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Lone Wolf Thinking

Intro

When you are new to law and eager to impress, it can be tempting to showcase your independence by completing work with minimal fuss and interruption. However, the truth is there are a lot of lessons to be learnt from those that have gone before. Host Julian Morrow chats with Susan Hill, Special Counsel at Hones Lawyers. They discuss the dangers of taking things too far on your own as a new lawyer and the steps you can take to ensure you showcase your knowledge and skills while also managing the risks.

Julian: Welcome to Risk on Air. I'm Julian Morrow and today we are joined by Susan Hill who's a planning lawyer and Special Counsel at Hones Lawyers, but also runs her own venture, the New Lawyer Accelerator Program and is the author of the book "*A New Lawyer's Guide to Getting It Right the First Time*", which is the sort of title I wish that I had had when I was a lawyer. Our subject today is 'lone wolf thinking': taking things too far on your own as a new lawyer. Which I must say has given a bit of PTSD just thinking back to my early days of being a lawyer, but Susan will get us through it. Susan, welcome to the podcast.

Susan: Thank you Julian.

Julian: When I think back to who I was as an early lawyer, I don't really think of myself as a lone wolf, but maybe that's because I don't know what lone wolf thinking is. Let's start with the basics. What is lone wolf thinking?

Susan: Well, Julian, everything sort of on a bit of a sliding scale. I'm not talking about when you're like just first stepping in the door. So probably a few months into practice when you're getting more responsibility for your files. And so, some people, they're just so nervous and anxious and uncertain about what to do that they check in with their supervisor about absolutely every single thing. And so that's one end of the scale and we don't want to be sitting there, of course it's not a good and effective way to work.

But at the other end of the scale, that's where you find what I call the lone wolves. So, they tend to be more sort of the independently confident ones who sort of run ahead on their own and they're blazing their own trail. You know, they don't want to be slowed down, they just want to keep going and don't want anyone to get in their way until they've completely finished what it is that they're working on. And when you're new because you just lack that experience, it's very difficult to gauge whether what you're doing is actually going to be relevant. Is it on point? Is it what you're actually supposed to be doing? And if you go too far that way, then you've got a lot of problems.

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Julian: Yeah, and so from what you're saying, lone wolf thinking could combine just natural confidence and ebullience of someone who just thinks, "Yep, I've got this all", but also maybe the lawyer who has been doing it for a little while, feels like they've got the hang of it and that actually creates a bit of a blind spot.

Susan: Definitely, that's a really good point. Once you then get to two to three years, obviously you're going to be doing a lot more work on your own. And if you haven't had anybody working with you closely on your matters and giving you guidance, you sort of work out your own path, and it could be a lot off track but you're not aware of it.

There's also a big percentage of new lawyers especially that are always very anxious, just that constant worry and, you know, that's something that comes up in this sort of area, it's a very key thing. New lawyers, what you want to do more than anything is make a good impression. You're already feeling deep down that you're a sort of a fraud or something and it's going to be discovered that you don't know enough. So new lawyers, especially if they think that their supervising solicitor is under the impression that the new lawyer knows what they're doing or that they should know and I think that's the really insidious one.

Julian: Yes. So we've got your genuine aggressive lone wolves, but maybe also some lone wolves in sheep's clothing.

Susan: Little lambs.

Julian: All right, what are some of the problems that can come from thinking in a way that's the lone wolf?

Susan: The first and most obvious one is time-wasting. Lawyers are always pressed for time, and if you are sort of going off and doing a lot of stuff that isn't going to be useful, then there's just a whole lot of time that gets wasted. When you're junior, you don't have a good concept about the domino effect. You're actually part of a team and often you can be assigned a very specific task in a bigger matter. So, if people are relying upon you to complete the component that you are working on and you take too long, then you push everybody else under pressure.

And another thing that can happen is when they get what you've completed, it's not what anybody was expecting, and so suddenly they have to do the work themselves or you've got to go back and start again, and then you've got real problems with people trying to meet schedules and you know, if you're in a court case, it's possible for there to be a cost order made against your client or the firm. And also even more seriously, you could be missing a deadline that can't be sort of clawed back. And then you're sort of into the area of professional negligence as well as, you know, managing client relationships, and you don't want to be at the epicentre of a major problem with a key client of the firm.

