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DEVELOPING A CULTURE OF LEARNING FOR CORPORATE COUNSEL

Corporate Counsel Section

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In the 5th century B.C. the Greek philosopher Heraclitus proclaimed that "Nothing is permanent except change". But Heraclitus could never have imagined the dizzying pace of change that has been occurring in the beginning of the 21st century. One way that corporate counsel can meet this challenge of change is to commit themselves to training the attorneys, paralegals and support staff in their office or department.

The purpose of training is to assist corporate counsel in meeting their ethical and professional responsibility to prepare their attorneys and paralegals to deliver consistent and competitive, high-quality legal services to their client. Under the American Bar Association's *Model Rules of Professional Conduct*, Rule 1.1 Competence, "A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."¹ Proper training can provide corporate lawyers with the legal knowledge and skill, and if done properly, will lead them to be motivated to be thorough and well prepared to represent their clients.

So the goals of training are to increase legal knowledge, to develop skills and to improve motivation.

Increasing the legal knowledge is the substance or content of the training. The principles of contracts, the subtleties of employment law, or the recent development in compliance law can be explained in a straightforward manner giving examples and citing the appropriate authority.

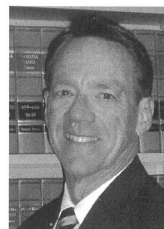
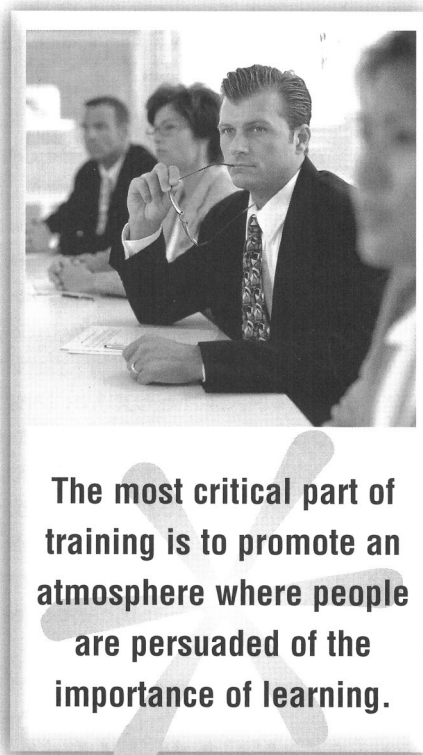
Skill development is more difficult. Skills can not be learned conceptually, they must be practiced, like fielding a grounder or hitting a tennis ball. This involves engaging people in the learning process. This can be accomplished through group discussion work shops, with written or oral exercises, or with simulations similar to moot court. When our attorneys and paralegals are actively participating in the training, they are personally engaged in learning by doing. Skill building is critical for today's lawyers. Negotiation and mediation skills, enhanced communication skills and better writing skills are some examples.

Learning black letter law and developing skills are just the beginning of training. Knowledge and skill building must be presented within the framework of the goal of motivation or conviction. The most critical part of training is to create an atmosphere where people are persuaded of the importance of

learning. This climate of conviction leads to the desire in each person to want to learn, to improve, and to excel. In fact, a properly designed and implemented training program leads to the development of a culture of learning where people are asking, "How can I do my job better?" or "What can I learn today to improve the quality of the legal services that we provide?" Soon everyone realizes that they are responsible for their own learning.

The initial benefits of providing training are a more knowledgeable and capable group of legal professionals who can provide better service and achieve greater client satisfaction. The longer term effects of training will create a highly motivated team eager to represent their clients with thoroughness and preparation. It will also bring about higher morale and a more enjoyable place for everyone to work.

¹ Rules Regulating the Florida Bar, Rule 4-1.1 Competence.



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