EQ: What It Is and Why It Matters

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EQ: What It Is and Why It Matters

February 13, 2015 | 1:00 pm Eastern

Moderator Bio

Kathy Morris is the moderator of the American Bar Association’s monthly Free Career Advice Series. A former criminal defense attorney, she has taught law, pioneered professional development initiatives in law firms, and in 2000, launched the original Career Resource Center of the ABA. She counsels law students, lawyers, law schools, and law firms through her longstanding practice Under Advisement, Ltd., www.under advisement.com.

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Program Agenda

- Top Issues
- Tips on the Topic
- Participant Questions
- Agree/Disagree
- More Participant Questions
- Takeaways
- ABA Resources

Top Issues

- Definition of Emotional Intelligence and how to assess it
- Examples of EQ/EI in practice
- Ways lawyers can enhance their EQ/EI
Tips on the Topic

• Select someone with experience in assessing and enhancing lawyer EI
• Put yourself in the shoes of others
• Develop EI awareness, strategies, and skills
• Even a little work on EI can make a difference

Audience Questions?
Agree/Disagree

Some people think EI is pop psychology or just a fad.

Agree/Disagree

EI is the same thing as active listening.
Takeaways

• Avoid thinking of EI as a soft skill
• Read more about it
• Do activities to sharpen your focus on EI
• Be patient as you put EI to work
Visit www.ambar.org/advice to register for our next Free Career Advice Series Program:

**Moving Forward After a Job Loss**

**Friday, March 13, 2015**
1:00 to 2:00 PM ET
Beyond the “Blue Book”: Emotional Intelligence [EQ] Assessment as a Future Gatekeeper of Lawyer Effectiveness?

By Dan DeFoe

Emotional intelligence [EQ], whether considered an ability, competency, skill, or trait, has become the part of the new currency of effective lawyering in the 21st century. Prior posts on Psycholawlogy have spoken about this paradigm shift from IQ to EQ in legal education and the practice of law. Those posts include citations to numerous articles, reviews, and commentaries. This post concerns a different thing.

This post, “Beyond the Blue Book”, looks at EQ as a potential new “gatekeeper” for lawyer professional training and development. Other professions have begun to explore the value of adding an emphasis of emotional intelligence in training and development. After considering a recent study concerning clinical psychology training as noted in this post, legal educators, law students, lawyers, and firm leaders might ask whether the law should seriously consider this, too. EI development training and development for law students and lawyers can increase client satisfaction and improve practitioner competency and well-being.

Very few law students, law graduates, and lawyers, entry-level through experienced, receive training in, get evaluated on, or benefit from formal feedback about whether they have the interpersonal, affective, and expressive and reflective skills, i.e. EQ [emotional intelligence] required to effectively initiate, develop, nurture, and maintain, the attorney-client relationship in order to competently render necessary legal services. This shortfall relates in part to what can be described as an abiding fixation on “IQ”.

Grade point average, GPA, correlates with IQ. It still serves as the primary gateway into law school. The GPA – cognitive – “thinking like a lawyer” – orientation permeates most aspects of law schools’ curricula, too. Even though it simply predicts academic performance during the first year, those and later law school grades impact greatly a person’s legal career opportunities. Those marks create ripples. If “bad” or “low”, the negative ripple effects can last years and sometimes for an entire legal career. GPA / class rank has been enshrined as the “union card” or pedigree of sorts for the profession.

But, something much more important and meaningful beyond the [in]famous “Blue Book ‘A’ Exam” must happen for the lawyer to be able to practice successfully – “do the work”. Some of the more forward thinking educators and commentators have noted how the non-cognitive skills, i.e. emotional intelligence, define a new paradigm for the practice of law. Recent research about EI assessment in clinical psychology training suggests that EI assessment might play a role as “gatekeeper”, i.e. play role in decision-making in skill development and implementation of training, in the new EI/Law paradigm.

