

Excerpt from

Gartner Business Quarterly

Proven Guidance for C-Suite Action



Personal Fulfillment Is the Secret to Highly Engaged Legal Teams

by James Crocker

Twenty-six percent of lawyers are highly engaged in their work, while an additional 64% are moderately engaged.¹ Many general counsel and human resources professionals will look at these numbers and see no cause for concern. However, the difference in outcomes between moderately and highly engaged lawyers is stark.

Lawyers who are dedicated to and energized by their work, as well as committed to their organization, are:

- 143% more likely than their moderately engaged colleagues to show high discretionary effort
- 70% more likely to explore novel ways to help business partners meet objectives
- 30% more likely to explore ways to improve department processes
- 17% less likely to actively look for another job¹

The lesson is clear. When it comes to engagement, good enough is not good enough. If general counsel want a legal team that enables the business to take risks and capture value in a disrupted and ambiguous environment, they need lawyers who are highly engaged. Nothing else will do.

Great Engagement Is Within Reach

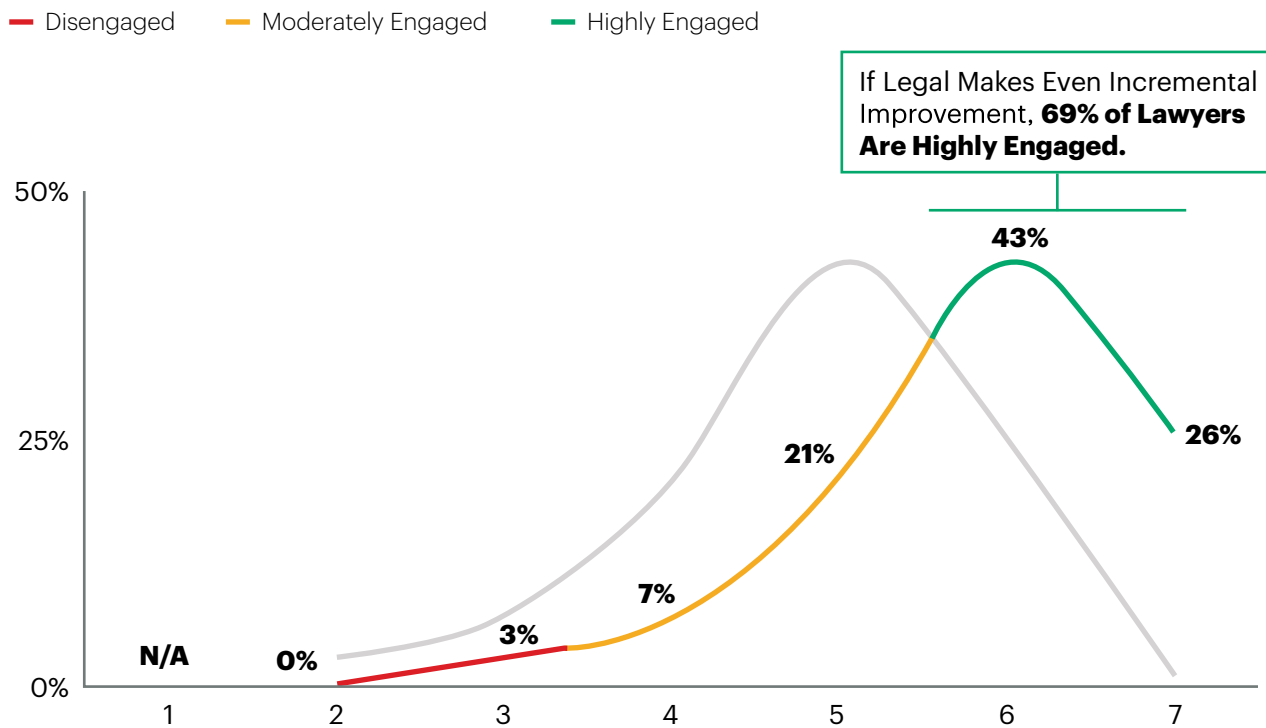
While most lawyers are moderately engaged, many are on the cusp of high engagement. Even an incremental improvement can make a big difference to engagement (see Figure 1; Note: The gray line represents the current distribution of lawyer engagement.).

