GPSolo Podcasts – Brown Bag Series

The Nexus of Leadership and Professional Responsibility
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Operator: This is Conference # 7506718.

Lynn Howell: Welcome to today's podcast, our Brown Bag session. My name is Lynn Howell and I'm chair of the GPSolo Programs Board and I'm kicking off today's program.

Today, our presentation is the nexus of leadership and professional responsibility. Army attorneys and paralegals are stationed worldwide, often in remote and austere locations working in complex and uniquely challenging environments. General Altenburg and Colonel Martin will provide highlights of their session scheduled in May, about the challenges and insights into the leadership skills used to ensure the provision of principal counsel in all circumstances. Law firms and in-house counsel can leverage these leadership skills to build and maintain the most effective legal teams.

Let me give you a few brief tidbits about Colonel Martin. She is a JAG officer with the U.S. Army in the Charlottesville, Virginia neighborhood and she's also a graduate of the National War College and the Judge Advocate General's Legal Center and School where she received her LLM. She's also from the University of Detroit law school graduate. And her undergraduate was from the Purdue University also known as a Boilermaker.

Today, we're delighted to have both General Altenburg and Colonel Martin, and earlier in our speakers’ conference call, we joked around and said this probably could be herding cats 101. So, when you think it’s all fancy, just go back to herding cats.

Just before I turn this over to Colonel Martin, let me give you a small preview. At 45 minutes into the presentation, we'll be taking questions from all of you,
our listeners. At that point, our operator will give you the instructions so jot down your questions and be ready to go in about 44 minutes.

At this point, Colonel Martin, the floor is yours.

Tania Martin: Thank you very much, Lynn, for that introduction. Greetings, ladies and gentlemen. Just one little tidbit, I have since moved from Charlottesville, Virginia and now I am at the Pentagon basically doing human resources for the Army JAG Corps. So, I process people to where they're going to be stationed, do recruiting and retention and assignment and manpower so how many people do we have and where do we have them so, a new job which is one of the wonderful things about the JAG Corps and in a new location.

So, I'm really happy to be a part of this podcast and I am really excited to participate in the panel in New York City this May. I hope that many of the listeners are also able to attend the (CLA) conference.

As Lynn described, my partner in crime for this podcast, he and I are both part of the U.S. Army Judge Advocate Generals Corps which is otherwise known as the JAG Corps. And if you aren't sure what that means, it means we're lawyers who serve as officers in the Army advising commanders and the Army leadership. And we also provide legal services to servicemembers and their families.

So, as you know, our focus today is mostly on leadership skills and how to leverage the talents of your teammates so that you and your firm can maximize your resources while also providing great counsel to your clients. To that end, we are really incredibly fortunate to have as my partner on this podcast Major General Retired John D. Altenburg. And I get the privilege of introducing him to you.

General Altenburg is an icon in the Army JAG Corps. He is one of those leaders who makes a lifelong impact on anyone who is lucky enough to get to serve with him. And I have known him for almost 20 years now.

I still remember meeting him for the first time when I was pretty new in my career and he was not only the Deputy Judge Advocate General which is our
second highest ranking officer, but he appears as the quintessential army officer. He is tall and he has an imposing stance and a reputation for being very much a no-nonsense leader and I'm telling you he is all of that.

General Altenburg has standards. He enforces the standards but he also does what good leaders do and he lets you know why the standard is important and he helps you find ways to ensure that we all continue moving the mission forward and together as a team.

And to his great credit, at a time in the military when women didn't have nearly the opportunities that we do today, he was at the forefront of ensuring equality for everyone serving regardless of gender. The only thing that mattered to him was competence and heart.

And if that testament about his skill set and his qualities isn't good enough, let me share with you that he was also an enlisted servicemember prior to becoming an officer, a lawyer, and a JAG officer. He's a veteran of the Vietnam War and was deployed during Desert Storm for the initial invasion of that campaign. As a matter of fact, as a testament to his can-do approach and leadership, his office tried three criminal trials which we call courts martial near the frontlines on the days before the ground assault into Iraq.

Since he left the military service in 2002, General Altenburg has been a consultant to the World Bank, was appointed at one point by Secretary Rumsfeld as the appointing authority for the military commissions and now as of counsel to Greenberg Traurig law firm here in Washington D.C.

And if that wasn't enough, General Altenburg remains engaged in the JAG Corps and he is involved in numerous professional and community organizations where he continues making everyone and everything around him better. I feel very fortunate to have been able to serve with him.

With that, sir, welcome to the podcast and do you have any initial comments? Sir, are you there?

John Altenburg: I'm sorry. I was on mute and I got two sentences out already. Sorry about that.
Tania Martin: No problem, sir.

John Altenburg: So, let me start over again. I said a lot, I won't say it all. Holly-molly was what I started with, listen to you, Tania, thanks very much but more important, hi, everybody. And we're really pleased that you could join us today.

And I only wish that Tania had interrupted me sooner in my monologue to myself here before I figured out the mute button was on. Anyway, we're hoping that we generate some questions on your part and more significantly we hope we're able to answer your questions.

Tania understated her own qualifications, because as the Director of Human Resources for the entire JAG Corps, she is responsible for recommending—and most of the recommendations are followed by the senior leaders—for recommending the new jobs for everybody in the JAG Corps which is almost 2,000 lawyers worldwide and approximately 70 to 80 different offices. So, it's an awesome responsibility and I can tell you from our history that we only select the best person possible to have that job in the JAG Corps, it's that responsible, it's that important to us.

Tania Martin: Thank you, sir.

