

## Topic 11 – Learning to Listen

- Here's the scenario to set up the topic...how do you react?
  - Imagine that you are sitting at your desk at the end of an especially long day. You and your team are at a crucial phase of a contentious matter that you have been overseeing. You have just finished a difficult phone call with your client, who expressed major concerns about how things are going. Moments after you hang up, Robert—your “right hand” and most senior associate on your team—knocks on your door, asks to speak with you, and shuts the door behind him. He has news. He is quitting his job to join a start-up business created by a college friend. The opportunity arose unexpectedly, and he grabbed it quickly. He starts next month.
- Two different reaction options:
  - Self-focused. The entire time Robert is talking, you are concerned about what his departure means for *you* or the team. You are running through scenarios in your head that detail how this will impact you and the work of the team. This colors what you hear, and also makes it less likely that you will probe Robert about possible underlying concerns/reasons for why he may be leaving.
  - Empathic/Comprehensive. In this approach, you pick up on Robert's word choice and tone of voice. You may also notice a change in body language that is concerning. By making these observations, you withhold judgment about the impact to you/the team, and you actively listen to Robert and what he is trying to tell you.
- Why does this matter?
  - For most of us, our default is to be a self-focused listener. This means that when others are talking, we think...“Wow! That happened to me once...” or “Whoa! I would never make that decision...” Then, we proceed to share *our* wisdom, or ask questions that serve *our* curiosity—which does not help the speaker.
    - In fact, as legal professionals, we likely spend the vast majority of our time as self-focused listeners. When we hear others speak, we are constantly thinking: “What are the flaws and where are the potential liabilities? Where is the “good stuff” on which I can build a case?”

We should aspire to spend more time as an empathic/comprehensive listener. Why? Because doing so will help you to more fully connect with your clients. For example, your client may be saying one thing (with their words), but the tone/body language in the conversation seem to indicate something different. Or, in the example with Robert above, perhaps he is trying to (indirectly) tell you that he is unsatisfied with his work. If you don't practice empathic/comprehensive listening, your client may not feel like you “hear” what they are saying.