With a little effort, general counsel can reach almost 70% high engagement. All their lawyers need is a little help to break through.¹

¹ Excerpt from Gartner Business Quarterly 1Q22

Figure 1. Incremental Change in Engagement Distribution for Lawyers

Percentage of Lawyers at Each Level of Engagement Based on Departmentwide Incremental Improvement in Engagement^a



n = 202 corporate lawyers

Source: 2021 Gartner Corporate Lawyer Engagement Survey

^a Where incremental improvement means moving every lawyer up 1 point in engagement on a 7-point engagement index

The Path to Great Engagement Runs Through Personal Fulfillment

Many general counsel believe that the best way to engage their lawyers is through title and compensation increases, along with the career development opportunities that set lawyers up for these gains. However, these traditional trappings of success aren't the best places to invest to improve lawyer engagement.

Corporate lawyers do want to reach the next step on the career ladder, but relatively flat corporate legal structures, combined with low turnover in senior positions, can make this difficult — and development opportunities are not an adequate substitute. In addition, corporate lawyers have already decided against a more lucrative career in a law firm. Chances are, if they work in-house, money is not their overriding motivation.

The best way to engage lawyers is to make sure they have work that is personally fulfilling — which has a 51% greater impact on engagement for corporate lawyers than total rewards, which includes compensation and benefits.¹ This means that it's much more effective to focus on what lawyers get out of their work than what they get paid to do it.

How to Give Lawyers Personally Fulfilling Work

What exactly constitutes this type of work? There are two important components:

- Alignment between lawyers' interests and their jobs
- Belief that lawyers' work is having an impact on the business

General counsel need to find the optimal balance between lawyer interest and department need, and to make sure lawyers have, and see, maximum impact on their organization.

Finding the Sweet Spot Between Lawyer Interest and Department Need

In theory, it should be easy to identify what lawyers want. In an ideal world, general counsel could just ask them. Unfortunately, in practice, this isn't quite as straightforward. Lawyers, like people in most professions, usually don't have a completely clear sense of what motivates them in work and life. That's why Scott Nehs, General Counsel at Blue Cross, Blue Shield Association (BCBSA), a federation of U.S. health insurance companies, asked legal team members to take a survey to help them identify what motivates them. This wasn't an engagement survey, and it wasn't concentrated on specific legal subject matter areas, either. Instead, the questions sought to uncover what was important to lawyers as individuals (see Figure 2).

After completing the survey, lawyers were given a report that scored them across different possible motivations (e.g., mission-driven, status-oriented) along with insights for each motivation. Legal managers were also given a report for their team, listing the top two motivators for each team member.



Scott Nehs

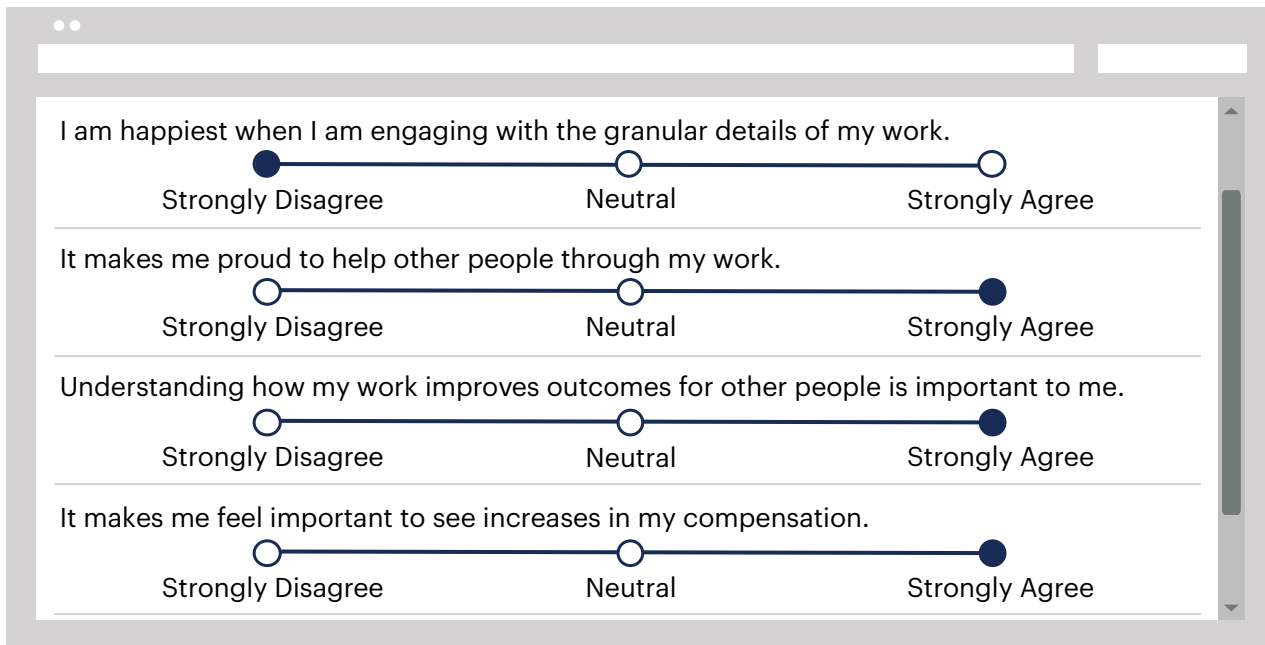
Senior Vice President,
General Counsel and
Corporate Secretary,
Blue Cross, Blue Shield
Association