John Altenburg: In addition to what else she said about recruiting for the new lawyers and the rest of it. At any rate, what I'd like to do first before popping it back to Tania is to tell you what we're not going to talk about, because when people hear that there's going to be a discussion at leadership, all kinds of things might come to their mind especially as it involves lawyers.

And so, I would say first of all, almost all lawyers are leaders in one way or another. We're subject matter leaders. Many of us are community leaders in all kinds of different ways. We're thought leaders. We can be political leaders. Any other type of leadership that you can think of, lawyers oftentimes match up and have leadership positions.
But we're not talking about any of those aspects of leadership. We're talking today only about the narrowly-focused area of leading other lawyers. And the number of lawyers that we're talking about leading could be as few as one or two or as many as the firms that fit the GPSolo section parameters which actually I don't know what that number is, what people still consider a small practice or a general practice. But at any rate, we're talking about that target group of people who are interested in leadership of organizations like that.

And many people are not interested in leadership. Many great, superb lawyers are not interested in leadership. They want to focus in on being a superb lawyer and practicing law and leave others to take care of the leadership dimension. So, we're going to talk to those lawyers who are interested in leading.

And so, the subtext so to speak is how do you ensure that your organization – not just you – how do you ensure that your organization provides principled counsel in all circumstances. And so, it's even more narrow because it's not just a matter of the general practice but our experiences drawn from remote, austere locations and we don't expect that that many people listening have to worry about providing legal counsel in remote, austere locations.

But that environment for us gave us the opportunity to figure out well, how do you do that. How do you ensure that lawyers working for you if put somewhere else on the other side of the world in an austere environment, living in a tent, but having to practice law for people in what might be a combat environment or a humanitarian provision – provision of humanitarian support or otherwise, how do those lawyers practice law adequately and provide principled legal advice complying with all the Canons of Ethics when they don't have either near them.

What can you do to ensure that that happens? And so, that's what we're going to talk about because I think that some of you are working in law firms where you want to be confident that someone working you who attends a corporate board of directors meeting for a corporation that you may represent or provide outside counsel or someone who's going to be talking to a client offsite where you cannot be there, you want to have some way of assuring that when they
do that and they're out there, he or she is out there providing that advice, that they do it the way you would, that they would do it consistent with the Canons of Ethics and it will be principled, accurate, solid legal advice.

And so, how do you do that? If you're just a superb lawyer, you do it yourself and you don't rely on others. But if you're one who's leading an organization, you got to figure out how to spread that knowledge, how to spread that skill set so that others can do it.

And so, I'm going to pop it back to Tania now that I've surprised you by that little introduction. We haven't discussed this introduction. Go ahead, Tania.

Tania Martin: Thank you, sir. As always, one of the best things about being in JAG Corps is you learn flexibility and adaptability and then dealing in surprises, so I appreciate you pitching that over to me.

One of the best things I think you had mentioned leading a smaller team in a deployed, austere environment. I will tell you, I've had the privilege of deploying twice, once to Iraq and once to Afghanistan and those were probably then most rewarding times in my career, because you really do get the chance to test yourself, test your leadership skills and to form a family team.

And one of the great things about the career that we've both chosen, sir, is that the JAG Corps really is a family and sometimes we're very dysfunctional as all families are, but we always start from the basis of being on the same team and I think that's a concept that I would try to encourage folks to adopt with your small offices.

And you may think when General Altenburg said that the JAG Corps has nearly 2,000 attorneys or 2,000 people strong, it is and that seems like a large law firm to me. But we do operate in little offices throughout the world and that's what gives us the ability to kind of talk through more small office type procedures and things that we would suggest you try to follow for good leadership.
And to me, sir, and to the listeners, leadership and forming successful small teams is really about caring about the people that you work with, setting the example for all of them and then knowing your people well enough to take advantage of their strengths, but also helping them work on their weaknesses because we all have strengths and we all have weaknesses.

And so, you deal with what you can to take advantage of where people are really strong and good at something. And then I like to do constructive criticism counseling with my team and I welcome it back from them to say here's where I think you can improve and here's how I would approach something. In that way, you're constantly learning from each other and you also bond because you have each other's back and looking out for what's best for you and for the office.

And on that note, being a colonel in the Army is pretty good. It's pretty darn good. It's almost at the top of where the JAG Corps has. We have only five general officers. But with rank sometimes come some privileges like you can go to the short line to get processed through things when you're doing military drills. And I almost always pass up on those perks because I don't want to do – I don't want to take advantage of things that my team can't take advantage of.

So, I never ask them to do things I'm not willing to do. And I also stay with them when they don't get the perk that I might get because of my rank. And I think that builds a good team atmosphere and shows them that I am there for them no matter what challenges we're going through. And it really does seem to be a good technique to work, and I don't know if any of you can implement that in your small offices but I think there is some good knowledge in shared misery.

Sir, do you have anything you want to add to that? By taking off your mute button.

John Altenburg: Oh, there you go. Good you reminded me again because I was two sentences into it again. Thank you.

Tania Martin: Yes, sir.
John Altenburg: I'm trying to protect the operation here by going mute. Anyway, so, yes, I care about others, too. Anyway, what I'd like to do is shift over to how are you going to ensure that your people acquire this skill set you want them to have when you're not around.

And I'd say do you think you can rely on your warm personality and your ability to share information, and if you do, there's no reason listen anymore to this, because we would suggest to you that to accomplish what we're talking about here, you need to create systems that provide a basis for ensuring that your people would provide principled counsel at the right time and when you're not there.

