggesting she look for the other potential times to work that would allow her to accomplish her other priorities. I mentioned that a female partner in my old firm and her husband who is also a lawyer both got up early every day. They alternated days to go to the gym and work out. Since their two children were asleep, on the days when she did not work out, the female partner generally worked at her computer using Citrix to access her office files. For her that was a good use of her time when she had to be home and her children were asleep.

I asked Samantha if she had planned to pay bills after dinner the night before. She said no. She had just realized she needed to do it. I suggested that she even plan when she would do something as mundane and unexciting as paying bills

*I suggested that Samantha read the book *First Things First* by Stephen Covey, Roger Merrill and Rebecca Merrill. The book is filled with many suggestions I knew would help Samantha, but the main point I wanted her to get from it is to plan her life around her roles. I also told her Dr. Covey’s story about the “big rocks.”*

Dr. Covey describes that when he was teaching he pulled out a wide-mouth gallon jar and placed it next to a pile of fist-sized rocks. After filling the jar to the top with rocks, he asked, “Is the jar full?” The group replied, “Yes.” He then got some gravel from under the table and added it to the jar. He jiggled the jar until the gravel filled the spaces between the rocks. Again, he asked, “Is the jar full?” This time, the group replied, “Probably not.” Dr. Covey then added some sand and asked, “Is the jar full?” “No!” shouted the students.

Finally, Dr. Covey filled the jar to the brim with water and asked his students the point of this illustration. Someone replied that you could always fit more things into your life if “you really work at it.” “No,” countered Dr. Covey. The point is, if you don’t put the big rocks in first, “. . . would you ever have gotten any of them in?”

I suggested that Samantha wasn’t putting in big rocks in the jar first other than her billable hours and church attendance. If she wanted to develop her construction law expertise and business and wanted to spend time with her mom, dad, sister, riding her

horse and being active in the community, she would need to plan that time ahead and not just let it happen. She needed to plan the most important thing she could do each week for each of her roles.

I could tell that Samantha was game to try anything. She asked if I had any more advice. I told her that I would feel exhausted if my day ended by me coming home from work at 7:30 eating dinner doing something she did not enjoy and then going to bed. I suggested she consider going back to her old schedule of getting up earlier and working out. I also told her she would be exhausted if she sat at her desk all day. I told her to get up at least every two hours and if nothing else just walk around her floor and breathe deeply. I also suggested that unless it was absolutely necessary she needed to get out of her office at lunch. Even if she was going downstairs and picking something up she needed to go outside and walk briskly around the block where her office is located.

Finally I told her that this change could not be like a diet that a person starts and then abandons. She needs to make this a life-style change. To do that she needed to do it each day till it became a habit. I told her she should keep a journal for the next month of what she did each day and if she wanted to she could share it with me.

I wonder how many young lawyers only schedule the time they plan to be in the office doing their billable work? My guess is the majority schedule little else. For me, it is as important, if not more important, to schedule my non-billable activities and to schedule my family, fitness and recreational activities. If I don't schedule those activities, they generally get cast aside leaving me feeling burned out and unfulfilled.

My Thoughts on Client Development/Marketing

I think there are four main ways we lawyers get business. First, they might be the very best in their field. If you were thought to be the best civil trial lawyer, or corporate M&A lawyer or labor and employment lawyer in all of Kentucky, it is unlikely you would need to do very much marketing or client development. Whenever a big case or a big deal came in you would be on the go-to list. Second, you could be fortunate enough to represent a company that gets sued a lot if you are a litigator or does lots of deals if you are a corporate lawyer. That works well until your client is acquired by another company or your contact retires. The third way is to find a niche and become known for expertise in it. The fourth way is to become very active in the community.

Client development involves building your reputation and building relationships. I believe clients still generally hire lawyers rather than hiring law firms. I also believe that in most instances your reputation gets you considered while your ability to connect with the client representative and build their trust and confidence in you gets you hired. If I knew I would need double bypass surgery, I would likely want to go to the Mayo clinic, or some place known to have the very best heart surgeons. On the other hand if I was looking for a pediatrician for my child I would find out from other parents who they use

for their children and then I would meet with the Doctor and see if my child and I both feel comfortable with him.

The first thing any lawyer needs to do to expand their client base is to have a plan with goals, an understanding of why the goals are important to the lawyer, activities that are necessary to achieve the goals. Any marketing or client development activities must be driven by appropriate clients and potential clients, understanding their business drivers and being able to offer a solution to their issues.

A couple of the women lawyers asked what to do if you have very limited time. There is no one answer that applies to everyone. If I wanted to build my reputation, I would write articles for industry publications. If I had a stable of clients, I would spend time with the clients I already have.

