

Preface: Introduction to Lawyer Leadership

You must be the change you want to see in the world.

Mahatma Gandhi¹

NAVIGATING LEADERSHIP

Leadership is a journey, not a destination. It is a marathon, not a sprint. It is a process, not an outcome.

Bill George²

Whether you are reading this while in law school or you are years beyond graduation, we know you will be a leader. Society expects lawyers to be difference makers. That truth is among the top reasons applicants apply to law schools. Lawyers are, and always have been, leaders with vast opportunities for influence and impact all around.

Becoming a leader is a voyage all lawyers take, whether consciously or unconsciously. So, why shouldn't you be intentional in trying to be the best you can be? We hope that is why you are reading this book. We invite you to view the subject of leadership as you would any of the other skill sets that will help you be more successful. We encourage you to invest yourself in the study of leadership with the same focus and determination given to substantive law topics and other skills that will help you succeed in your professional pursuits as a lawyer.

The study of leadership is a deeply personal journey. You are seeking to be your best as a lawyer, leader, and person. Your pursuit of self-discovery begins with considering who you are, who you want to be, and what impact you want to have on the world. You should expect detours, obstacles, and revelations. Embrace these experiences, as they will teach you much about leading and about your vision for impact. On this journey, we hope you learn truths about yourself, gain clarity about the way you perceive the world and others in it, and discover how to use your time, talent, and energy to make a difference in the lives of your clients, colleagues, and communities.

YOUR LEADERSHIP JOURNEY

Before you are a leader, success is all about growing yourself. When you become a leader, success is all about growing others.

Jack Welch³

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Why did you decide to go to law school? Was it a desire to be part of something meaningful? Were you looking for a career where your work mattered? If you came to law school to make a difference, you are not alone. Admission essays suggest that the desire to help others brought most students to law school. They hoped to make a difference or serve a cause greater than themselves, and at some fundamental level, they realized that legal skills give power to do good. Beyond the technical aspects of being a lawyer, developing skills and training that can help someone in need makes pursuing a law degree worthwhile. The work is hard, but it prepares you for entry into this profession and equips you for a life of impact and significance. Being a lawyer is valuable; being a lawyer-leader is invaluable.

The extent to which students have been exposed to leadership theory and opportunities before law school varies. Some students have experienced leadership in business or the military. Other students may have led organizations in high school or college but not had formal leadership training. Whether you arrived at law school with much leadership knowledge or little, every law student and lawyer can learn much from studying leadership as it intersects with the law.

Lawyers have a unique ability to lead others. They are analytical, they communicate well, they are willing to work hard to solve thorny problems, and they understand the need to inspire others. Wanting to make a difference, however, is not the same thing as knowing how to make that change. You need to spend time studying leadership to become an effective leader, and many of the competencies of leadership actually help you become a better lawyer. By the same token, the competencies you learn as a law student translate to leadership. Notably, formal leadership development was not part of traditional law school curriculum. The time for more intentional leadership training for lawyers is here. Investing time and effort in this leadership course will augment the other knowledge, skills, and professional competencies gained in law school and beyond. All these efforts will better prepare you for the opportunities that await. You will become part of a long line of lawyers who made a difference. It's a storied tradition, and one you will be glad to join.

LAWYERS AS LEADERS AND THE ROLE OF THE LAWYER IN SOCIETY

We educated, privileged lawyers have a professional and moral duty to represent the underrepresented in our society, to ensure that justice exists for all, both legal and economic justice.

Justice Sonia Sotomayor⁴

Lawyers have been leaders in society since the profession began. They were creators and guardians of the rule of law, providing security to the vulnerable and defending against those who preferred a more lawless society. You may recall the line from Shakespeare's *Henry VI*, when Dick the Butcher exclaims, "The first thing we do, let's

kill all the lawyers.”⁵ That line still gets a laugh 300 years later. Audiences assume it means ridding society of the kind of lawyers who give the profession a bad name and prompt lawyer jokes.⁶ When Shakespeare wrote it, however, the line reflected more sober times. During that period, lawyers stood as a bulwark against anarchy. In the play, rebel leader Jack Cade sought a kingdom where beer flowed freely, no one worked, and those who could read were punished.⁷ The way to create a world where anarchy ruled was to abolish the rule of law, and lawyers stood in their way. Killing all the lawyers, then, meant killing the fair and equal application of the law that protected a civilized society.