Many doctoral students who get dismissed from clinical training programs have unacceptably low emotional intelligence. Though a longstanding problem, this recent research concerned “the need to identify standard instruments that could facilitate gate-keeping decisions and support both the implementation and evaluation of trainee development.” Extending the concept that EI might serve as a
gatekeeper in psychology training to legal education, career entry, and beyond, the suggestion that the legal profession could also benefit from a standardized gate-keeper EI instrument seems natural. Why?

From the authors’ report about clinical and counseling psychology trainees, the legal and psychotherapy professions appear to have many core competencies in common. A few include interpersonal skills (active listening, empathy); cognitive skills (critical thinking); affective (tolerance and understanding); personal (professional presentation); and other interpersonal, affective, and expressive skills. Therapists need the ability to form meaningful relationships and interpersonal relationships. Deficiencies in these baseline competencies have been found to correlate with training and career development derailment for the mental health professions. Researchers have concluded in prior studies that EI plays an essential role in mental health workers developing professional competencies.

The authors’ study employed the Mayer-Salovey-Caruso Emotional Intelligence Test [MSCEIT] assessment. The MSCEIT assesses EI as conceived under the Mayer-Salovey-Caruso ability model. That model, constructed as an “ability”, EI refers to an individual’s ability to (a) perceive emotions, (b) use emotion(s) to facilitate thought, (c) understand emotions, and (d) manage emotions. The investigators controlled for personality traits, and explored the possibility of a link between training EI and competency in providing psychotherapy as partially evidenced by treatment outcomes reported by clients. They hypothesized that trainee EI would predict client-rated therapy outcomes. Without discussing the personality factor of neuroticism [higher more effective when associated with high EI according to study’s results] here, analyses showed the best client-rated outcomes occurred with trainees who had the highest scores on the MSCEIT emotional intelligence assessment. The worst client-rated outcomes occurred with trainees who had lower EI scores.

Regarding clinicians in psychology, the investigators suggested that “good clinicians are both born and made”. This, they explained, followed the suggestion of the MSCEIT’s creators, that although an ability with stability over time, EI can be developed and that personal development and experiences likely impact where, within innate ability, the clinician ultimately functions. The essential characteristics of effective clinicians, then, may be modifiable as a function of training. This study made the connection between EI and practitioner development in terms of client reports of change and outcomes.

The authors noted several implications and conclusions about their study’s purpose to characterize trainee EI and explore its link with trainee competency and change outcomes as reported by clients. While specific to doctoral level clinical psychology trainees, this post concludes by likening them to trainees and noting some of the implications and conclusions with reference to law students and lawyers. The takeaways about the potential gatekeeping functions of EI for the legal profession include:

- EI appears to facilitate improved performance where professional service depends upon interpersonal dynamics;
- EI assessment can determine trainee needs and development activities;
- Training sessions including group discussion, role plays, lectures, and homework focusing on understanding emotions, identifying emotions, expressing and using emotions, and managing emotions can enhance EI abilities;
- EI assessment can perform a screening function, measure emotional and interpersonal competency, and complement professional training and development;
• EI-enhancement programs can improve stress management and coping strategies and offer great potential in improving trainee well-being.

The “A” Blue Book exam still serves law schools, law students, and lawyers. In light of emerging psychological science, its dominance and effectiveness seems more questionable. Its future seems cloudy. The successful practice of law in the 21st century, however, requires a new ability – EI. The final take-away: since psychological science strongly suggests that client satisfaction and lawyer effectiveness and well-being can benefit from EI training and development, the legal academy and legal profession must look “Beyond the Blue Book”. EI has emerged as the new gatekeeper for lawyer effectiveness.


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Emotional Intelligence for Lawyers
By Ronda Muir, ESQ.

“(M)en decide far more problems by hate, or love, or lust, or rage, or sorrow, or joy, or hope, or fear, or illusion, or some other inward emotion, than by reality or authority or any legal standard, or judicial precedent, or statute.”—Cicero

Everyone is familiar with "IQ"—intelligence quotient. Most lawyers put their IQ scores up there with their SAT and LSAT scores as generally acknowledged evidence of their competence. But what is your emotional intelligence quotient? And why should you care?