The combination helped team members think about what they really want out of their job, and gave managers fodder for a conversation about work allocation that took into account factors beyond availability, expertise and development.

BCBSA's legal department used a survey, any type of guided reflection, such as discussions on developing individual vision and value statements, can lead to similar results. What matters most, for legal leaders, is to systematically uncover and document what motivates lawyers at scale. They can use that information to make sure the thing that gets lawyers up in the morning is a meaningful part of their work.

Figure 2. How BCBSA's Survey Architecture Clarifies Lawyer Motivators

Illustrative



Source: Adapted From Blue Cross Blue Shield Association

To make sure that the survey results were used, Nehs developed a simple but powerful organizing framework to help managers contextualize current and future work for attorneys against what motivates them (see Figure 3).

Figure 3's vertical axis shows the difficulty of implementation: how easy or hard it will be to find the right types of projects that connect best with an individual's motivator profile. The horizontal axis shows the time needed to gain access to those opportunities. The bottom-left quadrant includes work lawyers are doing that already aligns with their motivation. It's possible that an attorney might not realize that this is the case, which presents an opportunity for the manager to help establish the connection. The top-left quadrant shows the near-term opportunities that exist within the team. The manager might have to shuffle around some projects to make it happen, but with some effort, they can assign lawyers work that aligns with their interests.

The two quadrants on the right-hand side of the chart tell a somewhat different story. They will require more time to align lawyers to their interests. On the bottom right are work projects that could serve as medium-term opportunities — perhaps the project needs additional expertise or training — but could represent a future goal the manager and lawyer work toward.