While lawyers have been leaders throughout history, Alexis de Tocqueville recognized the special status entrusted to American lawyers. De Tocqueville observed that American lawyers, as keepers of the rule of law and with their special training as problem solvers and advocates, occupied “a separate station in society.”⁸ He declared lawyers the “American Aristocracy,” based on his experience with the European tradition from which he came.⁹ The aristocracy in Europe entrusted the care and feeding of the charges to the lords, and that privilege of wealth and power carried with it a duty to protect.¹⁰ Lawyers from Thomas Jefferson and Alexander Hamilton to Abraham Lincoln continued that tradition and led the country through its formation, crises, and remodeling of our views of citizens and their rights. Lawyers have led in ways that mattered greatly.

Despite their significant leadership impact, lawyers are a statistically small group, representing less than one-half of one percent of the population.¹¹ This small a group, however, accounts for more governmental leaders than any other profession. Of the 55 men who signed the Declaration of Independence, 25 were lawyers.¹² Thirty-five of the 55 delegates to the 1787 Constitutional Convention were lawyers.¹³ The majority of our presidents have been lawyers. The occupation with the largest representation in the U.S. Congress is the legal profession.¹⁴

Though small in number, lawyers are large in influence, impacting decisions made every day. Lawyers lead in every aspect of society,¹⁵ in part because our professional obligations include service to society. The preamble to the ABA Model Rules of Professional Conduct: A Lawyer’s Responsibilities, reminds us that “[a] lawyer is a representative of clients, an officer of the legal system, and a public citizen having special responsibility for the quality of justice.”¹⁶ Society looks to lawyers to be the guardians of our democracy, protectors of individual rights and liberties, advocates for the powerless, effective mediators, creative problem solvers, and wise leaders in our communities. As described by Harvard Professors Heineman, Lee, and Wilkins, the role of lawyers has traditionally been three-fold — that of *technical expert*, *wise counselor*, and *effective leader*.¹⁷ These roles are intertwined with and informed by ethics, and through education, training, and experience build on one another. As you work to develop each of these components, be dedicated to understanding your ethical duties as a lawyer. Add to that curriculum a moral commitment to society, and you will be on your way to becoming a complete lawyer — a great lawyer.

LEADERSHIP DEVELOPMENT AS PART OF LEGAL EDUCATION

Leadership and learning are indispensable to each other.

John F. Kennedy¹⁸

Given the important role of lawyers as leaders in society, you may be surprised to learn that formal courses and programs on leadership development are new to legal education. In 2007, Ben Heineman wrote about the low priority and presence of leadership training in legal education:

The profession and the law schools should more candidly recognize the importance of leadership and should more directly prepare and inspire young lawyers to seek roles of ultimate responsibility and accountability than they do today. Why do I advance this thesis? First, our society is suffering from a leadership deficit in public, private, and non-profit spheres. The core competencies of law are as good a foundation for broad leadership as other training. Second, the legal profession, by many accounts, is suffering from a crisis of morale, from a disconnect between personal values and professional life. Providing leadership can affirm—and test—our vision and core values. Third, other professional schools—business and public policy—have as their explicit mission the training of leaders for the public, private, and non-profit sectors. The graduates of our law schools are at least as talented as those who enter other professional and graduate schools. And law schools should have a similar vision to enhance the careers of their outstanding students, thus serving society and addressing the values crisis that affects portions of the profession.¹⁹

Those words ring true. The intentional cultivation of lawyers as leaders has declined even as the Bar recognizes a greater need for lawyers to lead.²⁰ Influential jurists and members of the Bar call on lawyers to reclaim the traditional role of lawyers as advocates, counselors, and community leaders.²¹ A call to leadership is a common theme of law school commencement addresses, speeches, and remarks delivered in varied settings within the profession.²² Leadership is explicitly mentioned in the mission statements of many law schools.²³ With all of these calls for leadership, why is there a relative dearth of lawyer-leaders? Law schools expect students to engage actively and civically in their communities in a variety of leadership capacities following graduation; should the same schools not be more intentional in providing the training to help graduates lead?