In spite of lawyers' confidence, some might even say arrogance, as to their intellectual competence, for the most part they have a demonstrated unwillingness or inability to tap into emotional data. In recent years, the field of neuroscience has produced astonishing evidence that is finally putting to rest the long-standing controversy over the role of emotions in the workplace: research has established that rational decision-making is impaired if the area of the brain relating to emotions is damaged or excised. It has now been scientifically demonstrated that the best analyses and decisions are made when we engage the emotions, as well as the intellect. For lawyers, the message is clearly that, in order to upgrade their performance, they should use the additional data available from their own and others’ emotions to enhance their cognitive skills.

A SHORT HISTORY

The function of “emotion” has long been a subject of controversy. As noted in the quote above, Cicero of ancient Rome recognized the power of emotions in decision-making years before the birth of Christ. On the other hand the Stoic philosophers of roughly the same era viewed emotion as too individual and self-absorbed to provide reliable insight, even undermining rational thought. By the late 18th and early 19th centuries, the Romantic Movement was promoting the notion that emotions, intuition and empathy could provide valuable insights unavailable through rational thought alone.

Throwing aside America's legacy of Puritan distrust of and suppression of emotion, the human potential movement of the '60s advocated "letting it all hang out," emotions-wise, and maintained that there was "no right way to feel." Darwin, on the other hand, had taken the position that there may in fact be a "right way to feel" for some purposes, since accurately perceiving and understanding emotions could provide evolutionary advantages. That view seems to be supported by the consistency across cultures that contemporary psychologist Eckman has documented in how people read the emotional content behind different facial expressions, for example.

Still, after centuries of back and forth over the role and importance of emotion, in 1960, a psychologist named Cronbach concluded that what he called "social intelligence," while clearly of some value, was unlikely to ever be defined and had never been measured.
The current notion of *emotional intelligence* (EI) refers to the ability to process emotion-laden information competently and to use it to guide cognitive activities like problem-solving. Emotions, according to this construction, bridge thought, feeling, and action – significantly affecting many aspects of the person, as well as being affected themselves by the person.

The field of emotional intelligence is an outgrowth of two areas of psychological research that merged toward the end of the last century. In the 1980s psychologists began to examine how emotions interact with thought and vice versa. For instance, researchers determined how mood states can influence perception, thought and judgment: a slightly depressed mood can facilitate accurate close, repetitive work, such as clock making; an upbeat mood can facilitate the generation of creative ideas. During this same time, there was a gradual broadening of the concept of intelligence to include an array of abilities. Howard Gardner, for example, advocated for the recognition of multiple intelligences, including interpersonal intelligence, primarily for purposes of teaching children with diverse learning styles.

In 1990 Yale researchers John D. (Jack) Mayer and Peter Salovey published in academic articles the first formal definition and experimental measurement of "emotional intelligence." The startling conclusion of their research was that it was the use of both emotion and cognition combined that resulted in the most sophisticated information processing and decision-making.

Daniel Goleman popularized this concept of emotional intelligence in his 1995 trade book *Emotional Intelligence: Why it Can Matter More than IQ*, and further expanded the concept of emotional intelligence to include a broad array of personality attributes, such as political awareness, self-confidence, conscientiousness and drive. When in 1998 the Harvard Business Review published an article on the topic, it attracted a higher percentage of readers than any other article published in that periodical in the prior 40 years. The CEO of Johnson & Johnson had copies of the article sent out to the 400 top executives in the company worldwide. In the years since, increasing numbers of both popular and scholarly articles on emotional intelligence have appeared, and the topic has received wide media coverage.

