

Are You Listening to Me?

By Barb Cotton

One of the most important skills that a lawyer needs to develop is the sophisticated skill of listening.

It has frequently been stated by wags that the opposite of talking is not listening but rather waiting (to talk).

How can it be said that tips on the skill of listening are marketing tips? The essence of marketing is to develop a relationship with the client, and a relationship can not be built unless the client feels that he or she is truly heard and understood.

How then does one develop listening skills? The first thing that must be emphasized is one's body language – it is important to make and keep eye contact and, where appropriate, smile. A relaxed posture signals confidence. Tone of voice is crucial to convey empathy and a modulated tone indicates interest. Don't project that you are busy and interrupt the client or rush them in their speech. Don't focus on the clock instead of the client, and set aside plenty of time to simply listen.

In addition to such basic principles of body language, specific listening skills have been advocated by Elaine Biech in her book *Marketing Your Consulting Services* (Jossey-Bass/Pfeiffer, May, 2003). She offers these following 8 tips (as summarized in Design Firm Management & Administrative Report, June 2004):

1. Be prepared. Do your homework before every call. Review the project's progress and determine what the client's needs are at this point. If you're going into a meeting, write down the names of everyone you'll be working with. It's easier to listen if you aren't searching your memory bank for names.
2. Focus on getting the information you need. Know what you need before going into a meeting or picking up the phone. This helps you

stay tuned to the discussion. If you're in a meeting, maintain eye contact and attentive body posture. This encourages the client to provide information. Most important, don't interrupt. Clients, especially potential ones, need to supply all the information they want. Be sure to take excellent word-for-word notes so you have a record of the discussion. If you're asked to do a RFP [request for a proposal], then you can quote the client's words in the proposal; it helps clients feel that you've really listened to them.

3. Prepare a set of questions beforehand to facilitate a meeting. What information do you need? Write down a list of questions about topics – from the general to the specific – that you want input on. You might want to circulate the questions in advance, at the meeting, or just keep them to yourself as prompts during the discussion. You'll also need to ask impromptu questions that arise.
4. Use active listening techniques. Paraphrase what your client is saying to make sure you understand everything being discussed . . .
5. Be aware of how the session is going. Learn to “listen” to the client's non-verbal messages as well as verbal ones. Are there any changes in body language? Has the discussion lagged? Are members of the client's team exchanging glances? If you sense that anyone is feeling uncomfortable or even antagonistic, don't be afraid to address the situation. You can say something like, “Bob, perhaps I'm mistaken, but I'm getting the feeling that you disagree with the point I just made. What's your perspective?” Encouraging openness and free dialogue, even if it's uncomfortable for you, is a critical component of authentic listening.
6. Learn to summarize. This is one of the best active listening techniques to indicate you understand what the client is saying. Use their words. If different opinions are expressed, choose words that reflect the differences so varying views can be resolved. Be brief but inclusive. Practice this technique in other situations so that it will feel natural.
7. Let the client have the last say. This is more than a psychological trick. It's a way of respecting the client. It says, “I'm here to serve you and meet your needs, not to force you to conform to my ideas”. This gesture will not be lost on your client; he or she will appreciate it.
8. If the conversation veers away from business, listen anyway . . . As Biech notes, “There is simply no way to unearth someone's true needs without really listening to them.” It's nothing less than the heart and soul of client relationships. And it's the doorway to long-term success and fulfillment in your chosen profession.

Further tips on effective communication are offered by Sarah Fenson of Ivy Sea Inc. (as paraphrased from Inc.com at <<http://www.inc.com/articles/2000/08/20000.html>>):

- Don't take another person's reaction or anger personally, even if they lash out at you in what seems a personal manner. Another person's mood or response is more likely about fear or frustration than it is about you as an individual. Take a deep breath and count to ten, and see it as a way of letting the other person vent before he is able to communicate what's really on his mind.
- You don't have to have all the answers. It's okay to say, "I don't know". If you want to find out say so, then follow up to share your findings. Or you may decide to work on the problem together to find the answer.
- Respond (facts and feelings); don't react (feelings) – e.g., "Tell me more about your concern" or "I understand your frustration" instead of "Hey, I'm just doing my job" or "It's not my job." Share responsibility for any communication in which you are a participant, and realize that sometimes, maybe often, your own personal reactions may be causing their frustrations about communicating with others.
- Understand that people want to feel heard more than they care about whether you agree with them. Its strange how many people complain about others not hearing them, yet they don't listen to others either.
- Remember that what someone says and what we hear can be amazingly different. Personal filters, assumptions, judgments, and beliefs can distort what we hear. Repeat back or summarize to ensure that you understand. Restate what you think you heard and ask "Have I understood you correctly?" If you find yourself responding emotionally to what someone's said, say so, and ask for more information.
- Acknowledge inconvenience or frustration and offer a timeline, particularly if you need someone else's cooperation or your activities will affect them.
- Look for common ground instead of focusing solely on differences. What might you both be interested in? One way to

begin discovering commonality is to share your underlying intention.

- Remember that change is stressful for most people. Our routines can be comforting in the midst of what appears to be a chaotic world. So if you're in someone's space or need him to do something on your timeline, provide as much information as you can about what you'll need from the person and when. If you can, tell him what you're doing will benefit him.
- Work to keep a positive mental focus.
- Understand that most people, including you, have a unique, often self-serving agenda. This isn't necessarily bad, because it helps us achieve and protect ourselves. Just don't assume that someone will know or share your agenda, so talking about what's most important to you and asking what's important to others, can help build a solid foundation for conversation.

If we focus on really listening to our clients, we can enhance the lawyer-client relationship.

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