Even with scant classroom time devoted to answering the question “what makes lawyers good leaders,” aspects of legal training help lawyers succeed as influencers and leaders. Law students graduate with skills that are crucial for gaining and succeeding in leadership roles. They become decisive, effective communicators who are able to see the big picture while honing in on specific issues, and efficiently solve problems. Lawyers, by training, are able to lead by strategizing, persuading, and ultimately commanding the room, whether a boardroom, courtroom, or arena of public opinion. These are foundational leadership skills developed in law schools.

Deborah Rhode noted in her book *Lawyers as Leaders* that “the legal profession attracts a large number of individuals with the ambition and analytic capabilities to be leaders but frequently fails to develop other qualities that are essential to effectiveness.”²⁴ Being more intentional in our programming and training will ensure our students are better equipped to lead as those opportunities are presented.

We can start by reframing the way we think about leadership development training. While a simple Internet search generates a wide variety of definitions and examples of what is “leadership,” we suggest leadership is less about titles or positions and more about one individual influencing another. Our legal training, our law license, and our professional status afford us daily opportunities to influence those around us. Now more than ever, we need to recognize our obligation to society and better equip ourselves for the opportunities that will come our way because of our position and legal training. What a difference even a small band of inspired lawyers can make when ready, willing, and able to answer the call.²⁵ As Margaret Mead said, “Never doubt that a small group of thoughtful committed citizens can change the world. Indeed, it is the only thing that ever has.”²⁶

LEARNING FROM HISTORY’S LEADERSHIP LESSONS

Those who fail to learn from history are condemned to repeat it.

George Santayana²⁷

A common pedagogy in education is to study the past to learn from the successes and failures of others, and leadership is no exception. The study of historical leaders necessarily will embrace people who served as good examples and those who exhibited less stellar behavior. These are all human beings, with their flaws and foibles, from whom we can learn. Studying them does not mean embracing their character defects or questionable choices. It does, however, remind us that leadership is a process that takes place within a time frame, complete with its social mores, biases, and constraint. Our goal, though, as we examine history is to learn how we might incorporate the good and learn from the bad. For example, Winston Churchill, even with his flaws, is a favorite and fascinating study. Throughout this book, we use Churchill and other historical examples to give context and detail to principles of leadership, helping crystallize why a principle is important and how you can use it as a leader.

Learning from past failures also helps us learn to overcome failure. Rather than shrink from public life after failure, Churchill rebounded. Churchill returned to Parliament and military affairs after his expulsion from the War Council in World War I. In the early 1930s, he lost his seat in Parliament and turned to writing. By the end of the 1930s, he was again Lord of the Admiralty and poised to become Prime Minister. By 1945, he was swept out of his office as Prime Minister before World War II officially ended. He returned to power once more in the 1950s, again serving as Prime Minister.

These ups and downs seemed to make Churchill stronger and more resilient, allowing him time to think, recover, and build again. He became a better leader after each setback.

Churchill provides countless lessons about leadership, although this is true of many historical leaders. By taking the time to read about his failures and triumphs, as well as those of other leaders, you can discern lessons and principles that help shape your leadership style, the way you approach problems, and the way you work with people.

Because history is often written by others and filtered through their own lens, you should consider several factors to determine whether a particular historical example is helpful. Some of the questions to ask include the following:

1. Do we have sufficient context to know whether the decisions made by the leader were correct? Given the sometimes secretive nature of statecraft, the public may not have a clear picture of the circumstances influencing a decision or event.
2. Has enough time passed that we can accurately assess the consequences? Closely related to context, time often allows us to gather all the relevant information surrounding an event or decision so as to accurately evaluate consequences. For that reason, recent events — within 20 or 30 years of the present — may not have had enough careful study by scholars and historians to allow us to understand fully the implications of an event.
3. What are we using the example to demonstrate — a broad leadership point or an analogy to a current event? Do the circumstances translate accurately to the circumstance we are studying?
4. Are we examining a success or a failure? Both can be instructive, but you certainly look at them differently.
5. What can we learn from historical leaders? As we seek to grow ourselves and our skill sets, it's helpful to look at the traits, characteristics, and styles of famous leaders.
6. How do we learn from history? We can do this by asking questions after studying a past historical event:
 - What decisions were made?
 - Were they good or bad decisions?
 - What were the results of those decisions?
 - Can I learn something from those decisions and apply it to my own life?

