

THE UNIQUE PSYCHOLOGICAL WORLD OF LAWYERS

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A psychological profile of lawyers is strikingly different from that of Americans generally. That means that, in many ways, entering a law firm or law department amounts to entering into a world different from the one "outside," with different majority and minority attitudes and traits, different expectations and different ways of making decisions and dealing with conflict.

PERSONAL STYLE

One of the oldest personal style assessments is the Myers Briggs Type Indicator (MBTI).^{*} The MBTI assesses 4 different traits on a continuum that results in 16 different personality "types." While people may perform at one time or another at different points along the continua, most have a "default" setting where they are most comfortable. In the United States, over 70% of the population are Extraverts (as opposed to Introverts) and Sensors (as opposed to Intuitors), and a majority are Feelers (as opposed to Thinkers) and Judgers (as opposed to Perceivers). Of these 4 attributes, lawyers are at the other end of the spectrum as to the first three: the majority of lawyers are Introverts (57% of lawyers versus 25% of the general population), Intuitors (57% of lawyers versus 30% of the general population) and Thinkers (78% of lawyers versus 47% of the general population). Only as to the last attribute are they in the majority, being even more likely to be Judgers (63% versus 55% of the general population) than the rest of the world.

What does this mean? It means that if you're good at understanding and interacting with people in the outside world, once you enter a law firm or law department your success rate in those areas may take a nosedive. It also means that as a lawyer, basing your style strategies (either consciously or not) on you and your colleagues' preferences when dealing with clients and witnesses and others "out there" is likely to be wrong-headed. The odds are that their styles and preferences are significantly different from yours.

But in what way? "Extraversion/Introversion," for example, relates to how people derive energy and focus—by walking the halls and interacting with others or retiring to their offices, for example. Extraverts are more likely to formulate their thinking in part by talking through the issues, and therefore prefer interpersonal interaction. Introverts internalize their thought process and take questions under advisement, producing a considered opinion when they express themselves. Unfortunately, while these are just two different styles of formulating opinions, the style not our own is often judged as less valid. Extraverts tend to be suspicious of people who are not as instantly forthcoming with their thinking as they are, whereas Introverts may consider off-the-cuff brainstorming dangerous and unprofessional.

Each of the other three attributes similarly reveals different ways of dealing with the world. “Sensing/Intuition” relates to what kind of data a person pays attention to. Sensors focus on hard data, like financial information and clear facts, and are comfortable documenting and manipulating them. Intuitors focus on concepts, patterns and relationships and how ideas or facts interrelate, more than on the underlying hard data. “Feeling/Thinking” relates to how a person makes decisions. Feelers are heavily influenced by their empathy for the personal dynamics, while Thinkers base their decisions on an arms-length assessment using expertise and logic. “Judging/Perceiving” relates to how driven to a conclusion a person is. Judges commit to a schedule so that they can successfully finish a project, which is what gives them satisfaction. Perceivers enjoy the fluidity and spontaneity of waiting until the right moment to immerse themselves in a project, which is what gives them the most satisfaction.

As with Extraversion/Introversion, each of these attributes not only affects how you deal with your colleagues and clients, but also affects your opinion of their preferences.

PERSONALITY ATTRIBUTES

Martin Seligman, a professor at the University of Pennsylvania and the founder of the school of Positive Psychology, which focuses on the attributes that produce success and happiness, has identified optimism as critical for both. In his book, *Authentic Happiness* (Free Press, 2002), Dr. Seligman reviewed his research on whether any personality attributes were consistently correlated to success in any of 104 careers he studied. Interestingly enough, the only career he found consistent correlations for was lawyering. And the attribute? Pessimism. Pessimism was so highly correlated with success in lawyers that the higher the pessimism in law students, the higher their grades. Dr. Seligman points out that while pessimism is evidently a positive attribute for the practice of law, it can have profound effects on the individuals high in that quality, affecting their resilience and personal and professional relationships, for example.