Assessments to measure different components of emotional intelligence have also proliferated. While the most widely used scales of analytic intelligence, the Wechsler Intelligence Scales, have been in use and analyzed for almost 100 years, measurements of EI have only been used for the last five years. Many of these assessments are “self-report” or reported inventories, meaning that the test-taker or those who know the test-taker simply state whether or not he/she possesses particular traits, such as optimism, self-awareness and initiative. For example, on the Bar-On Emotional Quotient Inventory, the test-taker reports whether they have certain attributes pertaining to inter-personal skills, stress management and adaptability. The Emotional Competence Inventory, based on Mr. Goleman's precepts, measures initiative and organizational awareness, among other variables, using composite ratings by all the people in a particular individual’s social environment.

The Yale researchers, Mayer and Salovey, confined their model of EI to only those traits they could measure in the process of subjects performing tasks in real time, rather than by simple reporting. In other words, they did not rely on asking participants their opinion of their or others' skills. This model has produced the only "abilities-based" assessment, the Mayer-Salovey-Caruso Emotional Intelligence Test (MSCEIT).
SO WHAT EXACTLY IS EMOTIONAL INTELLIGENCE?

As a general matter, emotional intelligence refers to "the abilities involved in the recognition, use, understanding and management of one's own and others' emotional states to solve problems and regulate behavior," a definition taken from Mayer and Salovey. This model identifies four branches of EI that each reflects a different set of skills.

The first branch is Identifying Emotions, and includes the skills of identifying one's own and others' feelings, expressing emotions accurately and differentiating between real and phony emotional expressions. The second branch is Using Emotions, which includes the ability to access one's own emotions and to switch emotional gears, using changes in mood to see multiple points of view and to attempt different approaches to problem solving (for instance, using a happy mood to assist in generating new ideas).

The third branch is Understanding Emotions, including the ability to understand emotional "chains"--how emotions transition from one state to another, to recognize the causes of emotions, and to understand relationships among and complexity within emotions. The fourth branch is Managing Emotions, which includes the ability to stay aware of changing emotions, even those that are unpleasant, the ability to confront and solve emotion-laden problems without suppressing emotions, and the ability to manage relationships.

WHAT EMOTIONAL INTELLIGENCE IS NOT

Emotional intelligence does not correlate with IQ. Just because you're smart doesn't mean you're likely to have a high EI. Some professionals, such as lawyers, exhibit high average IQ scores (in the 115-130 range), while at the same time scoring lower than the general population on EI (85-95).

Nor does emotional intelligence correlate with any particular type of personality. Historically, the research that exists on predicting workplace success has examined personality attributes, and those results do not point to any one attribute having a major impact on success. In one significant study of five personality dimensions, "conscientiousness," including competence, order, dutifulness, achievement striving, self-discipline and deliberation, was found to be the best personality factor predicting workplace success, consistently across all occupational groups, but accounted for only 2-3% of the variance.

Similarly, being emotionally intelligent, at least for purposes of improving job performance, does not necessarily mean being "nice." In the study cited above, "agreeableness," a combination of trust, straightforwardness, altruism, compliance, modesty and tender mindedness, was determined not to be an important predictor of job performance, even in those jobs containing a large social component, such as sales or management.

Nor is "liking people" a critical part of emotional intelligence. In the same personality study, being high in extraversion, which included warmth, gregariousness, assertiveness, activity, excitement-seeking and positivism, validly predicted success for people in management and sales (although only to the extent of 1-2%), but not for professionals such as lawyers, accountants and teachers or for skilled or semi-skilled occupations.
WHAT IS EMOTIONAL INTELLIGENCE GOOD FOR?

While not a magic formula, emotional intelligence appears to identify a previously overlooked area of ability that is critical to maximize certain human functioning and that can positively impact work performance. Claims have been made that emotional intelligence accounts for 80% of an individual's workplace success, although there is as yet little hard data to justify that percentage.

Nonetheless, a number of studies have pointed to the importance of emotional intelligence in the workplace. For example, an insurance company rated 26 customer claim leaders and their teams as to their effectiveness. Those ratings turned out to be highly correlated with the level of emotional intelligence of the leaders and with the average team emotional intelligence, both as determined by an EI assessment.

A significant American Management Association study found that the ability to "get along with people" was "more vital than intelligence, decisiveness, knowledge, or job skills" in producing good managers.