And so, this is hard work because there's no – you have to analyze and prioritize, well, what are the critical subjects and issues that are going to come up in the practice of law that we have. And each of you is going to have, not all completely different but I'm not going to talk about what we had to do because most of you aren't going to be worried about providing law or rules of engagement advice to your clients.

So, you need to analyze subjects that your people are most likely to face, the ones that can create those problems when they're out there alone and identify the critical subjects. And then set the standard for how those subjects are addressed, what are the important aspects of each within and do you have an orientation for people when they come to your office.

And I would say that it may seem almost silly in an office with just a few people but the very act of designing an orientation for somebody that's coming in new to your organization to inform them of what you think is important is useful, because it causes you to set those priorities in your own mind. It causes you to analyze and figure out well, what really is important in this office, in this organization.

What should be the most important thing? If I only can tell them three things, what are the three things I'm going to tell them first? If I have more time, I'll tell them more but given a limited amount of time, what do they have to take away.
And so, I think that designing an orientation even if you don't call it an orientation, even if it's not formalized, the idea of helping to identify the critical skills and tasks to help people start off correctly when they begin working for you is important, because it sets the stage, it sets the standard and more important, it sets you up mentally to analyze more and to find out where the cross-fertilization occurs and how different areas of your practice are linked to other areas and, again, how you prioritize what's important.

A real simple example is that I've seen organizations where the boss said hey, look, I'm going to take away your ability, your authority, let's say, even though you're an independent lawyer and you passed the bar and you've been admitted to the bar in the state, you can't ever say about another attorney that he or she is unethical, OK?

Our policy in this room is you come to me or you come to another superior and we'll discuss what you think is unethical conduct by the other attorney, and this is especially true the first few years that an attorney is out of law school and passed the bar exam.

It's a simple systemic tool to keep lawyers from saying stupid things, first of all because all manner of negative behavior by opposing counsel because it's a product of laziness or ineptitude or some other negative adjective is not unethical. It's just what I said it was. It's because it's a product of laziness.

And yet, attorneys, especially the first few years out of law school have to characterize all these negative behaviors of other lawyers as unethical, and then it's directly related to some of the lack of civility in the practice in the last 20-30 years. So, one systemic way in a small law firm is to say to your attorneys, don't ever allege unethical conduct on the part of any attorney in the office or outside the office until we talk about it.

It's a simple standard. And it's I think easy to enforce, should be. I'll be interested to see if anybody says that it's objectionable to say that. And it may be that a criminal defense attorney would say as a boss, I don't have the right to do that. But to me, it always made sense and it did as couple of things. One, it kept a young lawyer from doing something stupid. Two, it makes sure
that there is communication between the young lawyer and more experienced lawyers and they're able to share experiences and share their perspectives and share information that the young lawyer might not have otherwise.

And the second thing, again, it's simple, it has nothing to do with the technical practice of law was to describe the standard for confidentiality, and in my opinion and especially in a small law office, confidentiality goes way beyond the standards for attorney-client privilege. I can recall being in a lunch place and listening to two lawyers talking to each other while they were waiting for their meal to be processed or for standing in line to have a sandwich made, and the one person talking about the client that had been in that morning and what the client was like and so forth.

There was no breach of attorney-client privilege, I assure you, in this conversation. But anybody listening would have thought I sure don't want to go to that law office and have those lawyers talk to me. My goodness, listen to them talking about their clients. And so, teaching young lawyers right away that the attorney-client privilege is just a start point for confidentiality in a well-run and well-functioning law office is important. That's two simple little things that can be a part of an orientation for somebody whether it takes a day or whether it takes a week to run what you think is an appropriate orientation.

So, I'm going to come back to Tania now with that little piece of beginning to set up a system that helps get people prepared for that time when you're not there and you want to rely on them to provide the right insight and the right guidance in some other place, like I said as an example, you turned out to be the assistant outside counsel to a small corporation.

Tania?

Tania Martin: Thank you, sir. That's a perfect segue into something that I had planned on raising as well and regarding systems. I think one of the biggest things that I try to impose upon the lawyers that I get to work with is that you have to have the systems and you have to follow them. And that you cannot get caught up in the outcome. You can only get caught up in the process, because if your
entire views on a particular issue are based on what the outcome is, you're probably going to fail every single time. I mean, you have to win for your clients, that's how you make money and that's how you get ahead.

But the outcome will follow from following the procedures and the systems that are in place. And so, you just got to establish the procedures, establish the systems and then explain them to everyone. Make sure everyone else is complying with them and then not have your ego or your success tied to the outcome. If you do everything right then the outcome will follow and that's just something that I felt seems to be helpful to folks and it helps you explain why you have systems in place.

It's as simple as every time you file a particular pleading, you go through it and you do a systems check. Is everything done the way it's supposed to be done before you file it so you know that you did it right. And I think it helps make sure we have ethical conduct. It helps make sure we are doing the best by our clients and then you hope you're on the winning side of it but the system is what's going to get you there and then not have your ego or your thoughts of your performance tied up into the outcome of what's going on.

Sir, do you have anything you want to add to that? Mute button.

John Altenburg: Again. Again, I thank you. I didn't have anything to add to that, but what you've done is you've pushed this from orientation to something deeper and more well-developed at least in terms of the attorneys' perspective, the young attorney's perspective from the orientation itself which, again, could be hours or a day or two or longer.

And quite frankly, I noticed that in going into various vendor establishments, even fast food places, you can tell whether a place is well-managed, well-lit and whether there's an orientation for the workers based on how uniform their treatment of you is and how uniform their operations are, whether they're doing it right in a certain way or whether they're sloppy and not polite and in some other way disappointing you as a customer.