Julian: So it starts with time management and time wasting, but obviously that flows into compromising deadlines and also the impact that that has on the colleagues that you are working with and their ability to manage what's on their plate as well. And I suppose ultimately all of that is heading towards budget problem.

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- Susan:** Yes, everybody's interested in budgets and when you're new you've got to be mindful of how your billable hours are going. If you've been putting in lots of hours and then they have to get written off, that can be leaving you with a serious shortfall in terms of your billable hours. So that's really important.
- Julian:** So, budget can be compromised by lone wolf thinking. What about the risks of just making a mistake because you're an inexperienced lawyer?
- Susan:** Oh, 100% Julian. And this gets impacted by the time-wasting point because when you rush, you're going to make mistakes. One of the most important things about being a good lawyer is attention to detail and no one can do that when you're rushing, and especially not if you're new.
- Julian:** I think sitting in the background of some of this discussion about lone wolf thinking is, "What's actually causing this to happen?" And I know you've got some sense of what are some of the key causes of lone wolf thinking? Could you tell us how you see that question?
- Susan:** Yes. One of the big causes I think is an uncertainty for new lawyers about when they're supposed to check in with the supervising lawyer. They get, maybe a very general sort of request from their supervising solicitor and then they sort of have this idea that they need to trot off and do whatever that is.
- Julian:** And only come back when it's complete.
- Susan:** Correct, and there's no set sort of outline about when is the right time? It doesn't really get discussed. Also too, it's such a variable, like you couldn't possibly know when you start, at what point do you need to check in with somebody, there's just no way for them to know.
- Julian:** Another headline you've got in terms of key causes of lone wolf thinking is the phrase; "Nobody notices that the positives are the negatives." Now that's an intriguing sentence. Could you unpack it for us Susan?
- Susan:** Yes. So I think that a lot of issues for new lawyers come up because people are always on the lookout for negatives. You know, if people are low performing or other issues have come up in the workplace, but when people are intelligent, enthusiastic, very keen to get on with their work, these are all like big tick items. And so, nobody's thinking that a good thing can turn into a bad thing. But when you've got those sorts of attributes, often they're the people they want to find a solution and they know they can. So they just want to get on with it and work it out for themselves. They don't feel comfortable with asking questions or bothering people, they just want to get it done. So you can see how that can work against you if all of that energy and effort that you put in has gone on something that's not going to be of any use to anybody.
- Julian:** Susan, you're not suggesting that in the legal profession there might be some people who present as overconfident or clear on what they are, but in fact the reality is more nuanced and complex than that and that there might be complex psychological factors that are causing us to perform less than our best, are you? You can pass on that one.

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Susan: Thank you. But that's a good point though that you make about the confidence. I think a really strong cause of why this can happen is that when people don't feel confident, they know they're not feeling confident and putting to one side the issues that we were talking about where you're feeling anxious and don't want to let somebody know that you're struggling with understanding what the hell it is you're supposed to be doing.

When people feel confident, they tend to take that as their guide for how they're performing. But when you're new and inexperienced, that's a really dangerous benchmark to use because you can be feeling highly confident and yet be on completely the wrong track. And I know everybody's heard stories of very junior lawyers getting very hot under the collar because somebody's not seeing how excellent their whole strategy or research point is. They're certain they've nailed it. So how confident you feel is not a good measure of whether or not what you're doing is on track and on target.

Also, when people are feeling confident or they want to get something done, in lots of areas of life, we get rewarded for having a go. But when you're a lawyer having a go when you don't really have any clear idea about what you're doing, it's not going to reap any rewards. When you hand, if you don't know how to say, draft an affidavit, or prepare a certain sort of court application, you know 99 times out of 100, it will be a complete and utter waste of time for you just to sit down and start dictating or typing. No matter how keen and enthusiastic and inspired you are, you are in a lone wolf mode there. Don't go there, you need to pull back and that needs then a supervising solicitor to step in. You'll find some precedents, that's how lawyers work. We live and breathe precedent...