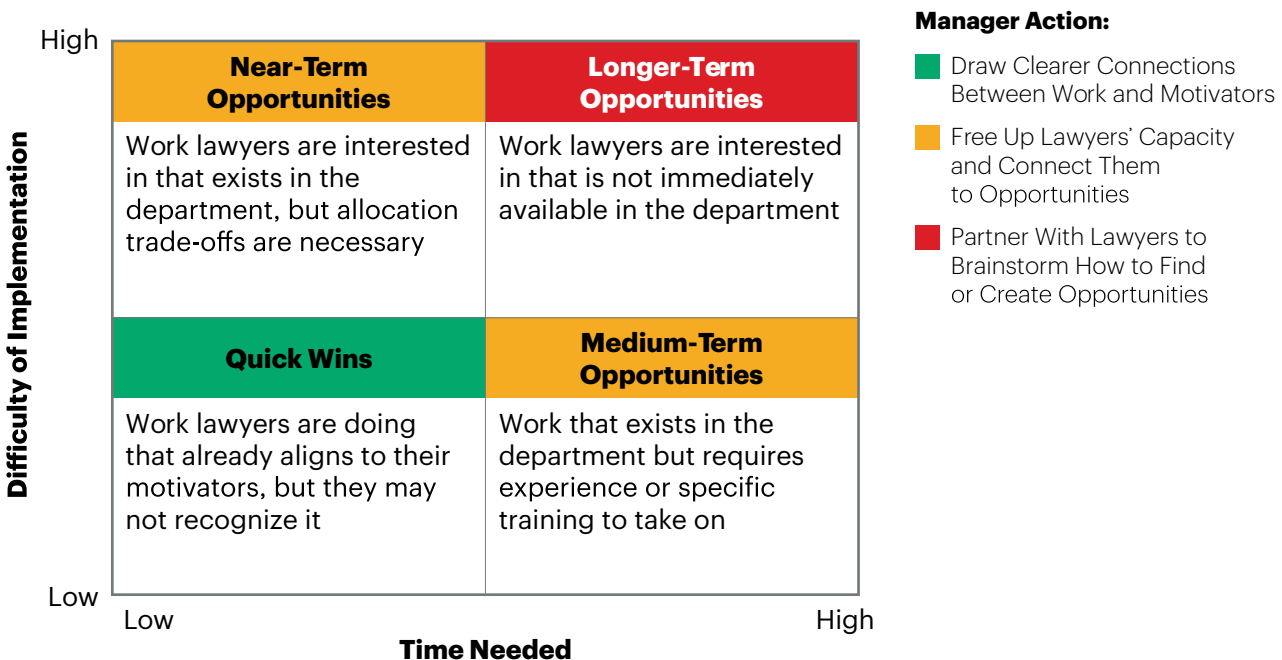
The top-right quadrant is a little trickier. If most of what motivates a lawyer falls into the box of high difficulty to implement and high amount of time needed, then it would prompt an important discussion about the attorney's long-term career and role within BCBSA's legal department.

Nehs shared his philosophy around this type of discussion: "We want to work together to help [the lawyer] get where [they] want to go with [their] career, even if that means taking on a different role or looking outside of BCBSA. And of course, they are encouraged to keep a relationship with the company and to try and return if their interests align in the future."

Since deploying the motivator exercise, team engagement has increased by 32 percentage points. As Nehs sees it, "Staying connected to what gets people up in the morning can provide powerful insights into the members of our department and the teams they belong to that helps us ensure people are engaged and motivated by their work."

Figure 3. Engagement Opportunities and Related Manager Actions

BCBSA's Implementation Difficulty to Time Needed Matrix



Source: Adapted From Blue Cross Blue Shield Association

Lawyers Need to Have, and See, an Impact on the Business

Requests for work often come into the legal department that do not strictly require legal participation, and lawyers are trained to have a service mentality. If their clients ask them to do something, they want to do it — even if saying “yes” can keep them from higher-value work that will satisfy their desire for business impact. This is why Cynthia Hoff Trochu and the legal team at Texas Instruments developed their “Right Task, Right Person” initiative.

A workload analysis revealed that lawyers at the U.S.-based technology company were spending