And the result of a well-run place, even a fast food operation, that's well-led and has the right kind of orientation where everybody understands what the
standards are and what's important and what's the most important, you can tell you when you walk in a place like that. That's my experience. That's my experience as an old guy anyway, I'll tell you that.

So, Tania and I talked in the last couple of weeks about once one has completed some type of an orientation for your people, well, how do you measure whether you've got a good operation or not. And I will tell you and I'd love to hear somebody say that there's something more, but we thought about this, some of this years ago and came up with three words that we think describe a successful law operation. And the three words are responsive, effective and efficient.

And you have to figure out how you want to measure each of those. But if you're providing legal advice that is responsive and you'd measure that in terms of how long do people have to wait to see you, how long are your appointments, how long does it take you to turn around advice for a client whether it's corporate or an individual, how do you measure that.

And the second term if effectively and that has to do – I would measure that by well, do you produce quality legal products routinely. It goes back to what Tania said about reviewing documents and having a checklist and ensuring uniformity of quality. How effective is your advocacy and the lawyers that work for you and their advocacy. How do you measure that?

Is your advice followed? Are there surprises? Are you surprised by how people react or do you pretty much contemplate all the issues and all the permutations and, therefore, you render effective advice because you have a process for making sure that that does happen.

And lastly, efficiently, are your people managing their own schedules or are your schedules managing you? Is there a reinventing of the wheel? If there's reinventing of the wheel, if there's reinventing of a process that you thought was in place, then somehow the organization is not as efficient as it might be.

And I recall in an after-action review years ago of a military operation and the legal support it was provided, somebody saying well, one of the lessons learned – and you hear this all the time – one of the lessons learned and I had
to interrupt the person and say wait a minute, this is six years later and I was in an after-action review or another military operation and the legal support that was provided to it six years ago and we said that was a lesson learned. It clearly wasn't because you're telling us now six years later it's a lesson learned. Well, obviously, we didn't learn it very well because you're making it another lesson learned.

And so, there's a reinventing of the wheel because organization don't have adequate systems to ensure that they're moving forward all the time, and not learning again the same lessons. And so, we think those three words apply to the practice of law, cover the entire practice of law. And you can even fit in there having adequate furniture and carpeting and HVAC and phone systems and computers somewhere in those three words.

So, responsively, effectively and efficiently to my way of thinking are the hallmark of an effect legal practice. And so, I'd say, I move to the next thing that Tania and I talked about doing, and that is analyzing and determining what you think is the baseline of knowledge in a given subject matter, because once you have confidence and once you know what the baseline of knowledge is and the baseline of knowledge is the organizational skills, the ability to recognize issues, not necessarily resolve issues or solve issues but to at least recognize the issues and develop the judgment that it takes to provide the right advice, then you know you've got an attorney you can send to that board of directors meeting or you can send to that client meeting where you're not going to be able to be there because you now are assured that they have reached the right standard in terms of their ability to be organized, that they will recognize the issue.

And, again, were you there, you'd probably have the answer. But they need to know there's a question there that needs to be answered and that's issue recognition, of course. And then the development of the judgment to sometimes say I don't know the answer to that, I'll have to get back to you. Let me call my office. And some people don't have that judgment. They feel they have to give an answer right away.
So, ensuring that through your training or your orientation or simply your mentoring, you are – and you have the goal of bringing people to those standards and that they meet those standards then you have – they've reached the basis of knowledge they need to operate alone and provide skilled legal advice even in very challenging environments where they're alone. And those are the times when especially junior attorneys and less experienced attorneys get in trouble.

And to the extent that you are a leader who cares about that, who's concerned about that and who's willing to take on the responsibility for that, as opposed to being one who just wants to practice law personally and not worry about being responsible for others, to the extent that you want to do that, it's the systems that will get you there and it's the analysis of OK, what is it really that they have to have before I put them out there alone and that I have confidence they're not going to let me down.

Tania?

Tania Martin: Thank you, sir. I think people are going to...

John Altenburg: I'm not turning this thing off this time by the way.

Tania Martin: I've decided I would just remind you every single time.

John Altenburg: I've only screwed up three times. I'm not going to give you a fourth.

Tania Martin: I thought you just wanted me to take over and I was right.

John Altenburg: There's that, too.

Tania Martin: Talking about the systems as General Altenburg just did and so did I a little bit, things are going to go wrong because they always do. And so, I think one of the challenges of being a leader is to make sure that you stay above the fray. So, no matter what happens, you can certainly get upset and you can certainly get mad and you can certainly express yourself, but you have to do it, I believe, in a positive way that helps encourage your folks to feel that it's not the death knell just because they've made a mistake or because something
didn't go right but how do you grow from there and as General Altenburg mentioned, learn the lessons that you can learn.

And, of course, lessons learned are great until the next person comes along and has to learn the same lesson. So, I think that's the trick for lessons learned. It's good for the team you currently have but not so good for the newcomer. But as a leader, you're going to deal with multiple high priority issues and projects constantly and every day there seems to be a new challenge if you take on a leadership role.

And so, you have to know that if it comes to you and it's on your desk, that's because they couldn't resolve it at the lower level and they need your input and your thoughts and your guidance. And so, what I have found to be effective and have seen to be effective with other peers, they're leaders as well is that you have to look at the situation and determine what priorities are the top priorities, assign responsibilities to your teammates, give them deadlines, give them guidance and then let them work the actions and see what happens.

Your responses and your attitude will impact the entire office from the most senior person down to the most junior person. And so, if you become upset and frustrated and you're having a bad day constantly, then it really only brings your team down and you will no longer be delivering responsive, effective and efficient legal services.