In addition, as detailed below, training in emotional intelligence has proven to produce significant bottom-line results.

There is also significant research data that leaders are more productive and effective if they are able to identify, use, understand and manage emotions. Higher manager self-awareness, a critical component of emotional intelligence, leads to higher management performance. Empathic skills assist in understanding multiple viewpoints and motivating others. Both a positive managerial mood and the ability of the manager to enhance positive mood in others has been found to increase employee performance, improve retention and reduce group conflict.

Women score somewhat higher on measures of emotional intelligence than do men, but not significantly so. However, since emotional intelligence is often not recognized as a critical leadership skill, women and others who possess higher emotional intelligence may be unrecognized and undervalued in the workplace.

Perhaps more telling, men consistently score higher on suppression of emotions, which research clearly shows reduces cognitive functioning. The high suppression rates may be due to what we know about gender differences in “felt emotion.” Emotional experience as a general matter for men seems to be more physically debilitating—producing a higher pulse, rate of perspiration and blood pressure--and to last longer over time than the same experience does for women, and men may therefore tend to suppress those feelings more.

WHAT ABOUT LAWYERS?

As noted earlier, lawyers score lower than the general public in EI. There are a number of reasons why that may be true. The legal workplace has historically taken the Stoic/Puritan view that emotions are best eliminated from legal analysis, and thus emotional intelligence is probably at least undervalued if not discouraged. In addition, strong analytic skills may give individual lawyers enough success to convince them that they do not need to develop their EI skills.

However, the impact of low emotional intelligence in the legal arena is evident.
In April 1955 Dean of Harvard Law School Erwin Griswold noted that "Many lawyers never do seem to understand that they are dealing with people and not solely with the impersonal law," a comment that unfortunately continues to ring true today. The reputation of lawyers generally has suffered from the image of lacking interpersonal sensibilities, such as compassion. Further, the high rates of divorce, suicide, addictions and plain dissatisfaction among lawyers is evidence of less than satisfactory emotional balance across the profession.

CAN YOU LEARN IT?

Emotional intelligence is increasingly being incorporated into professional training programs across the country. At the Weatherhead MBA Program at Case Western Reserve University, training in social and emotional competency is part of the curriculum for future business leaders. Communication and emotion-related skills are being included in physician training at a number of medical schools.

The Breakthrough Leadership program adapted a design used successfully in degree programs at The Weatherhead School of Management. The central theme focuses on helping managers identify areas for behavior change, then giving them opportunities to practice new habits real-time. In the degree programs, the results have been extraordinary. Participants have shown a 70% improvement in emotional intelligence competencies one to two years after the program. The changes are sustained at 50% improvement five to seven years later. These dramatic results are in contrast with the typical impact shown by above-average MBA programs of 2% improvement one to two years after a program, and the typical impact of management training showing only 10% improvement three to eighteen months after training in industry.

Perhaps the workplace training program that addresses itself most explicitly to emotions is the Emotional Competency Training Program at American Express Financial Advisors. The goal of the program is to assist managers in becoming "emotional coaches" for their employees. The training focuses on gaining an awareness of how one's own emotional reactions and the emotions of others affect management practices. A much higher growth rate in terms of funds under management was found for the managers who had taken the training.

WHAT ABOUT LAW STUDENTS?

In 1955, Dean Griswold called upon the bar and the legal academy to recognize the need for "human relations training" in law school, noting that the average lawyer spent far more time interacting with people than reading and arguing cases. It was Griswold's opinion that training could help lawyers better understand their own emotional needs and that of their clients.

One of the first law school courses in the nation to apply human relations training to law was taught by Professor Howard Sacks at Northwestern Law School during the 1957-58 school year. The course, entitled "Professional Relations," was offered without credit and was taught (in four classes lasting two hours each) over the span of two weeks. Professor Sacks expressed the hope that other law teachers would join in his experiment, both in offering stand-alone courses such as "Professional Relations" and in integrating human relations training into the regular law curriculum.