A personality assessment that has been in use for 40 years is the Caliper Personality Profile.* Over a million professionals have been profiled using this tool. Lawyers show a distinct difference from other professionals in a number of attributes. For example, skepticism is a trait that ranges from being cynical, judgmental, questioning, argumentative and self-protective on the high end to accepting, trusting and giving the benefit of the doubt on the low end. The general population has an average score of 50 on skepticism, while among lawyers it is consistently the highest scoring trait, averaging 90. This trait can be very useful in the practice of law, particularly litigation, tax and M&A. However, most people tend to use their strongest traits in every arena of their lives, so this high level of skepticism is also carried over into partnership meetings, team deliberations and committee work (as well as personal relationships) that may call for more trust and collaboration.

Other attributes that lawyers test very high in are autonomy (prizing independence) and urgency (sense of immediacy or impatience). Attributes lawyers test particularly low in are resilience (processing feedback and recovering from defeat) and sociability (comfort in initiating and building relationships).

Making both the firm or department and its individual lawyers aware of these scores and the behaviors they imply can be a major first step toward understanding and improving organizational dynamics and better utilizing personal attributes.

EMOTIONAL INTELLIGENCE

While lawyers score well above the national average (115-130) in IQ, they score below the national average in emotional intelligence, as measured by the Mayer Salovey Caruso Emotional Intelligence Test (MSCEIT). Their lowest sub-score in this four-part assessment is in the first branch—accurately perceiving their own and others emotions, while their highest sub-score is the third branch, understanding emotions, a more cognitive ability. Unfortunately, this means that while lawyers are able to competently reason about emotions and their implications, the emotional data that they are analyzing day in and day out is likely to be incomplete or inaccurate—lawyers are likely to be misreading what they themselves or others are feeling. The result is that lawyers are more likely than non-lawyers to be caught off guard by a disgruntled client, an overwhelmed associate or an angry partner, or even by their own powerful reactions.

CONFLICT RESOLUTION

As Clarence Darrow once said, “To think is to differ.” Conflict is the currency of most interaction, requiring that differences be acknowledged and addressed lest they grow to hamstring the productivity of the organization. What strategy is used to handle a conflict is often critical to the likelihood of resolving it.

The Thomas-Kilmann Instrument (TKI) is a tool that recognizes and assesses five conflict resolution strategies: competing, collaborating, compromising, avoiding and accommodating. These strategies involve different levels of assertiveness and cooperativeness and also require different investments of time.

Ideally, each person has access to all of these resolution methods, choosing the one best suited for the conflict. In practice, lawyers tend to rely on one or two methods regardless of what would serve them best. The old saying that “to someone with a hammer, everything looks like a nail” is particularly apt with respect to those who have a limited repertoire of resolution strategies.

While not exhibiting a significant preference for any single method, most middle and upper-level business and government managers tend to use collaborating, compromising, competing, avoiding and accommodating, in that order, to resolve disputes. Lawyers, however, have strong preferences for competing and avoiding, the two least cooperative of the strategies. The upshot of this preference is that lawyers tend to either engage in an all-out war over divisive matters, with the intent of “winning,” or they walk away. While there are several theories as to why lawyers rely on these two methods, the bottom line is that neither of these strategies is likely to work most of the time, let alone all of the time, and these strategies are guaranteed in many cases to further exacerbate the underlying divisiveness. In addition, lawyers' limited approaches may well turn off clients who are usually more adept at cooperative problem-solving.

WHAT CAN A LAWYER DO?

By using well-tested assessments, such as those mentioned in this article, that identify the distinctive personality profile of lawyers generally and of their organizations and individuals specifically, law firms and law departments can better understand the dynamics at work in their offices. In addition, there are reliable methods to improve the quality and types of interactions that these various attributes produce. In the end, this invaluable data can help lawyers more successfully choose leaders, make myriad management decisions, foster better working relationships, develop young lawyers and ultimately improve bottom-line business results.

Ronda Muir, Esq., founder and Principal of Law People Management, Inc., is a leading authority on the application of behavioral science to the legal workplace. She draws from law, psychology and conflict resolution to offer business-savvy, psychologically sophisticated evaluations of, and real-world solutions to, the personal dynamics issues that are unique to law firms and law departments. Reach her at RMuir@LawPeopleManagement.com.

**Statistics on lawyer results on the MBTI and Caliper assessments are drawn from articles by Dr. Larry Richard.*