

## LEADERSHIP AND MANAGEMENT SKILLS FOR LAWYERS

Law 082- 1-2 credits

Antonin Scalia Law School at George Mason University

Winter Term 2022

### Instructor:

Kellye Y. Testy

President & CEO, Law School Admission Council

Distinguished Visiting Professor, GMU Law

([ktesty@lsac.org](mailto:ktesty@lsac.org))

215-968-1162 (Felicia Williams, Assistant)

---

**Course Description:** *Leadership and Management Skills for Lawyers* is a 1-2 credit course that helps to prepare law graduates for leadership positions in multiple contexts. Lawyers lead law firms, legislatures, non-profit organizations, businesses, government agencies, and a wide variety of other organizations and causes. Lawyers also exercise leadership roles heading teams, leading committees, overseeing projects, and advising clients who exercise managerial authority. While the need for lawyer-leaders with vision, values, and technical competence is evident, a traditional assumption was that leaders were born, not made, and law schools rarely devoted attention to leadership education.

Today, it is well understood that leadership's major competencies can be learned through understanding and practice. The course will address key issues in leadership to build awareness and habits that will prepare students for leadership and management roles and for success in the organizations and for the causes they may serve.

**Course Learning Goals:** By the end of this course, students will be able to:

- Recognize leadership traits and implement these traits into their own development
- Cultivate self-awareness and self-assessment skills
- Initiate a personal leadership philosophy
- Understand different styles of leadership
- Understand how legal organizations approach leadership
- Improve written and oral communication skills
- Improve leadership capacity

**Format:** The course will include a mix of class meetings via zoom and outside-of-class individual and group work. Students opting for the 2-credit version of the course will have an additional outside-of-class project separately arranged with the instructor that focuses upon creating a "Profile in Law & Leadership" entry for a new web-based resource designed to assist educators and students.

The course is graded and the following five components will be included:

### 1-credit course:

Leadership and Self Deception Essay -- 20%

Experiential Exercise and Report on Managing Others -- 20%

Crisis Management Speech and Email --20%  
Leadership Vision Statement -- 20%  
Class attendance and participation -- 20%

2-credit course:

Leadership and Self Deception Essay -- 10%  
Experiential Exercise and Report on Managing Others -- 10%  
Crisis Management Speech and Email --10%  
Leadership Vision Statement -- 10%  
Class attendance and participation -- 10%  
Profile in Law & Leadership Entry – 50%

**Course Materials:** Most materials will be provided electronically without charge. There is a modest fee (currently \$15) that each student will need to pay to complete an assessment exercise for the course called the “DISC” assessment and for one book that is available on-line in a variety of formats, including used copies for around \$2.00. The book, Leadership & Self Deception, is by the Arbinger Institute. You do not need to buy the most recent edition; the prior edition is fine.

**Class Meeting Schedule:** January 5, 10, 11, 12, 13, 14 from Noon – 2 p.m. EST will be our class meeting times. There will also be two one-hour sessions that you will schedule individually at a time convenient for you and I will discuss specifics in the first class.

**Class Discussion Ground Rules:**

- Exercise collegiality and engage in respectful discourse with your classmates and guests.
- Recognize that we are all still learning. Mistakes will be made, misunderstandings may occur, but assume we are all coming from a place of good intentions.
- Be willing to change your perspective and make space for others to do the same.
- Respect that others may hold opinions and beliefs that differ from your own. When you disagree, challenge the idea, not the person.
- Keep an open mind and heart, and be kind.
- Listen carefully to what others are saying. Comments that you make should reflect that you have paid attention to the speaker’s comments.
- Support your statements. Use evidence and provide a rationale for your points.

**Policies:** Students must be familiar with and abide by all academic and other policies promulgated by GMU, including policies on plagiarism, academic accommodations, non-discrimination, and many other important matters.

## Schedule and Assignments

### **Jan. 5:**

*Introduction to Course and to topic of Leadership. What is Leadership? How is it different than management? What characteristics and circumstances makes someone a leader? Why is it important for lawyers to build leadership capacity?*

#### Pre-Work

Read <https://www.lawyerbrainblog.com/2016/12/the-essence-of-leadership-for-lawyers/>; <https://www.forbes.com/sites/pauladavislaack/2018/02/22/6-new-leadership-literacies-lawyers-must-build/#1d1c9d932334> and <https://www.yalelawjournal.org/forum/lawyers-as-leaders> and reference <https://review.law.stanford.edu/wp-content/uploads/sites/3/2017/06/69-Stan.-L.-Rev.-1603.pdf>.

#### Class Assignment

Think of an individual from history or personal experience whose leadership you admired (does not necessarily have to be a lawyer). What traits were most important? Why? You may also think about a leader who failed, and the traits you believe contributed to that leader's failure. Each student should be prepared to share an under-five-minute synopsis of one of their chosen leaders and their leadership traits.