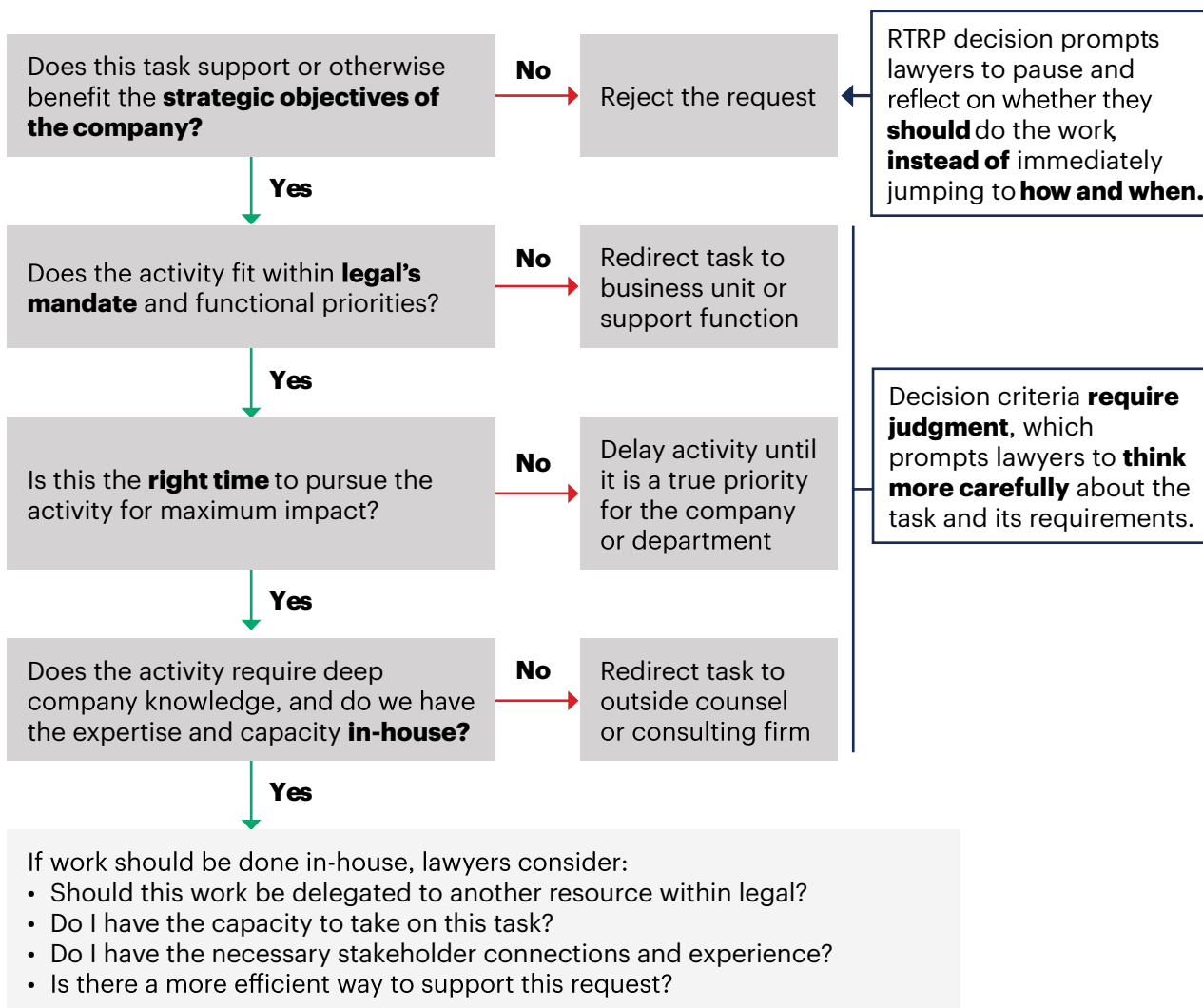


Cynthia Hoff Trochu

Senior Vice President, Secretary, General Counsel and Chief Compliance Officer, Texas Instruments

lot of time on work they should skip. “Right Task, Right Person” includes a decision tree that helps lawyers prioritize work at the top of their skill set (see Figure 4).

Figure 4. Texas Instruments’ Right Task, Right Person Decision Criteria



Source: Adapted From Texas Instruments

This decision tree forces lawyers to pause before they begin a new piece of work and consider:

- Is this something the department should be doing?
- Are they the best person in the department to do it?
- Is there a better way to do this kind of work?

This process created a culture shift. When lawyers identify an opportunity to cut out work, or complete it in a more efficient way, they document and share it throughout the department.

To keep these principles top of mind, a “Right Task, Right Person,” cross-functional “tiger” team shares stories about big wins. For instance, the tiger team profiled a group of lawyers who created a podcast to educate sales staff on terms of service as a reminder for others to keep looking for ways to streamline their own tasks and workflows. The stories are also structured to teach by example. They include:

- A clearly scoped problem and goal statement to show others how to lay the foundation for improvement.
- Practical steps, so that lawyers can see the kinds of planning and considerations they should take into account.
- The costs and benefits of the project, to make the case that a “Right Task, Right Person” mindset is good for the business, the legal department and the individuals involved.

As a result of this program, the Texas Instruments legal department redirected an estimated 4,890 hours toward high-impact work in the first half of 2021. Further, the general counsel, Hoff Trochu, reduced her department’s budget by \$1 million.

¹2021 Gartner Corporate Lawyer Engagement Survey.
n = 202 corporate lawyers

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