Julian: Glorified copy!

Susan: But nobody's creating an agreement from scratch. Everyone's got their precedents, someone will have one for you. So, I think it's important to differentiate because the lawyer's world is different to the outside world and when you know that you don't know something, that's definitely a time to ask for guidance.

Julian: And even if you're not sure, it's good to check.

Susan: Especially if you're not sure.

Julian: So we've talked about the nature of lone wolf thinking and some of its causes. What are some effective solutions to avoid the pitfalls and the risks that come with lone wolf thinking?

Susan: Okay, so one of the really effective ways to counter launching yourself down the lone wolf path on your own is to get into a team mindset. So, everybody knows that expression, you know, "There's no 'I' in team," but you don't really associate that very much with lawyers because we do tend to be quite isolated individuals and do like working on our own. Yes, you need to do your work on your own, you need to be able to concentrate on what you're doing and focus on your task and complete your task, but that's in that broader context of being part of a team. And when you are a newly admitted lawyer and you're learning the ropes, then in a team where you're getting guidance and support and assistance from senior colleagues, that's absolutely the best place for you to be if you want to get better results and you want to use your time more efficiently.

Julian: I think what you're saying is there's no I in team, but there is an I in lone wolf! What are some other possible solutions, Susan?

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Susan: Oh, spelling course! Another really good way to think about this is adjusting your goals. And this is something that comes up not just in this idea of keeping out of lone wolf thinking, but in lots of work that junior lawyers do.

So, as I said, the legal profession, it tracks high achievers like bees to a honeypot and most people, especially high achievers, feel bad when they don't achieve their goals. So, what you need to do then is think about what is the goal that you are setting yourself. If you've set yourself a goal that is to fully and totally complete a task, then that's going to make you extremely reluctant to stop before you get all the way to the end. And this is not like probably consciously setting a goal, it's just more like an automatic sort of knee jerk reaction to sort of an inbuilt mechanism that says, oh I need to do everything here. That really fuels the lone wolf thinking and they just sort of want to gallop single-mindedly down their solo path until the whole thing's all wrapped up with the bow that they can hand over at the end. But as we've seen what you hand over might be something that's not going to be of much use at all.

Julian: So, you're saying break the task down into smaller tasks with smaller goals that give you the opportunity to check in and make sure that you're heading in the right direction?

Susan: Exactly. And I think too, even how you think of what the task is, so talk about it with your supervising solicitor and work out what works best for you. But depending on what the task is, for example, you could have your task is to do an outline of what you think the relevant points are. You know, it doesn't seem like much of a goal, but it's an important one because it's needing to check in before you go off doing lots of research or drafting to make sure that's right. Or maybe it's, we were talking about precedents before, maybe it's checking in that the precedents that you've gathered together that they are the correct ones to use or that you've identified what the topics are that need to be addressed in the recitals to a deed, or something like that. It doesn't have to even be a goal about a whole thing being completed, it just can be the preparation because that's really where a lot of the most important work is done.

Julian: What are some other tips?

Susan: I think that planning your progress is extremely important. One thing to learn, and it's a hard lesson for quick thinkers, which a lot of new lawyers are and they know their law because they're straight out of university. So in lots of areas of law they could well be more up to date than more senior colleagues. But applying the law to a client's matter in practical, real-life circumstances is very different to academic theory. So quick thinking you just go, oh bang, yes, it's that issue, that's what this is about, but the first answer is not always the right answer. And in law, there can be many, many answers. It's not black and white, there's lots of grey, or you're just dealing with a discrete element of a matter and you don't have the full understanding of the entire context of what the issues are. You need to, instead of running off ahead, you need to just slow down and check in that what you've identified as a relevant issue actually is.

Julian: That follows on from what you were saying about teamwork, that developing a practice of checking in, putting up your hand, asking, and even if you're pretty sure that you know the answer, it's much better to test that by a bit of human interaction.