Great leadership books may not focus on lawyers per se, but they still help guide us in evaluating others in difficult positions as they tried to make good decisions. Similarly, by studying lawyers who had to make hard choices, you can learn more about the profession and yourself as you seek to lead and become a complete lawyer.

THE GREATER GOOD

The way to achieve your own success is to be willing to help somebody else get it first.

Iyanla Vanzant²⁸

Leadership development and training can help individuals thrive. We benefit from becoming more confident and accomplished versions of ourselves; this work also improves the organizations in which we serve. Demonstrating a willingness to lead often creates opportunities to lead. In a law firm setting, showing initiative, taking point on an important project or case, or spending time developing new business shows leadership. In the community, leadership opportunities abound in avenues such as helping an organization achieve its goals, protecting protesters' right to peaceful demonstrations, or being elected to office.

A surprising benefit of leadership is the ability to serve. Through leadership opportunities we can use our resources (time, talents, and treasures) to better the world in which we live. While accolades and promotions may come from holding leadership positions, most leaders find deeper satisfaction and fulfillment by helping others and making a positive difference in their communities. We hope you will know both personal and professional achievement through leadership but also find significance through service to others. Internationally acclaimed author Sheila Murray Bethel expressed it well when she wrote:

If leadership serves only the leader, it will fail. Ego satisfaction, financial gain, and status can all be valuable tools for a leader, but if they become the only motivations, they will eventually destroy a leader. Only when service for a common good is the primary purpose are you truly leading.²⁹

As you search for success through leadership, do not forget what significance through service will look like.

THE WAY FORWARD

Learning and honing your legal skills is a life-long pursuit; the same is true for leadership development. For some of you, this book marks the beginning of your leadership education. For others, you have been leading since middle school but want to sharpen the craft. For all of you, we will guide you through a process of self-discovery, self-reflection, and contemplation about your impact on the world around you. We want you to spend time getting to know yourself and to take care of yourself. Throughout the process and the book, you will notice themes of service, an emphasis on integrity and ethics, and the importance of building and nurturing relationships. We want you to use

this time as an opportunity to be thoughtful about what is important to you and to be strategic about creating a future of fulfillment, impact, and influence.

In Part I, we look at the underpinnings of leadership, lawyers' professional identity, what it means to be a complete lawyer, and lawyers' ethical obligations to clients and society. In Part II, we examine *Leadership of Self: Growing into Leadership*. The leadership journey requires a look inward to examine who you are, what type of lawyer you want to be, and how you will lead. We introduce you to several tools and approaches for learning more about your character and your natural inclinations. Each unique leader brings different attributes to different scenarios, and understanding our strengths, characteristics, and capabilities allows us to be more adaptable and strategic leaders. We will also press you to look at weaknesses or areas where you are not naturally comfortable. We all have these areas, but accomplished leaders take an unflinching look at needed areas of growth, work to improve their skills, or learn to add team members who can fill those gaps. We encourage you to develop resiliency by being gritty and learning from failure and feedback through a growth mindset. Techniques for goal setting and lifelong learning are presented for your use in planning and preparing for your future. We also stress the importance of taking care of yourself. As instructed by flight attendants, you must first put on your own oxygen mask before you can help another.

In Parts III and IV, we focus on growing your influence on others and making an impact in the world. Part III, *Leadership with Others: Effective Group Dynamics*, covers topics such as building and nurturing relationships, developing emotional and cultural intelligence, valuing differences, establishing effective teams, and inspiring others. We want you to be familiar with the dynamics of organizations where you will likely work, such as law firms and other legal employers, and organizations where you might serve and lead, such as professional associations and community organizations. We discuss lawyers' obligation to model civility and present methods for engaging in civil discourse and difficult conversations. Approaches to effective communications are shared, including being culturally aware of verbal and non-verbal cues. Also offered is advice for how to prepare for the influential opportunities lawyers have to be involved in crisis management.