### **Jan. 10**

#### Topic:

*Leadership as a relationship – understanding yourself and how to build and work with a team*

#### Pre-Work

Complete the DISC assessment found at: <https://www.123test.com/disc-personality-test/>. Once you have completed the preliminary test, please pay for the extended report and download it as a pdf. Please then email that pdf to me at [ktesty@lsac.org](mailto:ktesty@lsac.org) with “GMU Law & Leadership Course” only in the subject line.

#### Class Assignment

During class, you will present a summary of your profile. After, you will form groups that represent diverse profiles and will complete a brief “building a leadership team” assignment that you will then summarize and share with me and the rest of the class.

### **Jan. 11**

#### Topic

*Challenges of Leadership: Self Deception*

### Pre-Work

Read “Leadership and Self Deception” by the Arbinger Institute (used and new copies are available in print and electronic versions are also available -- any edition is fine).

### Class Assignment

1. Due before the start of class: a (max) 5-page essay that explains how you believe you can use the themes in the book to grow as a leader. For instance: What self-deception challenges do you see in yourself? What commitments will you make to avoid the self-deception trap? How can you help others avoid this pitfall? Email papers to [ktesty@lsac.org](mailto:ktesty@lsac.org) and please put only “GMU Law & Leadership Course” in the subject line.
2. In class, we will conduct a peer-advice workshop so please be prepared to share a 5-minute synopsis of what you expect to be your biggest challenge in overcoming the self-deception trap and to offer suggestions to classmates of approaches you recommend to them for meeting their challenges.

## **Jan. 12**

### Part I (12-1):

#### Topic

*Skills of Leadership: Management*

### Pre-Work

Read: <https://hbr.org/2005/03/what-great-managers-do> and <https://www.impactbnd.com/blog/radical-candor-book-review> and see assignment below.

### Class Assignment

We will use class time to talk about core principles of good management and to go over your outside-of-class assignment on this topic, which is at the end of this syllabus.

### Part II (1-2):

#### *The Leadership Journey*

Guest: Dean Kenneth Randall, GMU

### Pre-Work

Research the speaker’s professional background via the web and prepare three questions for our guest speaker that can help us explore his leadership style, his core values in leadership, and other aspects of his leadership journey.

### Class Assignment

Help conduct interview of guest speaker

## **Jan. 13**

### Topic

*Skills of Leadership, continued*

### **Part I (12-1 pm)**

#### **Crisis Communications**

### Pre-Work

Read: <https://hbr.org/2017/11/leading-not-managing-in-crisis> and <http://195.130.87.21:8080/dspace/bitstream/123456789/96/1/Crisis%20management%20and%20communications%20Coombs.pdf>; <sup>1</sup> Lindsey Anderson, *Leadership During Crisis: Navigating Complexity and Uncertainty*, LEADER TO LEADER (Mar. 3, 2020), <https://www.corporatelearningnetwork.com/leadership-management/articles/leadership-during-crisis>

### Class Assignment

We will use class time to conduct a workshop that will help you to complete your assignment on crisis communications effectively. That assignment is included at the end of this syllabus.

### **Part II (1-2)**

#### **Equity & Inclusion**

#### **Guest Speaker Angela Winfield**

### Pre-Work

Read: <https://www.bridgespan.org/insights/library/leadership-development/integrate-diversity-equity-inclusion> and <https://hbr.org/2019/03/why-inclusive-leaders-are-good-for-organizations-and-how-to-become-one>

Research the speaker's professional background via the web and prepare three questions for our guest speaker related to her leadership journey and her expertise in leading for equity.that can help us explore her leadership style, his core values in leadership, and other aspects of his leadership journey.

## **Jan. 14**

### Topic

Your Leadership Journey

### Pre-Work

Begin to prepare your final assignment, which is to create a vision statement to guide your own leadership journey. This is one that you will be able to refer to as your career progresses, both to gain wisdom from and to refine. Without constraining your creativity in the content or format that you wish to use, below are some common prompts for completing a leadership vision

statement. Usually these are about 1-2 pages in length. You may discuss this with others inside or outside of the course, but your final work product should be your own vision statement, unique to you.

*People will want to be involved in an organization (or cause) I am involved in/with because .....*

*Who I am as a leader has been shaped by many influences, including these important ones .....*

*The core values that establish the foundation for my leadership are ....*

*While I have many strengths as a leader, including ..... there are areas that I will need to nurture, including ...*

*I will be most satisfied as a leader when these things are true ....*

*If I feel I've lost my way as a leader, I will return to these roots to gain clarity ....*

*In 10 years, I want to be known as a leader who ....*

#### Class Assignment

For class, please prepare a 1 minute oral response to this prompt that will be recorded as our time capsule for the course: “\_\_\_\_\_ will characterize my leadership because .....” This will continue to be available to you when you need inspiration!

