

with the perception of solo practitioners. To Aragon, a law firm's name provides an immediate impression of credibility to any attorney sheltered within its walls. "There are solos who warrant it," he notes, but their status as a solo sometimes means that they have to work harder to establish their credibility.

To Dickinson, it makes sense that a firm name can create a certain level of credibility. She also acknowledges that there are a number of solo attorneys who give other solo practitioners a bad name. But that is hardly the end of the story. "The quality of work can surpass the quality of large firms for a better price," she explains. She, however, strives to make a good name for herself that garners that same level of credibility.

While they are solo practitioners, Dickinson, Aragon, and other solos do not work completely on their own. They support each other, mentor each other, and consult with one another. It is possible to get the same levels of support that many firm attorneys enjoy by simply bouncing ideas off of colleagues. And more resources are devoted every day to supporting solo practitioners. Practicing solo doesn't have to mean practicing alone. ♦

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Notes

1. WSBA members provide this data voluntarily; this information does not reflect all members. For the full report, see www.wsba.org/info/about/demographics.htm.
2. *Id.*

WSBA Info for Solos

► WSBA Solo & Small Practice Section

www.wsba-ssp.org

► The WSBA Law Office Management Assistance Program offers products such as a New Practice Packet and the "Law Office in a Box" to help new lawyers start their practices.

www.wsba.org/lawyers/services/lomap.htm

Don't Be So Quick to Judge... Yourself

Strategies for silencing your inner critic and embracing new possibilities

by Amy Kosterlitz

It is no secret that attorneys are achievement-oriented, hard-driving folks who have gotten where they are by pushing themselves to excel and setting high, even perfectionist, standards. The legal profession rewards the ability to exercise critical thinking and make decisive judgments. Moreover, success in legal matters requires a focus on results, and is measured in terms of "winning." Yet these traits and behaviors, which are so prized in law practice, have their "shadow sides." They can actually hamper an attorney's performance and job satisfaction.

This article explores how an overly strong "judging" mentality can interfere with a lawyer's professional success and personal fulfillment. It shows that excessive reliance on critical thinking can limit a lawyer's ability to tap into important emotional resources, such as empathy, curiosity, and resilience. Further, it explains how a judgmental mindset can curtail creative thinking and problem-solving potential. The upshot is that the very "judging" skills that are strengths when deployed selectively on behalf of clients become impairments when a lawyer overuses them or turns them on herself. Thus, an ability to recognize and modify these self-limiting behaviors is important, especially as attorneys advance and need to develop leadership abilities.

But wait a minute, you say. Why is it bad to have high standards and be tough on yourself when you don't measure up? This should result in better performance and results, not the opposite. Surprisingly enough, the emerging consensus from experts in the field of human behavior is that when people beat up on themselves, they create stress and anxiety, triggering a biological "fight or flight" mechanism, resulting in a rigid, defensive stance. This mental state is not conducive to processing new information, listening to others, or brainstorming solutions. Also, people who are hard on themselves tend to engage in fault-finding and attacking behaviors with others, engendering conflict. These be-



haviors can be antithetical to high-quality legal service — which requires the ability to listen well, understand other points of view, process and synthesize new information, and be creative about alternatives for resolving conflicts.

What can you do when your critical voice pipes up and you become defensive and unbending? Psychologist Marilee Adams has developed a helpful paradigm for recognizing and addressing our tendencies towards overly critical behaviors. Adams's model draws a dichotomy between what she calls "judger" and "learner" mindsets, and she theorizes that we can become more creative in resolving conflicts if we can see when we are stuck in judger mode and switch into learner mode. Adams concludes that if we use the right questions with ourselves ("learner questions"), we can change our mindset, gain insight, and open real dialogue with others. These learner questions require us to be curious, question our assumptions, and be open and flexible. With this learner mindset, an attorney can envision more possibilities for resolving conflict and create an atmosphere more conducive to acceptance, creating the proverbial "win-win" rather than "win-lose" situation. More about Adams's judger/learner theory can be found on her website at www.inquiryinstitute.com.