Finally, in Part IV, we look at *Leadership Within Community: Service and Impact*. Because you are a lawyer, people will look to you for input and guidance, allowing you to have influence even when you are not in charge. Time and effort spent participating in community activities and professional associations can build relationships and skills that also benefit your practice. Contributing your energy to worthy causes about which you are passionate will bring purpose and satisfaction to your life. In the last chapter, we will encourage you to be thoughtful about your legacy and to be strategic in planning next steps. How you invest your resources in serving others, seeking justice, and protecting the rule of law will have an impact that lasts beyond your life. Moreover, your impact on your loved ones, your community, and our nation will be powerful!

We wish for you a life of meaning and purpose, impact, and passion, and we hope to get you started on this journey.

Endnotes

1. This quote is attributed to Mahatma Gandhi, BIOGRAPHY.COM, <https://www.biography.com/activist/mahatma-gandhi>. However, according to Jennifer Phillips, “Gandhi authored a passage that evokes the sentiment in a 1913 journal article for *Indian Opinion*: We but mirror the world. All the tendencies present in the outer world are to be found in the world of our body. If we could change ourselves, the tendencies in the world would also change. As a man changes his own nature, so does the attitude of the world change towards him. This is the divine mystery supreme. A wonderful thing it is and the source of our happiness. We need not wait to see what others do.” Origin Story: Be the Change, LJP Strategy, <https://jenniferphillips.com/blog/2021/2/24/origin-story-be-the-change> (last visited Mar. 18, 2023). Mahatma Gandhi was the primary leader of India’s independence movement and also the architect of a form of nonviolent civil disobedience that would influence the world. Until Gandhi was assassinated in 1948, his life and teachings inspired activists including Martin Luther King Jr. and Nelson Mandela.
2. Quote attributed to John Donahoe, in BILL GEORGE ET AL., *TRUE NORTH: DISCOVER YOUR AUTHENTIC LEADERSHIP* (Jossey-Bass 2007).
3. JACK WELCH & SUZY WELCH, *WINNING: THE ULTIMATE BUSINESS HOW-TO BOOK* (HarperCollins 2009).
4. Quote by Justice Sonia Sotomayor. See, e.g., Randy James, *Sonia Sotomayor: Obama’s Supreme Court Nominee*, *Time* (May 27, 2009), <http://content.time.com/time/nation/article/0,8599,1900943,00.html>.
5. Debbie Vogel, “Kill the Lawyers,” *A Line Misinterpreted*, *NEW YORK TIMES* (June 17, 1990). Shakespeare’s exact line “The first thing we do, let’s kill all the lawyers,” was stated by Dick the Butcher in *Henry VI*, Part II, Act IV, Scene II, Line 73. Dick the Butcher was a follower of the rebel Jack Cade, who thought that if he disturbed law and order, he could become king. Some debate Shakespeare’s intention but one can interpolate it as a compliment to attorneys and judges who instill justice in society.
6. One such joke: What is the difference between a lawyer and a catfish? One is a scum-sucking bottom-dweller and the other is a fish.
7. See generally *supra* note 5.
8. Alexis de Tocqueville, *Democracy in America* 302–09 (1835) (Henry Reeve trans., Pa. State U. 2002), <http://seas3.elte.hu/coursematerial/LojkoMiklos/Alexis-de-Tocqueville-Democracy-in-America.pdf>.
9. *Id.*
10. *Id.*
11. ABA National Lawyer Population Survey, A.B.A. (2020), available at https://www.americanbar.org/content/dam/aba/administrative/market_research/national-lawyer-population-by-state-2020.pdf.
12. AMERICA’S FOUNDING FATHERS: DELEGATES TO THE CONSTITUTIONAL CONVENTION, available at http://www.archives.gov/exhibits/charters/constitution_founding_fathers_overview.html (last visited July 20, 2020).
13. *Id.*
14. Thirty-seven percent of the Members of the House and 55 percent of the Senators in the 118th Congress. JENNIFER MANNING, *MEMBERSHIP OF THE 116TH CONGRESS: A PROFILE* (Congressional Research Service, June 1, 2020) available at <https://fas.org/spp/crs/misc/R45583.pdf>.
15. DEBORAH L. RHODE, *LAWYERS AS LEADERS* 1 (Oxford Univ. Press 2013).
16. A.B.A. Model Rules of Pro. Conduct, Preamble and Scope.
17. See Ben W. Heineman, William F. Lee & David B. Wilkins, *Lawyers as Professionals and as Citizens: Key Roles and Responsibilities in the 21st Century*, Center on the Legal Profession at Harvard Law School (Oct. 20, 2014), https://clp.law.harvard.edu/assets/Professionalism-Project-Essay_11.20.14.pdf.
18. Remarks prepared for President John F. Kennedy’s speech at the Trade Mart in Dallas, Texas (undelivered) (Nov. 22, 1963), available at <https://www.jfklibrary.org/archives/other-resources/john-f-kennedy-speeches/dallas-tx-trade-mart-undelivered-19631122>.
19. Ben W. Heineman, *Lawyers as Leaders*, 116 *YALE L.J. POCKET PART* 266 (2007), <http://yalelawjournal.org/forum/lawyers-as-leaders>.
20. Leah Witcher Jackson Teague, *Lawyers as Leaders: Community Engagement and Leadership Benefit All*, *STATE BAR OF TEX.*, <https://www.texasbar.com/AM/Template.cfm?Section=articles&Template=%2FCM%2FHTMLDisplay.cfm&ContentID=39075> (last visited July 22, 2020).
21. Louis D. Brandeis, *The Opportunity in the Law, Address Before the Harvard Ethical Society* (May 4, 1905) in *BUSINESS — A PROFESSION* 313, 321 (1914); *The Texas Lawyer’s Creed — A Mandate for Professionalism* (adopted by the Supreme Court of Texas and the Court of Criminal Appeals Nov. 7, 1989), reprinted in *Texas Rules of Court: Volume I — State 723* (ThomsonReuters 2017); ANTHONY T. KRONMAN, *THE LOST LAWYER: FAILING IDEALS OF THE LEGAL PROFESSION* (1993); Ben W. Heineman, Jr., *Law and Leadership*, lecture

