

The Fine Print

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An eye-opener on leading in life and law

By Lewis N. Segall

Whether you are working at one of the largest corporate law firms in the world, a more regional firm, or a boutique that specializes in a niche area of law practice, the modern pressures and demands on attorneys are unrelenting.

The harsh reality is that our primary focus tends to be in three key areas: solving complex business and personal challenges for clients, winning new business, and billing for services rendered. Yet one of the most critical elements of success is often overlooked: leadership.

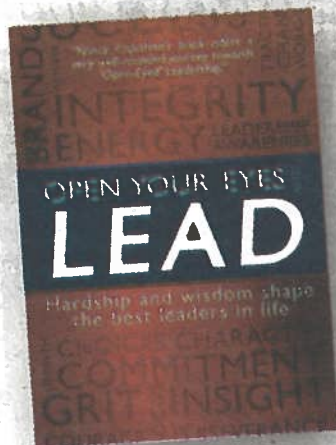
Most of us went to law school because we wanted to be lawyers, not business leaders. However, pressure for an accelerated pace of change in our field coupled with the uncertainty and unpredictability of our world are fueling the demand for a higher level of professional and practical leadership skills. Firms must be intentional about expanding these skills not only to create a stronger infrastructure but to serve as a key differentiator for clients choosing representation.

I just finished reading Nancy Capistran's leadership book titled "Open Your Eyes and LEAD." She offers insight and wisdom about the expectations of today's leaders as well as practical solutions to help us develop better

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approaches to challenges in both our personal and professional lives.

Capistran has had a 30-year career working for and advising senior leaders in a wide range of industries, and her thoughtful, visionary and smart approaches grounded in real-world solutions are illustrated throughout the book.



Leadership must present itself in both our personal and professional lives. One common thread that cuts across all aspects of our world is leadership. We are all looking for leaders who have integrity and are honest in all aspects of their lives. Nurturing relationships where there is influence with integrity affects the thoughts and actions of others.

Leadership, as we know it, is on life support. There are far too many outdated ideas, and the competencies of the past will not take us into the future. In the entry for "leadership," a thesaurus lists words like control, command, rule, sway, dominate, power and superiority. But that's the old guard. Change has arrived whether we like it or not.

Though change is hard, if we want to lead, we must stretch and embrace new experiences and learn to appreciate diverse beliefs, traditions and cultures. For example, law firms have diverse generations of workers — sometimes up to five different ones — all raised with core beliefs that are different from the others. What works for the 70-year-old firm founder about to retire isn't going to cut it for the newly minted degree-holder or the 30-year-old millennial lawyer. Expanding beyond your

current state of mind creates an upshot of beneficial results. Stretch yourself. Recent polls suggest that 70 percent of the U.S. workforce is disengaged. The majority of employees report that they are resentful and act out because they feel that their needs are not being met. When this happens, productivity is seriously impacted, and hidden costs such as higher absenteeism and lower employee motivation are staggering. Look for warning signs. Are your lawyers physically present but seemingly preoccupied? Do you notice a lack of attention to detail? Has absenteeism increased?

"Open Your Eyes and LEAD: Hardship and Wisdom Shape the Best Leaders in Life"
By Nancy Capistran
Eclipse Publishing & Media, 2018
192 pages; \$18.95

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best indicator of its long-term viability.

It's all about how you show up. The words we speak and the attitudes we project as leaders can have a positive or negative impact on those around us. Think of a time when you started the day in a bad mood. I would bet that attitude was absorbed by those around you, and as a result, most of your interactions that day were less than optimal.

Negative energy attracts and breeds more negativity. Even if you're facing the most difficult challenge, try to do it with moral strength, style and a positive attitude. Others are watching and, if you are a leader or in a position of power, mimicking your actions.

An example was this year's Boston Marathon. The race was fraught with weather-related challenges even for the most well-trained runners. Extreme cold temperatures, torrential rain, flash flood warnings, and relentless headwinds of 40 miles per hour assaulted volunteers, medical staff, fans and runners.

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If you've heard whispers at the water cooler and sense an overall feeling of fatigue at your firm, understand the reason behind the disconnect.

Oftentimes we stay so rooted in our own beliefs that it's hard to see the other's point of view. Remember, different doesn't mean better or worse, it's just different.

Firms with happier lawyers consistently outperform the competition. Though profitability is considered a hallmark of a firm's success, engaged employees are the key to success and the

But despite the extreme conditions, more than 25,000 runners completed the race, and those who did had a positive, can-get-through-this attitude. Many of the elite runners quit or ran lackluster times, while a number of lesser knowns had career best finishes. Who set the better example?

Capistran says that the best leaders in life are shaped by hardship and the wisdom they glean from their life experiences. Success can be measured by how we leverage those past experiences to shape and expand our future. **MLW**

NEWS BRIEFS

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Court judge has ruled.

Attorney General Maura T. Healey filed suit to enforce an order by the Secretary of State's Office to comply with a 2015 public records request from The Boston Globe, seeking a ruling that the information was a public record under the state Public Records Law, G.L.c. 66, §10.

The defendants argued that providing the information would violate the privacy of people convicted of crimes under the Criminal Offender Record Information Act.

Judge Rosemary Connolly disagreed, ruling that, among other things, most of the information that would be provided under the request is already available in public court records.

Connolly also rejected arguments by the defendants that the requested information contains attorney-client privileged material, that complying with the request would require them to create a new record they do not already have, and that the request violates the Uniform

Trial Court Rules.

"Accordingly, the defendants have not met their burden and the Attorney General is entitled to a judgment as a matter of law and a declaration that the requested information is public record and that these defendants must produce these records," she wrote.

The 31-page decision is *Healey v. Cruz, et al.*, Lawyers Weekly No. 12-039-18. The full text of the ruling can be found at masslawyersweekly.com.

Grant will help fund legal aid in debt cases

Expanding its relationship with the Hampden County Bar Association Legal Clinic, the MassMutual Foundation has announced that it is providing more than \$300,000 to the bar group.

The grant will be used to establish the Consumer Debt Initiative, a program to help underserved residents in the Springfield area effectively navigate debt-related

legal issues, according to the MassMutual Foundation, a foundation created by Massachusetts Mutual Life Insurance Co.

The program, which is expected to begin in 2019, will focus on:

- providing pro bono consumer debt representation in Springfield District Court small claims cases;
- training local pro bono attorneys;
- improving the high rate of default in debt collection cases; and
- connecting consumers to financial literacy education, such as information on debt prevention and debtor rights.

Family sues for police records in opioid death

The family of a 30-year-old Vermont woman whose obituary gained national

attention for its discussion of her opioid addiction are suing the Springfield Police Department for information about the days leading up to her death.

The lawsuit was filed on Nov. 27 by the family of Madelyn Linsenmeir, whose obituary was widely shared after she died on Oct. 7.

The suit against the department and city of Springfield says Linsenmeir was arrested in late September and later transferred to the custody of the sheriff's department. It says she was rushed on Oct. 4 to the hospital, where she later died.

According to the complaint, lawyers for Linsenmeir's family have requested documents that might shed light on her arrest and detention but have not received them.

Material from The Associated Press and State House News Service was used to compile News Briefs.

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