To understand how judge/learner behavior can operate in the legal practice, consider the situation of Ann, a senior associate who has been told by her supervising partner that she jumped to unsupported conclusions in a client advice memo. Ann defaults to a judge mindset, taking the criticism to mean that she is a loser; she feels upset with herself, threatened, and defensive. This leads her to blame the junior associate who did the research and argue with the partner, trying to prove that her conclusions are well-founded. However, if Ann instead switched into learner mode, she might ask herself: *What is useful about the partner's feedback, what possibilities are presented by the situation, and what are my choices?*

In a learner mindset, Ann might decide that there is some truth to the partner's comments — she does have a tendency to jump to conclusions — and, by acknowledging this, she can commit to a higher standard in the future and gain the partner's respect. Ann may still believe that her conclusions are sound, but with reflection she may discover that she failed to adequately support them with all of her reasoning. She could discuss with the partner additional rationales for her conclusions to see if the partner would agree with her advice, were it better supported. Even if they still don't see eye-to-eye, the latter approach leaves Ann in a more optimistic frame of mind about her capabilities, her relationship with the partner, and her ability to improve the advice memo.

Similar wisdom is found in *The Art of Possibility*, a book that addresses the tendency of many people to over-rely on their critical, measuring minds and, in so doing, to diminish their sense of possibilities. The authors, Rosamund and Benjamin Zander, challenge each of us to reframe the way we look at and react to situations — asking us to discard our constricting frameworks of measurement (right/wrong, win/lose, etc.) and embrace a world of imagination and possibility. The Zanders urge us to reject constructs of scarcity, comparison, competition, attachment, and anxiety, and replace these with abundance, compassion, wholeness, grace, passion, and joy.

One of my favorite anecdotes in the book involves Benjamin Zander's advice to his students when they make a mistake. He tells them that instead of asking themselves what they did wrong, or castigating themselves, they should "lift their arms in the air, smile, and say, 'How fascinating!'"

This frees them up from the negative ruminations about their mistake and allows them to value it as a learning opportunity. I have tried Zander's approach to mistakes and can attest that it puts me in a much more constructive frame of mind than blaming myself or others. Zander also capitalizes on the importance of levity and humor in "getting over ourselves" with his paramount rule: "Don't take yourself so g——n seriously."

Finally, in order to cope with judgmental, self-critical behaviors, it is important to deal with the underlying causes, which are often self-doubt and fear of failure. A recent *Wall Street Journal* article entitled "Conquering Fear" acknowledges that "even people who appear supremely fit, highly successful and hyper-organized are sometimes riddled with debilitating doubts, fears and self-criticism." This article explains the latest theory in cognitive behavioral psychology about how to deal with negative thoughts and self-judgment — "simply observing your critical thoughts without judging them is a more effective way to tame them than pressuring yourself to change or denying their validity." This approach centers on "mindfulness" as an antidote to negative rumination. Mindfulness is the practice of becoming more fully aware of the present moment — non-judgmentally and completely — rather than dwelling in the past or projecting into the future. The mindfulness approach urges us to recognize that critical thoughts are really "stories" we have created about ourselves that are not necessarily true but can have negative, self-fulfilling consequences. To counteract the tendency to react to our stories, the experts suggest we get some distance from them by paying attention to our

breathing or physical sensations, and letting the difficult thoughts pass like clouds, diffusing their emotional power and opening up more options. This approach is also embodied in many forms of meditation, which has become increasingly popular as people discover its power to decrease stress and increase positive focus.

Becoming more self-aware of our judgmental tendencies and changing our behavior are not easy tasks. The *WSJ* article quotes Dr. Marsha Linehan, a professor of psychology at the University of Washington, who said, "It's the nonjudgmental part that trips most people up. Most of us think that if we are judgmental enough, things will change. But judgment makes it harder to change....What happens in mindfulness over the long haul is that you finally accept that you've seen this soap opera before and you can turn off the TV." In the meantime, we should exercise patience and compassion for ourselves as we struggle with our harsh inner critics and learn to embrace the life-altering practice of changing our overly judgmental lawyer behavior. ♦

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