And as the human resources person for the JAG Corps, I do get to see all of the folks who are struggling with leadership and the only thing that ever causes an office to fail or to have a leader get in trouble is that they don't keep their temper, their ego or their personal agendas in check and they are either screamers at their people or they just don't know how to treat people.

If you treat them right and explain yourself when you have to explain yourself or just give them the guidance that they need and let them do their job, there's generally never a problem. It's when you start to let your own personal frustrations show and you take it out on your team that you'll then, I think, have problems.

Sir, anything you'd like to add?
John Altenburg: Well, yes, I'd like to (inaudible) as I promised I would.

Tania Martin: I know, good job.

John Altenburg: I'm so inefficient otherwise. There are a couple of things that reminds me of Tania and everybody out there, and that is that I'd like to take what she said about angry and disappointment and I think back on my own experiences whether it was before I was a lawyer or as a lawyer and bosses that I've worked for in all kinds of different contexts, sometimes working for lawyers, sometimes working for the client literally, and how I would react if someone blew up at me and was angered and yelled or otherwise lost temper and how I would react if the person even though extremely disappointed in what I had done or not done, just stayed calm and talk in direct terms of what I had screwed up and usually how disappointed they were in me personally and which is more effective in leading me to do better.

And it's obvious from what we're saying that we believe that the disappointed boss produces better results than the boss that gets angry. And simple reason for that is if we get angry and we lose our temper, we yell, oftentimes what that does, it just angers the individual that we're talking to. And so, they become defensive and they're thinking about what's wrong with me and the fact that I'm the one who's doing the yelling.

And when the boss is just disappointed, ah, I wish we had done that better, holy cow, I mean, you want your people wanting never to disappoint you and that's the motivation not the fear that you're going to lose your temper and throw the telephone or otherwise be abusive to them. It's much more productive because there is nothing to do except get better. There's no person to get angry at when the person is not angry personally, but is just simply disappointed. It's a huge difference in how offices react and how individuals react.

And so, I can remember another peer telling me one time that when you walk in the door of the office and you've got 20 or 30 people working for you, paralegals, people answering the phone and everything else then somebody says good morning, how are you doing. And you're preoccupied with what
your spouse said or what a friend said outside or two hours earlier and you're preoccupied with something that happened, and you're not in a bad mood but you don't respond. And the word spreads quickly in through organization oh, the boss is in a bad mood today.

Boss is not in a bad mood at all. Boss was preoccupied. And sometimes you will be preoccupied, but being aware that people are always reacting to everything you do as a leader is significant. And it should cause us all to be a little bit more careful about that and understand that simply not responding may cause people to infer that you're in a bad mood or that things aren't going well for you, when it fact you're thinking about a case, you're thinking about a judge or you're thinking about a motion and you're preoccupied.

And the other thing that same person told me was that anybody can be in a good mood and everything is fine when there's not any pressure on and everything is going swimmingly. The true test is when the chips are down and everything is falling down around you and there's a crisis and things are not going well at all, whether it's a judge that's really ticked off or a client that's really angry, whatever it may be, when things are really bad, how do you react.

And if you react poorly because well, by golly, I was really under a lot of stress, then so what. Who can't react well when things were going well? And the true test of a strong leader is when everything is going to heck around you and you believe me, your people are watching you at times like that, how you react under that kind of stress makes all the difference in the world in your organization.

And I can remember somebody being chewed out, a boss of mine, being chewed out in a – was internationally significant incident in Europe in the 1980s and somebody above him and he was pretty senior himself was telling him that he was at fault for something that had happened that got into the international news. We knew the facts. It wasn't his fault at all. It was some other aspect of the case, was taken over by the media and they ran with it.
And I'll never forget that boss standing there and just saying OK, OK, I got you, sir. OK. OK. OK. Hung up the phone after the call was over and started talking about what had happened. And the fact that he was that calm even if he was being screamed at by his superior and that he accepted that and didn't overreact, quite frankly didn't react, he just stayed calm and said oh, that's the way it goes sometimes you get blamed for it, sometimes you don't and we'll go on through the day.

What was significant was the reaction the rest of us had that worked for him, that he was that calm and we were angry on his behalf because he was being mistreated by a superior. And it was obviously, for me anyway, a powerful lesson. That happened in 1986 as I recall, and I'm still talking about it. And I'm talking about it because of the person and his leadership and his style and his calmness under fire so to speak at a time when – and he was being treated completely unfairly, and he didn't let any of that take him out of sorts and take him out of what he knew to be the right role as leader.

So, I think there's something in that and I'm glad that Tania brought that up about the angry boss and the disappointed boss. And it doesn't mean you can't be very disappointed.

Tania Martin: Exactly. Yes, sir.

John Altenburg: Because if you have the standards that we're talking about earlier then you are going to be disappointed if somebody doesn't meet those standards. But how you react to that problem or to that failure on the part of others, how you handle that is what's critical if you want to be an effective leader.

And some people don't care about being an effective leader. They're just, I'll just as soon lose my temper and blow up at somebody and I'll let the chips fall where they may. OK. That's a style of leadership.

Tania Martin: Yes.

John Altenburg: And not one that we encourage but that is a way to handle it, and some people are comfortable with that. But for those who want something better, for those who aspire to be the kind of leader that can make a difference and we both
believe strongly that leadership makes a difference and we both believe strongly that leadership is learned, there are some that seem to be natural leaders but leadership is a learned quality. And you could learn it through experience and you could learn it by studying. You could learn it by talking to others. You can learn it by bothering to turn on a podcast to see if somebody has got something that's worth listening to.