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Susan: Yes, yeah, definitely. That's a good way to look at it. Testing it. I mean, everything that you put forward needs to be able to be tested. Can it stand up to scrutiny? Will it survive a counterattack from a different angle? So, it's actually very helpful to think of it in that way. I like that.

Julian: What about thinking of this from the perspective of being a practice leader or somebody who's trying to set the tone of a workplace. What can you do to foster a set of practices that are going to minimise the risks of lone wolf thinking?

Susan: Yes, it's really got to be up to the supervising solicitor to take responsibility for making clear to new lawyers when it is that they're supposed to check in. If new lawyers are under the impression that you expect that they should be able to just complete whatever it is on their own without any interaction with senior lawyers that's on the supervising solicitor. New lawyers are new, they really want to make a good impression and they're going to be very reluctant to let on to somebody that they're looking up to, that they're feeling out of their depth or they're struggling. And so even for confident people, even for highly intelligent people who are unsure about what they're doing, you sort of need to herd them all together and put them on the middle path where they feel confident that they can progress things on their own, but they can always come back to base and attain the guidance.

Julian: And it's a constant risk, isn't it? Like it's not something that you can do once, it's not something that can be solved by saying once, well just ask me if you've got any questions or anything like that.

Susan: And I think that's a difficulty because look, senior lawyers are usually very, very busy people and they mostly, I think, genuinely have an open door sort of policy and will say things like, look, any questions just come and ask me.

But as I said, junior lawyers are reluctant to show their hand when they're feeling like they should know, and they don't know. And also too, on the other end of the scale, the overly confident ones, they don't think they've got anything to ask you, they're pretty confident that you are going to be really bowled over when you see that draft advice that they've just spent the last three days working on. So, to be effective, the senior lawyer I think needs to specify check-in points. You could do that by time intervals or by milestones or a combination of both. You need to also make very clear that they're encouraged to ask questions and really just say to them, I'm not expecting that you'll know how to do all of this. You haven't done it before. So, it's important that when you're doing it, we touch base a lot and we check that you're on track. No question is too simple to ask and it's really important and I want you to clarify any queries with me before you spend a lot of time on anything, that way we'll progress the matter, you know, with the best results. So even though, to a busy supervising solicitor, that might sound like a lot, it's time well spent and the end results will definitely be worth it.

Julian: Yeah, I do sometimes cynically wonder whether the rule in the solicitor's rules about providing reasonable supervision is one of the most honoured in the breach. It's a really hard thing to do, but it really pays off and it protects your practice as well.

Susan: Oh, a hundred percent.

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Julian: Susan's book is called "*A New Lawyer's Guide to Getting It Right the First Time*". And Susan, it might be too late for you and me, but it's not too late for anyone listening to think about lone wolf thinking, think about making changes in your practices at the workplace, but also potentially going to external resources as well because it's going to pay off for everyone in the long run.

It's been great speaking with you, Susan. What would you say are the key messages that you'd like to get through to anyone in that early phase of their career now across the concept of lone wolf thinking, what should these possible lone wolves be thinking about after this podcast?

Susan: I think that the main thing for you to be aware of is that it's not an all or nothing approach. So these qualities that you've got that might be leading you down that sort of lone wolf way of working, they're qualities and abilities that are really going to hold you in good stead over the long term. So it's just about tweaking things and understanding that if you want to use your time effectively, if you really want to put in place the sort of skills and abilities that you need that are really going to serve you well throughout your whole career (and also when one day you are the one who's training a new lawyer, who's going to be in your shoes), that it's just about pulling back slightly, tweaking what you're doing, using some of these suggestions and recommendations that we've discussed today to make sure that you check in, that you get guidance, you get assistance, you get support, you see yourself as part of that legal team, and that way you are going to be able to get your most effective results.

Julian: Susan Hill is Special Counsel at Hones Lawyers. Her book is "*A New Lawyer's Guide to Getting It Right the First Time*" and she also runs the *New Lawyer Accelerator Program*. Susan, thanks so much for speaking with us on Risk on Air.

Susan: Thank you very much, Julian.

Outro

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