Your final vision statement will be due no later than Jan. 21. Please submit your vision statement to me at [ktesty@lsac.org](mailto:ktesty@lsac.org) with only “GMU Law & Leadership Course” in the subject line.

## **Assignment on Managing Others**

### Facts:

Shay has worked at Justice Foundation for almost 30 years, always in roles focused on diversity, equity and inclusion, and now is its Chief Diversity Officer. Shay has especially focused on building programs that serve under-represented communities of color, although Shay has also been vigorous as well in support for LGBTQIA+, disability rights, and viewpoint diversity. For many years, Shay had to carve many pathways alone and became one of the nation's pioneers in the important work of racial justice. Today, thanks in large part to Shay's work, many more of the organization's leaders are also committed to the values of diversity, equity, and inclusion.

For at least the past five years, however, there have been growing complaints about Shay's leadership from both other employees and also from external constituents. Chris began serving Justice Foundation as its new Executive Director three months ago. In that time, Chris has noted that while there is nothing negative in Shay's personnel file (it looks like regular employee reviews have not been done most years for any staff), these complaints are growing louder. "phoning it in; not focused; no longer effective externally; staff are miserable -- it's a revolving door" are some of the common complaints.

Chris is also concerned with Shay's effort and performance, and has told Tracy (one of Justice Foundation's in-house lawyers) that Chris is concerned that Shay's "leadership has stalled out" and that "Shay may no longer be effective in advancing the organizations work in the core area of diversity, equity, and inclusion." Tracy has checked the file and Shay does not have an employment contract, so is considered an "at will" employee under state law.

### Assignment:

Form teams of three\*, so that one person plays each of the three roles -- Shay, Chris and Tracy. Then conduct a meeting to inform Shay of Chris's assessment and "next steps." Tracy should function as a neutral observer. After the meeting prepare a report from the perspective of the role you played that describes briefly the approach taken, what went well/badly in the meeting, what you learned from it, and what you would suggest for any improvements with such meetings in the future. Do not discuss this report with the other team members – prepare it solely on your own observations and analysis. Reports are to be no more than two (2) pages in length and are due by January 21 to [ktesty@lsac.org](mailto:ktesty@lsac.org). Please make sure to put only "GMU Law & Leadership Course" in the subject line.

\*If our class size does not divide into threes, then groups of two are also ok. In a group of two, skip the role of Tracy.

## Assignment on Crisis Communications

Choose one of the following scenarios (or another that is preapproved) and prepare two things that you will send to me on or before Jan. 21 at [ktesty@lsac.org](mailto:ktesty@lsac.org) with only “GMU Law & Leadership Course” in the subject line:

1. An email to one or more of the constituents affected by the crisis.
2. A video recording of you giving a short (3-5 min) speech to one or more of the constituents affected by the crisis.

Do your best to use both the email and the video for maximum combined effect in communicating your core messages addressing the crisis you choose below.

- A. You are the managing partner of a large law firm, Barer & Williams, which was founded in 1980 by two former law school classmates, Greg Barer and Danielle Williams. Ms. Williams retired in 2019 after an incredibly successful career in corporate law. Mr. Barer focuses on securities law. As managing partner, you are responsible for all firm operational and administrative matters. Just moments ago, you learned that Mr. Barer has been indicted by the Securities & Exchange Commission (SEC) on securities fraud charges in connection with the recent failure of a biotech company he helped to represent.
- B. You are president of a large chain of restaurants that specialize in Hawaiian foods, such as poke. Over the past two days, your Seattle stores have been experiencing heightened numbers of customer reports of “feeling ill” after eating the restaurant’s food. Today, you just learned that one of your key suppliers, FreshNow, has issued a recall for all green onions it has sold in the last 30 days due to an outbreak of e-coli found in several batches of onions. Green onions are a regular ingredient in many of your food products.
- C. You are general counsel of a small college in rural New England named “Ginsburg” in honor of the late Justice Ruth Bader Ginsburg. Yesterday, police were called to campus due to suspicious activity by a man who had been spending extraordinarily long times in a study room in the lower level of the library, and who had also been seen donning a flowing white scarf several times while quietly pacing the hallway outside of the study space. The man, an international student from Kenya, was handcuffed and arrested immediately by police, although it was later determined that he was merely working on his senior thesis and used occasional pacing with a scarf his priest had given him as a form of meditation to help focus his work.
- D. You are the lead lawyer in a large class action lawsuit brought against a municipality on behalf of poor families who have suffered severe health problems allegedly stemming from a tainted water supply. The case has been underway for over three years. The trial judge has just let you know she plans to rule tomorrow against your clients.