Leadership is something that can be learned and the talk of well, you're either a leader or you're not is not right at all. And we were both fortunate to be working in an organization that essentially is a leadership laboratory just because of the nature of the organization and what it needs to accomplish and how it's set up and how it's organized.

So, you need to think about that and, again, there are no easy takeaways in a 45-minute conversation by two people who have some leadership experience. Anybody looking for a freebie or oh, yes, I can do that tomorrow, they key and I'll go back to what we talked about earlier when I started thinking about or talking about designing an orientation, the hard part of that is analyzing well, what really is important.

And only you can do that for your organization and I can't tell you what I did when I was in charge of an organization that had four lawyers and three paralegals and two to three other civilian receptionists and compare it to when I was in an organization that had 33 attorneys and four different offices around a large area in Europe and compare that to another large organization in the United States where there are even more attorneys and more paralegals, more responsibility.

In each situation, the priorities were different, my responsibilities were different, what the people were expected to accomplish was different. But these general leadership principles like analyze what's the mission, analyze what are the most important factors that you want these people to learn and learn the soonest and help you develop a baseline knowledge for them to be effective whether you're there or not and that no matter what the circumstances if they don't know the answer, they will have the good judgment and minimal experience to say I got to get the answer, and they'll
have the courage to say I don't know the answer, but I know where to get it and I'll get the right answer.

Then you've got something. Then you've led an organization to the right point.

Tania Martin: Yes, sir. And I think it's kind of simple human dynamics that if you're being yelled at, if you're the one taking the brunt of someone's anger, your initial reaction is to either be very defensive and not listen at all or to shut down and completely withdraw and obviously neither of those are good for anybody. You're not going to move forward from that.

And so, I also found, too, sir, that getting the buy in from your people on decisions that you have to make is invaluable and so important. You definitely don't owe any kind of answer or explanation of your decisions because that's what we get paid to do as leaders but I think you can't underestimate the power of your attitude, your approach and working with your folks to get their thoughts on issues because they may raise things that you would have never considered in a million years and it might be something very important to help you make a informed decision and way ahead.

And you don't always have to agree with them and you can tell them I don't agree with you, I'm going to go this direction or I do agree with you but here's why I'm not going to follow your recommendation. And I find that that builds a better team because they feel like they have buy into the discussion, buy into the decision and that they will then follow it and know that you made a thoughtful and caring decision.

John Altenburg: Yes.

Tania Martin: So, I think that makes a big difference to pulling (an office) together.

John Altenburg: As a leader, you're really a talent scout. You identify – everybody's got some strength but they really don't belong in your organization and you got to identify what their strengths are and find a way to help them contribute to your organization even if it's only going to be on a short term basis because eventually they're not going to be with your organization.
And everybody can and must contribute to the overall goal of your organization. And I can remember people saying well, I wanted this, I want someone from that law school or I want someone who has these qualities and leadership wouldn't make a difference if everybody has going to get pick at the litter to start with. And leadership can take people who otherwise might not be as productive and not as effective attorneys and make them more effective and make them better attorneys through leadership.

That's where you can make a difference. And we believe, of course, leadership does make a difference and can change the effectiveness of an office.

Tania Martin: Absolutely. Yes, sir.

John Altenburg: So, we are…

Tania Martin: We are at…

John Altenburg: Are we close to…

Tania Martin: We are close to the Q&A.

John Altenburg: Are we at it?

Lynn Howell: Yes. Yes.

John Altenburg: Are we close to…

Lynn Howell: If you guys are like 12 seconds I think perfect.

Tania Martin: Oh, 12 seconds, (inaudible).

John Altenburg: Well, the other things I used to say because I was a basketball fan when I got to this point in the conversation is I'd say anybody can coach Michael Jordan. I mean, who can't coach one – I won't get in the argument whether he's better than three or four other people, but who can't coach him.
And then I'll also talk about the bell-shaped curve and about the time you realize, you feel that somebody is really good and that you're a part of it, you realize what would that person have been like if he or she had worked for anybody else. And I can tell you I'm thinking of an officer who worked for me at one point of time, a lawyer and I was very proud of how I had handled her and how I had led her and how I had coached her and mentored her.

And I was thinking by golly, that lawyer is really good and I played a role in that. And then I thought what would she have been like if she worked for and I have thought of three or four of my peers and I realized she would have been probably close to as good, maybe as good, maybe better.

And I realized that for someone that talented, maybe I didn't make that much of a difference and that it caused me to think about what about the bell-shaped curve and somebody in the bell and your leadership takes them to where they're on the -- on the right side of that bell-shaped curve and they're up in the -- in the elite and they’re really top notch.

And then after you've done for a while, years, and you feel that you know how to move somebody, that you get working for you who is in the middle of the bell-shaped curve and your leadership and your skill and your mentoring and your coaching and your knowledge helps move people up to the top of the bell-shaped curve, then think about the real challenge of leadership is somebody on the left side of the bell-shaped curve and they're not very effective at all.

And can you through your leadership and your mentoring and your caring get that person into the middle of the bell-shaped curve where they're contributing more to the organization than they would have otherwise.

Now, that's a challenge of leadership. That really is a heck of a leader that does that. And so that becomes another standard, another way to measure your effectiveness as a leader and think about it that way.

Lynn Howell:  OK. Operator, would you please give the instructions for our callers to ask a question?
Operator: At this time, I would like to remind everyone, in order to ask a question, you may press star, then the number on your telephone keypad. Again, that is star then the number one on your telephone keypad. We'll pause for just a moment to compile the Q&A roster.