Of course, the legal profession is rarely accused of implementing change too quickly, and a law review article written by Harvard Law Professor Alan Stone in 1971 noted that, in spite of Dean Griswold's
advocacy for human relations training, "law schools . . . have largely ignored the responsibility of teaching interviewing, counseling, negotiating, and other human relations skills."

The last three decades have been witness to a marked increase in the number and variety of law school courses that touch on components of emotional intelligence. Nevertheless, legal academics still take the position that lawyers must learn to be more effective interpersonally. As Vanderbilt University Law Professor Chris Guthrie summarizes it, "Lawyers are analytically oriented, [and] emotionally and interpersonally underdeveloped."

In conclusion, emotions and emotional management clearly effect how people feel and act at work. In the legal workplace, recognizing emotional intelligence skills and providing training to raise generally low emotional intelligence scores could well impact not only the satisfaction and retention of lawyers, but also significantly improve their analytical and decision-making abilities. Further, the ability to identify through abilities-based assessments those partners and associates who are best able to deal with their own and others' emotions should prove useful to improving law firm and law department management.

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Law firms usually have a number of criteria for choosing who to invite into the partnership, but a traditionally sacrosanct factor is technical competence. In other words, the main concern is that partners be very good lawyers. So most firms try to hire the smartest law school graduates and then make the smartest of them partners, hoping thereby to secure the firm’s reputation and future. Corporate America, however, has realized for nearly two decades that there is another type of competence involved in producing the highest bottom-line performance in organizations and it is not intellectual or analytical expertise but relational skills—in essence, managing emotions.

That conclusion has been supported by astonishing research in the fields of neuroscience and psychology, which demonstrates that emotional savvy enhances intellectual functioning and also opens access to critical additional abilities. In 1990 Yale researchers John D. Mayer and Peter Salovey published the first formal definition and experimental measurement of emotional intelligence (EI). Their research concluded that a combination of using emotion and thinking produces the most sophisticated analyses and decision making. Their findings were popularized by Daniel Goleman in his 1995 runaway best-seller, *Emotional Intelligence: Why It Can Matter More than IQ.*
EI involves recognizing your own and others’ emotions, accessing the appropriate emotions at the appropriate time, understanding how emotions affect behavior, and knowing the best strategies for managing emotional situations.

So how do you recognize EI? It does not correlate with any particular personality trait, or translate into “being nice” or “liking people.” But the lawyer who engenders strong loyalty from clients, associates and staff or those to whom others in the firm go for counsel on personal issues, conflicts and client imbroglios probably have higher EI. From management’s standpoint, they are the ones who can truly hear what you are saying, including criticism, and respond reasonably. These kinds of partners are highly valuable assets that are not easily replaced by law firms.

Both the research and the experience of the corporate world offer valuable insights into how including EI as a criteria in making partners can improve your partnership and your firm in many ways.

**Better Judgment and Higher Productivity**

EI arguably accounts for as much as 80 percent of an individual’s workplace success, more than raw intelligence and expertise combined. Studies at Harvard and elsewhere have shown that high IQ does not necessarily translate into high productivity, while the ability to “get along with people” has been found to be more critical than intelligence, decisiveness or job expertise in achieving bottom-line results. This indicates that emotionally intelligent partners will be among your strongest performers.

EI can also help lawyers quickly make accurate assessments. We feel before we think, and that feeling can be powerfully insightful, if it is accessible. A study involving a card game with four decks, two rigged to produce bad results, illustrates this beautifully. Most people take an average of 50 card tricks to identify the unlucky decks and 80 tricks before they can articulate that. However, it is clear from the participants’ pulse and perspiration rates that they emotionally identify the problematic decks by the 10th card, 40 cards before their intellect does. The conclusion we can draw from this is that limited access to emotional data can leave lawyers out of touch with important information.