In my opinion the most successful way to develop clients, other than doing quality work and providing extraordinary client service which is a given, is to find a niche in which you can be the best. The niche should be based on your talent, your passion and the client needs.

I don't believe it is a waste of time for an associate to attend a networking or CLE function involving topics outside your specialty. I say that because practicing networking techniques is a good thing. However, I also would bet you could find a better use for the time in your area that would likely pay more dividends.

One of the women lawyers asked a great question about whether a company executive cares about getting a card from an associate at a networking event. To be candid, getting the card means nothing, but learning about the executive and his or her company and finding a way to "give" value to him or her will make an impression. Even doing something that shows you recognize what makes him or her unique can be valuable. Recently, a young female associate in my old firm had been to a big social event where she met a gentleman in his sixties who was a leader in the industry. He is German but has lived in the United States for 30 years. The female associate spent a year in high school and a year in college in Germany. When she got back from the event she asked what she could do that would advance the ball. It turned out that a photographer had taken a photo of the two of them and a few other people. I suggested that she get a copy of the photo and either write in German on the back of it, or better on monarch stationary that she was glad to meet him and some other pleasantries about her experiences in Germany. I told her she could conclude by simply saying something about the work she is doing in the industry and how much she has enjoyed working with companies in the industry. She did it and she actually received a call from him thanking her for the card.

A couple of questions focused on networking and civic activities. I personally have never gotten any business from my involvement in my church or community, but one of my former partners built his career on his involvement in the community. He is a little older than me and first became active 30 years ago in a Los Angeles child care

center for kids unable to cope with their family environment. He actually made friends and picked up some business from others helping at the center. Only years later did he realize that working with kids who needed a role model gave him a life purpose and took him away from the stresses of his work life.

He then became active in the University of Pennsylvania Alumni Society of Southern California and ultimately became president of the group. He developed more friendships and clients from this experience.

In 1984, Neil announced to his partners that he would be working at the office Monday through Thursday and would do his charitable work and community activities on Friday. His partners were surprised by this announcement, but from January 1984 through the present day, Neil works on charities and community activities on Fridays. Most of his clients admired him for doing this and having the courage to take a more active role in the community at the risk of having his compensation cut. As his civic activities increased, he found clients recommending him to other clients saying proudly that Neil is not only a good lawyer, but also a good person. His civic activities actually created a “niche” for Neil.

Part of Neil’s civic activities involved coaching youth sports for more than 15 years. For two of those years there was a game on Tuesdays and Thursdays at 3:30. Neil never missed a game. When asked how he could do this with clients having emergencies, Neil would respond by asking what we would do as lawyers if a client called us and said he needed to meet with us at 3:30 on Tuesday on an emergency matter and then an hour later a second client called saying he needed to meet at the same time on an emergency matter. Neil always treated the games he coached as the first emergency and frequently met clients after the game while dressed in his coaches’ uniform.

In 1999, Neil’s youngest child was struck by cancer and slowly died. In part Neil was able to cope with this because his dying son was proud of him for being a good person who helped others. After his son’s death, Neil found more meaning in his life by becoming a spokesperson to increase funding for pediatric cancer research. Once again, as he expanded his charitable activities he developed more business. You might say that Neil got more clients by doing good things in the community than most lawyers get by marketing themselves as lawyers. Neil is proof that being active in the community for the right reasons can develop clients.

One of the questions asked what rainmaker skills are. Interestingly, there have been studies of what makes rainmakers different than the general population of lawyers. Generally they have a high degree of emotional intelligence. (There are good books on emotional intelligence. While you may be born with some of the characteristics most can be developed). Rainmakers have a high ego drive, meaning they get great satisfaction from convincing the client to hire him or her. Rainmakers are very empathetic, meaning they are able to see the world from the clients’ point of view. The general population of lawyers are logical thinkers and less able to see from the clients’ point of view. Rainmakers are eternal optimists. The general population of lawyers is pessimists.

Rainmakers handle defeat or criticism well. The general population of lawyers does not. Rainmakers exude a passion for their work and their clients. The general population of lawyers generally does not. Rainmakers are generally outgoing and enjoy people. The general population of lawyers is introverted.

Finally a question asked what one thing could be done to build your client base and a question on what to do if you are busy. I have always tried to spend as much or more time when I was busy because I realized that eventually the work I was doing would be completed. If it was only one thing, I would suggest setting aside a certain amount of time per week for client development. Plan it and then do it each week. Client development is like fitness training. When you get into the habit of doing it, there is less of a strain.