Lynn Howell: OK, while they're doing that, have a couple of easy questions, doesn't the hierarchy of the military rank make leadership simple and easy or it's easier than the civilian sector because all of your employees are required to do what you say?

John Altenburg: That's an interesting -- that's an interesting belief by people and I can remember in an interview after I left the military stuff, somebody seeing that, everything you see is an order, so what's the big deal with being a leader in the military?

Now you may be working here and everything you say is not an order, how will people follow you? And I think Tania and I have talked about this, Tania, why don't you take on?

Tania Martin: OK sir. I don't think that certainly there are -- there are military orders and so people do have to follow a lawful order, but that's not how we lead and that's not the effective leadership method, because grudging compliance with an order basically, I'm doing this because I have to is not going to get you what you need and not going to push your organization forward.

And so we have learned quickly that the best leaders use what we call servant leadership which is basically leading by example of the hard work and willingness to put in the hours that it takes for you to get the job done right. And through that bonding and teamwork, it cultivates camaraderie and a group that is always going to be looking and moving and pushing the teamwork forward and trying to accomplish the mission, because we never want to let each other down and we want to always reach our goals.

And so I think it goes back to getting buy in as I discussed a little bit ago, and that even if people don't agree with you, they know that they were heard, they know that they were considered and they know that you made an informed decision that took their views into account. And if you have time and
opportunity to explain that to them, so they understand your decision making process, you are doing leadership and you teaching them how you made your decision and how their input was valuable whether or not you adopted it in part or in whole.

And that then lets them learn how to make decisions and they can say that they don't agree with you and they didn't like how you made that decision or they learn how to make a decision and know that they can do it in a same way that you did because you've taught them along the way.

And so I don't know of anybody in the JAG Corps that has ever given an order and expected it to be complied with without having the care and the compassion behind it to say here's why we're doing it and what we're going to do and how we're going to accomplish it, and I'm going to be right there with you getting the job done as well.

John Altenburg: I can't add anything to that.

Lynn Howell: OK, all right, operator, do we have any questions from the floor?

Operator: There are no questions over the phone right now, you may continue.

Lynn Howell: OK, all right.

John Altenburg: Well, I'll give you another example, before you ask another question Lynn and that, I was in the, in the '80s and someone came down and banged on my door and wanted to talk. And well, without getting into the job description or the civilian pay grade, it was a government employee, you know, was really ticked off at some policy that we had implemented and she was working in the -- in the word processing pool, so that tells you how long ago it was and it tells you basically what her status was in the organization. I don't know that anybody was more lower paid than this person or lower paid than this person.

And she got -- she came in to vent with me because I had -- I was in a position to affect it and when she was finished, I realized she's exactly right, that's an insight that I've never thought of. Apparently no one else did either and it came from basically the lowest person on the staff and it was the staff of about
-- there were 20 attorneys and about 50 people total working in this organization, and that's the person that came up with the idea that caused us to change the policy. So you never know where a great idea is going to come from. And, you know, it was obviously burned in my brain by that experience with that -- with that woman and how powerful her insight was, Lynn?

Tania Martin: Yes, sir. Well, everybody has a different perspective to offer that can make a difference, so I think it's important to acknowledge that perspective and gosh knows what you can learn from it.

John Altenburg: Yes, exactly.

Lynn Howell: OK, operator, do we have any questions?

Operator: Again everyone, if you have questions, you may press star one on your telephone keypad.

Lynn Howell: They're just shy today.

Tania Martin: Yes. Well, you know, Lynn, I was going to say some decisions too like when you get input from folks or if there's a problem within the office, a lot of those decisions are kind of best made if you just let the issue simmer for a bit. And I don't mean ignore the issue, but a lot of times if you allow your folks to think it through themselves, they will find a way to resolve it.

And so just because a problem comes to you, I don't think it's good leadership to always automatically think you have to make an instant decision or solve everyone's problems, hear their issues, hear their concerns, give them some guidance and see if they can resolve it on their own, because like I was mentioning before, General Altenburg has mentioned, they will then learn invaluable lessons of leadership themselves if they have to kind of put the time in to figuring it out too.

And then, you of course have to be prepared to make a decision if it comes to that and then when you do it, do it from authority and explain why you're doing it and then let them go and adjust to the new decision.
Lynn Howell: OK, now both of you have dealt with people deployed and things like that, but how do you keep everyone connected? Because, you know, with 1,700 lawyers all over the place, keeping them on the same song sheet and how we do things, you know, and how processes work and that they change jobs so often, how do you keep that dynamic connection going?

John Altenburg: You know, Tania's experience is much more recent than mine because I left the JAG Corps, you know what, 15 years ago, 16 years ago, but I think that she can fill out the details on the fact that there's an annual CLE where this -- all the leaders, like the top hundred leaders get together, important to keep in mind that there are 70 or 80 offices, some with as few as three or four attorneys, somewhat as many as 30 and 40 attorneys all over the world.

And they're in subsections also, I mean there are like six or seven of a certain type that have a mutual superior organization. And they all funnel back eventually to the top of the Army and the Pentagon, but there are -- there are various organizations and relationships between and among lawyers that enable them to -- enable us as a branch to effectively communicate.

And of course this is all been enhanced in the last 20 years by the type of communication everybody’s become spoiled by. But even in the day as they say, you know, before we had decent telephones and even computers, the branch worked real hard at staying linked together even if it was by letter at that time.