Data compiled from other studies across various industries also shows that high EI clearly hits the bottom line:

- Ninety percent of top performers across industries have high EI, whereas only 20 percent of low performers do.
- Insurance agents who score high on EI tests sell twice as much in policy premiums as agents who score lower.
- Managers at American Express Financial Advisors who complete an emotion training program achieve significantly higher rates of growth in funds under their management than do their untrained peers.
- Those who raise their EI are roughly 25 percent more productive than before.

Data also suggests that the emotionally intelligent are more likely to listen and use feedback, helping them achieve even more over time.

**Enhanced Business Development and Client Relationships**

Both “finders” and “minders” can clearly benefit from higher levels of EI. According to professional services guru David Maister, “Ultimately, hiring a [law firm] is about confidence and trust. It is an emotional act.” Supporting this, In-House Counsel magazine’s 2006 ACC/Serengeti Managing Outside Counsel Survey reported that of the four reasons companies fire outside counsel, two are for deficiencies in “soft” skills—responsiveness and personality issues.

Thus, it follows that the advantage in both getting and keeping clients goes to the competent lawyer who can operate on a level of interpersonal interaction above the norm. Having emotionally intelligent partners courting your hoped-for clients provides the best chance of success, since these are the lawyers who are more likely to correctly identify client values, hear and respond to clients’ stated and unstated concerns, and build a loyal relationship over time.

“Having emotionally intelligent partners courting your hoped-for clients provides the best chance of success, since these are the lawyers who are more likely to … build a loyal relationship over time.”

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Pricing is a function of service, which general counsels have consistently linked to people skills. It is the emotionally intelligent leader who is best equipped to make progress on all these fronts.

Managing a firm’s people assets when they have the personality traits lawyers tend to exhibit is particularly challenging. High autonomy, skepticism and competitiveness are more likely to produce lone wolves than collaborators. The emotionally intelligent leader can help offset that tendency by connecting with others and supporting and promoting their success. In addition, EI at the top can be contagious—a positive managerial mood and the resultant enhanced general mood can go far both in improving employee performance and retention and reducing conflict.

As firms expand, EI will be even more critical. A recent study conducted by the Center for Creative Leadership found that the concept of effective leadership has changed over the past five years: 84 percent of those polled said leaders today are valued for collaboration skills, such as building and mending relationships, rather than solitary heroics, the standard five years ago. Specifically important is being able to “enhance co-worker relationships.” This change is due, according to those surveyed, to the broader demands of leadership, which now go beyond one individual’s capability and require collaboration across various boundaries.

THE SCIENCE BEHIND EI

Our brains are hardwired to feel before we think. We average 465 emotions a day, each an impulse to act. The amygdala stores emotional memory and manages these fight-or-flight responses. The neocortex is where our IQ and working memory reside. The amygdala responds to external data 100 times faster than the neocortex can think.

Set at birth and refined over years of emotional experience, fight-or-flight reactions temporarily inhibit working memory and direct us to take action. The result can be an “amygdala hijack,” a sudden, strong emotional response to a real or perceived threat, except that you’re at the office and not in danger of actually being eaten.

You can determine your accuracy in recognizing these “threats” and train yourself into a higher ratio. Watching movies on mute and trying to identify the story line by the facial expressions or engaging a “high EI buddy” can help improve perception accuracy.

You can also figure out your typical default reactions and learn new ones. Sometimes simply taking a deep breath and counting to 10 works best, allowing the balance between emotion and rationality to return. Conscious analysis of the problem or asking questions can also help redirect habitual patterns.

But regardless of your perception accuracy, ignoring or suppressing those emotional impulses is not the right strategy. Suppression actually reduces your cognitive functioning, and there may well be reasons for your strong reactions that your neocortex doesn’t yet know. Being able to recognize the signals and then harvest that nonrational data gives you an important edge.

THE IMPORTANCE OF EMOTIONAL INTELLIGENCE IN FIRM PARTNERS

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The Strength of 21st Century Leaders

Leadership, particularly of a business whose assets can walk out the door, is mostly a matter of influence. And influence in a law practice is built through individual relationships. Getting partners to work together, for example, cannot be done by fiat. The leader who can access, understand and manage his or her own emotions and those of others will be the one who can get optimal performance from the firm, making EI a very powerful driver of effective leadership.

