

Why Are So Few Lawyers Willing to Assess How They're Delivering Legal Services? It Might Just Be Who They Are

By [Carla Landry](#) on July 10, 2013

A few months ago I discussed which should come first between Legal Process Improvement (LPI) and Legal Project Management (LPM) in the attached [blog](#), which continues to generate comments and questions. There's definitely an argument for each side and an argument that it doesn't matter. The fact is, many firms chose to implement LPM first and are only now starting to consider LPI. In a more recent [blog](#), I suggested some reasons for this:

- Too overwhelmed to know where to start
- Fear of commoditization
- Lawyer personality

What is it about lawyer personalities that would hinder the implementation of LPI techniques? Turns out there might be a few things. According to Dr. Larry Richard, Principal Consultant, LawyerBrain LLC, lawyers share a number of personality traits that distinguish them from the general public. Dr. Richard has been studying the personality traits of lawyers for over twenty years and has measured dozens of traits among thousands of lawyers. Results from one test, the Caliper Profile, indicate that lawyers are very different from the general population in 6 of 18 traits. Three of those six – Abstract Reasoning, Skepticism, and Urgency – likely contribute to the delay, postponement or abandonment in rethinking the delivery of their legal services.

Abstract Reasoning – This trait indicates the potential to solve problems and understand the logical relationships among concepts. People who show a high level of abstract reasoning ability are typically capable of understanding complex issues and integrating information. Lawyers score an 82 as compared to the general public score of 50.

The impact of this trait on implementing LPI? The potential for “paralysis by analysis.” Lawyers tend to overanalyze something or challenge something because they enjoy challenging another's ideas. So, if someone is suggesting that they deliver their legal services differently (i.e., look at the current process and identify a more streamlined approach or improve the process), they can either analyze it to death (or paralysis) or challenge it to the point where nothing is accomplished.

Skepticism – This trait indicates one's inclination to doubt or question others' motives. Caliper's research has shown that this attribute is a “performance inhibitor” in some jobs. Highly skeptical individuals tend to be guarded and doubting of others' intentions. Lawyers score a 90 as compared to the general public score of 50.

The impact of this trait on implementing LPI? High skepticism correlates with being cynical and/or argumentative. As such, a skeptical lawyer is likely to be adversarial in all encounters, especially if they perceive that their delivery of legal services is being challenged. Mapping a process and identifying potential areas for improvement require a collaborative effort, not a confrontational one. Skeptical lawyers derail those efforts.

Urgency – This trait measures the tendency to take quick action in order to obtain immediate results. It's a measure of an

individual's sense of immediacy and a need to get things done. High scores on this attribute tend to be driven to act quickly. Lawyers score 71 as compared to the general public score of 50.

The impact of this trait on implementing LPI? High scores correlate to impatient and results-oriented. Analyzing a process takes time and patience. Identifying how to streamline that process takes even more time and patience. Monitoring and controlling to that new process takes yet even more time and patience (and attention to detail). If lawyers have high urgency, they're unlikely to want to spend the time analyzing a process. They would rather get to work on solving the client issue (the legal issue).

Combine these three traits with lawyer high autonomy scores (dislike for being told what to do) and low resilience scores (resistance to criticism or perceived criticism) and it's clear that it's a challenge to try to get lawyers to consider LPI. Does that mean we shouldn't try? Or is it all in the approach? That's what we need to decide.