

The Art of Communication

INFLUENCING SNAP DECISIONS

BY JAY SULLIVAN

We all make snap decisions: attorneys, clients, jurors, our colleagues. Many issues we decide on the fly should be made that way. Fax the document or e-mail it? Delegate the assignment to a junior associate or do it myself? Do I want fries with that?

Unfortunately, we also make snap decisions about important matters. Which client's work is a priority? Is Jack the best associate for this assignment? Guilty or not guilty?

We make snap decisions because we have so many things to decide in a given day. Since everyone makes



Jay Sullivan, who practiced law in both the public and private sectors, is a partner at Exec | Comm, a communication skills consulting firm that works with attorneys and corporate professionals. He can be reached at JSullivan@exec-comm.com.

snap decisions, we each have a better chance of influencing others if we have clear, strong messages that can be easily understood. Honing your message therefore becomes crucial to success.

Whenever you are participating in a discussion, craft a clear message. A clear message is short, uses simple language, and is focused on the needs of the audience.

Limit your key message to one sentence, preferably less than 17 words long. Because so many statutes and contract passages are written as one long sentence to include every caveat and permutation, we are trained to think in large chunks of information. While that is arguably necessary in legal documents, it isn't helpful or effective when conveying other messages. Consider breaking up the content into smaller sentences to help your listeners or readers.

If we talk for 20 minutes in a meeting, our audience will remember only a few essential comments. The audience needs to be able to grasp your message quickly and efficiently. Ask yourself, Will my audience be able to repeat this message to someone else after this meeting? If it's unlikely they will be able to do so because the message is too long, too vague or too difficult, it is unlikely you will have the impact you desire.

Read the following and then turn your eyes away from the page and try to repeat it to yourself:

Everyone's active participation in the firm's events is crucial to helping us develop a conscious and cohesive firm culture that we can all be proud of and that will help us attract high quality associates.

You can't do it. It's too long. You have to translate what it means to you.

Now try the same with the next sentence: "We hope to see you at as many firm functions as possible."

Save the "whys" and the details for other sentences. Allow the key message to stand on its own.

Similarly, "We need to settle the case" is clear and direct.

"You may want to consider resolving the dispute prior to going through extensive pretrial discovery and having the details make a nightly soap opera in the press" is simply too much for a listener to digest in one gulp.

Use Simple Language

There are two language traps lawyers fall into. The first is when we try to show how smart we are. The second is when we fail to recognize legal jargon.

Big words do not impress anyone; big ideas do. My firm recently surveyed more than 1,400 business professionals

regarding what impresses them about other people's communication skills. When asked to rank the top three communication skills from a list of 10 items, not a single person ranked "using sophisticated vocabulary" as a top three choice.

In a professional setting, you don't get graded on being smart. People assume you are smart. You get graded on having impact. That means getting people to take action based on your ideas. Get to your content. Your goal when communicating is not to be cute or clever. Your goal is to be clear.

Avoid legal jargon. Because we spend so much time with other lawyers, we forget how much legal jargon has crept into our vocabulary. That's not a bad thing. However, jargon becomes problematic when we fail to recognize it as jargon and use it in inappropriate settings.

Once, when I was teaching a class for a small group of law firm partners, one of the partners mentioned that he had four grown children. I asked him where his kids lived. Most people would have said something like "across the country." He answered, "They live in four different venues."

His colleagues laughed at him. Only a lawyer would refer to where his children lived based on where he could file a lawsuit against them. Challenge

yourself to first, always recognize jargon, and second, to eliminate it in instances where it will get in the way. And unless you are writing to your college classics professor, leave the Latin legal references out of your cover letters and e-mails.

Focus on the Audience

Your message is never about you, and it is rarely about your content. It is always about how your audience—your listener or reader—needs to use your content. To craft an audience-focused message, before a meeting ask yourself, What does this audience need to get out of this meeting? Let's say you are meeting with a client to outline settlement options in a case.

An attorney-focused version:

We need to settle the case. There are three elements necessary for this cause of action. The first, 'x,' is clear from the facts. On the second....

The details are really about you and the process. The client may not care about the substantive legal aspects. Assume the client trusts your judgment on the law and keep the message focused on why the client should care.

An audience-focused version:

We need to settle now. If we settle now, you will be able to focus on

your business, save substantial defense costs, and avoid nasty publicity.

Always consider following-up with, "Would more detail on this issue be helpful to you?" By asking that question, you will keep your content limited to what the client cares about.

You can't control how quickly someone will form a judgment based on the information you are providing. Give your audience the bottom line information so if they make a snap decision, that decision is based on the proper content.

Your audience will rarely take the time you may think they need to consider fundamental issues about their case or deal. Therefore, for your sake, and for the sake of your audience, keep your key message short, easy to understand, and focused on the audience's needs. You will improve your ability to be persuasive, and have impact.

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28 West 44th Street, New York, NY 10036
 Phone: 800.394.1700 Fax: 212.684.2688
info@exec-comm.com
www.exec-comm.com