A 2006 Altman Weil study identified five critical concerns of law firms, with people management being one of the highest. But the other four concerns—growth, competition, client service and pricing—also each require effective people management. Growth requires strong leadership and culture, office and practice integration. Competition is felt most dramatically in the war for talent, with quality people giving firms a competitive edge. Client service requires superior relationship skills. And even pricing is a function of service, which general counsels have consistently linked to people skills. It is the emotionally intelligent leader who is best equipped to make progress on all these fronts.

Managing a firm’s people assets when they have the personality traits lawyers tend to exhibit is particularly challenging. High autonomy, skepticism and competitiveness are more likely to produce lone wolves than collaborators. The emotionally intelligent leader can help offset that tendency by connecting with others and supporting and promoting their success. In addition, EI at the top can be contagious—a positive managerial mood and the resultant enhanced general mood can go far both in improving employee performance and retention and reducing conflict.

As firms expand, EI will be even more critical. A recent study conducted by the Center for Creative Leadership found that the concept of effective leadership has changed over the past five years: 84 percent of those polled said leaders today are valued for collaboration skills, such as building and mending relationships, rather than solitary heroics, the standard five years ago. Specifically important is being able to “enhance co-worker relationships.” This change is due, according to those surveyed, to the broader demands of leadership, which now go beyond one individual’s capability and require collaboration across various boundaries.

More Effective Team Building

Perhaps the only need more pressing for law firms than identifying emotionally intelligent leaders is building emotionally intelligent teams. Having more emotionally intelligent partners puts firms farther along that path.
There is a revolution in law firms today toward an expanding use of teams—management, client, industry and marketing teams. Team effort produces happier clients, since the likelihood of someone connecting with the client on a personal level is enhanced, and there is more comprehensive expertise, owing to the cross-fertilization of minds. Perhaps less obviously, members of teams report being happier than lone wolves, which in turn means more-dedicated, harder working teams.

Teams are more creative and productive when they achieve high levels of participation, cooperation and collaboration among their members. And at the heart of these conditions are emotions—bringing emotions to the surface, understanding how they affect the team’s work, and encouraging behavior that builds relationships inside and outside the team. Consequently, team leaders with high EI are most likely to achieve the most collaborative and productive results.

**Achieving the Edge Over the Competition**

Ultimately, though, isn’t it still essential to a firm’s success that its partners be good at lawyering? Yes, of course. But in addition to being “good lawyers,” emotionally intelligent partners have the interpersonal support and resilience to make unpopular but necessary decisions. They are able to hear bad news—from clients, litigants, regulators, other partners, associates and staff—and respond in an appropriate way so as to quickly reposition your case or deal, client, leadership or firm. They can glean the kind of information that could bring your firm to the next level, and they can model for younger lawyers the appropriate behavior, building the firm’s EI capacity over time. Their ability to lead teams that identify the client’s concerns, establish a strong relationship and get matters completed well, on time and on budget, can mean the difference between success and failure in an increasingly competitive and global legal market.

Ronda Muir (rmuir@robinrolferesources.com), a Senior Consultant with Robin Rolfe Resources, couples years of practicing law with advanced study in psychology and conflict resolution to offer evaluations of, and real-world solutions, to the dynamics issues that arise in legal organizations.

**RESOURCES**

Emotional Intelligence: Additional Resources

Suggested Reading

*Emotional Intelligence 2.0* by Travis Bradberry and Jean Graves (2014)

*Descartes' Error* by Antonio Damasio (2005)


*Thinking, Fast and Slow* by Daniel Kahneman's (2011)

Assessment Tools

BarOn EQ-i and EQ-i 2.0

MSCEIT (Mayer Salovey Caruso Emotional Intelligence Test)

ECI (Emotional Competency Inventory)

ESCI (Emotional and Social Competencies Inventory).

Other Resource

The Consortium for Research on Emotional Intelligence in Organizations