- as part of the Robert H. Prieskel and Leon Silverman Program on the Practicing Lawyer and the Public Interest (Nov. 27, 2006).
22. Neil W. Hamilton, *Ethical Leadership in Professional Life*, 6 U. ST. THOMAS L.J. 358, 359–60 (2009); “Roscoe Pound and Chief Justice Burger understood that the best way for the profession to continue to resolve society’s conflicts is to lead” (see Roscoe Pound, Speech at the Annual Meeting of the American Bar Association (1906) and Chief Justice Warren Burger, Speech at the Pound Conference (1976) in *Report on the Future of Legal Services in the United States*, ABA 8 (2016), http://www.americanbar.org/content/dam/aba/images/abanews/2016FLSReport_FNL_WEB.pdf).
 23. Elizabeth M. Fraley & Leah Witcher Jackson Teague, *Where the Rubber Hits the Road: How Do Law Schools Demonstrate a Commitment to Training Leaders?*, U. TENN. L. REV. (forthcoming).
 24. RHODE, *supra* note 15.
 25. JOSEPH JAWORSKI, *SYNCHRONICITY: THE INNER PATH OF LEADERSHIP* (Berrett-Koehler 2011).
 26. Margaret Mead Quote, INTERCULTURAL STUDIES, <http://www.interculturalstudies.org/faq.html#quote> (last visited July 20, 2020).
 27. George Santayana, *The Life of Reason* (1905). Jorge Agustín Nicolás Ruiz de Santayana y Borrás, known in English as George Santayana, was a philosopher, essayist, poet, and novelist.
 28. Iyanla Vanzant (@IyanlaVanzant), TWITTER (Jan. 24, 2013, 3:23 PM), <https://twitter.com/IyanlaVanzant/status/294556149729095681>.
 29. Sheila Murray Bethel, *Making a Difference: 12 Qualities That Make You a Leader* (Berkley Books 1990).