Tania Martin: Yes, sir. And you know, we're not different now than we were when you were still on active duty. And we do use email. We send out JAG wide emails with information of interest to everyone and as you were hinting out, we want every member of our court to have a mentor or peer that they can call on for advice particularly our leadership, those folks who are leading offices.

And we emphasize what we call a technical chain of command, so that's the JAG Corps chain of command. We work for commanders in the field, but we also rely on each other to call with legal related issues that we can get advice and guidance from our peers and our superiors and ensure that we remain a
learning culture and learn from each other's mistakes, but also learn how to grow together and to tackle all the thorny issues that we always face.

And so we do that conference that General Altenburg mentioned, that's a week-long conference basically in Charlottesville Virginia where our Army Law School is. And that's a great opportunity for us to all connect with each other and enhance our mentorship roles, our leadership roles and our friendships.

And then really it takes a lot of work, it takes a lot of hard work. It takes phone calls. It takes emails. It takes interaction and ensuring they're always thinking about how can we help each other out. And it seems to work pretty well, you know, we really do rely on each other quite a bit.

John Altenburg: Yes. I'd use an example, rather than trying to describe a unique military organization, I'd use an example of it, but it was years ago, but it still works now if I just use it generically, 12 peers in Europe, 12 JAG peers, each of whom is in charge of a large legal organization and the only ones that ever screwed it up and had problems or got in trouble were the ones that didn't call a peer and say, what do you think about this?

And so that's critical is to have a peer that you trust, whose judgment you trust and that you -- because sometimes the mere act of going to the telephone and starting to call your peer, you realize, "Oh my goodness, now that I'm hearing myself, think about this, this is a dumb idea." Sometimes you get to the second stage where you actually voice the concern or the interest or the question to your peer and before your peer can answer, you say to yourself, "That's the dumbest idea I've had lately. Hey, thanks for picking up the phone."

Sometimes it goes another step and the peer says to you, "OK, have you thought about this or have you thought about that?" And the peers feedback tell you, "Oh my goodness, I haven't thought about that and I should have." So just the act of always as a default and a system, I'm going to talk to a peer about this really complicated issue before I make a decision, it can be very helpful and very useful, it's a decent skill to acquire.
Lynn Howell: OK. Operator, do we have any questions?

Operator: At this time, we don’t have any questions over the phone. You may continue.

Lynn Howell: All right, we have two minutes left, so I'm going to ask you each for your best and most favorite leadership story. And so who wants to go first?

John Altenburg: I want her to go first.

Tania Martin: They're all good leadership stories. Wow, best leadership story.

John Altenburg: I'll lead off.

Tania Martin: Good.

John Altenburg: If you're fumbling around there.

Tania Martin: Right.

John Altenburg: I'll help you out because you helped me out plenty.

Tania Martin: All right.

John Altenburg: I remember telling a group of people at a large conference or senior leaders that while it would be unfair to measure them based on how many people wanted to stay working for us and not leave, it was worth thinking about because many of us, if you remember (inaudible) that caused us to want to stay in the Army JAG Corps.

And I told them it would be unfair because you really have a whole bunch of people working for you that are getting out because of family problems and other issues and it's not because of you personally. And you may be somebody who's lucky enough that they all want to stay in spite of you, OK. But it's something that we could think about. We're not going to do it. We're not going to measure you that way, but it's something for you to think about when you go back in your practice.
And one of the people in that audience went back and instead of, you know, stopping and talking to people while he's walking down the hallway or stopping and talking to people in the morning walking in and saying, "What do you want to do next," you know, he set up a policy that said, everybody has to apply to career status board or come to my office and tell me why you're not applying to stay in the Army. I mean that's one of the dumbest things I've ever heard, you know, that would be his approach. But it was a knee-jerk response to what we had said about leaders and we might measure them based on how many people stay in.

And it shows you how somebody can take an idea and run them in the exact wrong direction with it thinking they're doing something right. What's that do for you, Tania?

Tania Martin: Sir, I would say that, I'm not, you know…

John Altenburg: The lesson is bad leadership as well, it's not good though.

Tania Martin: No yes, I absolutely know, but it wasn't your lesson then. I would say that even though I am a little bit younger than General Altenburg, my memory is not nearly as good as his. So my ability to recall an actual incident is not so good, but I have more of an anecdotal thread I'd like to share.

I think that the proof of good leadership is more in the effects you have on people and I think the best compliment you can even get is either having folks repeat what you did knowing that they watched you and observed you and saw something they liked and thought it was positive, or they come up to you and tell you, you know, you're always upbeat, you're always positive, you're always the one who I can come to and never be judged and I know that you will help me and guide me through whatever it is I'm going through.

And I feel like those are the lessons that you go, wow, OK, I did something right. And that's how you know you're being a good leader or you're doing the right things is when people either mimic you or imitate you or tell you that. So it's not necessarily a story, but it's an anecdote.

John Altenburg: I like that.
Lynn Howell: Yes, that was very good advice. At this point, we have lapsed our hour. So I must thank you both, Coronel Martin and General Altenburg for joining us today. Again, this podcast is a sneak peak of some of the presentations that are scheduled during the 2019 section of litigation and Solo, Small Firm and General Practice Division, CLE conference at the Marriott Marquee in New York, New York from May 1st to the 4th. Please go to www.amber.org/gpsolo for more information about the conference. We look forward to seeing you there and next month on our next podcast. Have a wonderful day. Good-bye.

John Altenburg: Thanks. Thanks, Lynn, I appreciate it.

Tania Martin: Thank you, bye.

John Altenburg: Bye-bye.

Lynn Howell: Bye.

Operator: This concludes today's conference call. Thank you for joining. You may now disconnect.

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