



WSSFC 2024

Quality of Life/Ethics Track – Session 4

Unlock the Power of Adaptable Communication in Your Firm

Presenter:

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About the Presenter...

Mike McKay is a founding Member and Majority Shareholder in ActionCOACH Milwaukee #1, LLC. After an undergraduate degree in Mathematics from Ripon College, Mike served 4 years in the US Army in Korea and Ft. Carson, CO. Then working in public and private manufacturing companies, Mike achieved his goal of becoming an executive of a billion-dollar company as Vice President, Global Supply Chain for Sanford Brands. He left the corporate world to start his ActionCOACH practice in 2012. Now an ActionCOACH Global Hall of Fame Member, and published author, Mike specializes his coaching on growing businesses and leaders.

Unlock the Power of Adaptable Communication in Your Firm

Mike McKay – ActionCOACH Milwaukee #1, LLC

I. Program Overview –

- a. Adaptable communication models create clarity of understanding, quick adaptation to the culture and needs of the participants, and create clear, desired outcomes.
- b. Effective communication is a fundamental aspect of law firm practice management extending beyond client interactions. It encompasses internal communications among staff, coordination between departments, and engagement with external stakeholders.
- c. Strong communication is essential for establishing and nurturing client relationships. Law firms must prioritize clear and empathetic dialogue to foster trust and collaboration both inside and outside of your firm. When clients and employees feel heard and understood, they are more likely to engage positively with their firm, leading to better case outcomes. Becoming skillful in adaptive communication not only alleviates client anxiety but also reinforces the attorney-client relationship, promoting transparency and confidence.
- d. Effective internal communication is equally important for law firm efficiency. Clear channels for information sharing among attorneys, paralegals, and administrative staff can significantly enhance workflow. Regular team meetings, collaborative platforms, and internal newsletters can ensure everyone is on the same page regarding case developments and firm policies. Such practices foster a culture of teamwork and accountability, reducing misunderstandings and enhancing overall productivity.
- e. Investing in communication training for staff is a strategic move that can yield significant benefits. Workshops focused on effective communication skills, active listening, and conflict resolution can enhance the firm's overall communication culture. Role-playing difficult scenarios allows attorneys to practice and refine their communication styles, ensuring they are prepared for a variety of client interactions. This proactive approach can lead to improved client satisfaction and reduced malpractice risks.
- f. In today's digital age, utilizing technology for communication is essential. Client relationship management (CRM) software can streamline communications, track interactions, and manage follow-ups. Secure client portals facilitate efficient information exchange, allowing clients to access updates and documents easily. However, while technology enhances communication speed, law firms must balance this with personal touch. Regular face-to-face or phone interactions remain crucial for building rapport and understanding nuanced client needs.
- g. Creating standardized communication protocols can ensure consistency across the firm. These protocols should outline best practices for client communication, internal updates, and handling sensitive information. Clearly defined roles and responsibilities regarding communication can enhance accountability among staff, ensuring that all messages are timely and accurately conveyed.

II. Three Models of Communication

- a. Linear - Linear communication is straightforward, one-way communication. In a linear communication model, information flows from the sender (the lawyer) to the receiver (the client or employee). There is no feedback loop. This model is often used in formal communications, such as legal briefs or structured presentations. While it allows for clear and concise delivery of information, it lacks the opportunity for immediate clarification or interaction, which can lead to misunderstandings or misinterpretations. The linear model features three key characteristics
 - i. -One-way flow of information.
 - ii. Clear and structured messages.
 - iii. Limited feedback from the receiver.
 - iv. Models include

- b. Interactive - The interactive communication model introduces a two-way interaction between the sender and receiver. In this model, both parties can exchange information, ask questions, and provide feedback. This model is commonly used in meetings, phone calls, or video conferences, where lawyers and clients engage in dialogue. It promotes a better understanding of legal concepts, as clients can seek clarification and express their concerns in real time. Key characteristics of the interactive model include
 - i. Feedback
 - ii. Encouraged dialogue and interaction
 - iii. Enhanced understanding and engagement
 - iv. Models include
 1. Osgood-Schramm – Cycle, Equal and reciprocal, Interpretation
 2. Westley and Maclean – Everything complicates everything

- c. Transactional - The transactional communication model is a dynamic and simultaneous process where both parties engage in communication as co-creators of meaning. In this model, messages are continually exchanged, and the roles of sender and receiver can change throughout the interaction. This model is especially relevant in ongoing lawyer-client relationships, where context and emotional undertones play significant roles in understanding. It reflects the complexities of legal discussions, where both parties influence each other's perspectives and responses. Key characteristics of the transactional model include.
 - i. Simultaneous exchange of messages
 - ii. Co-Creation of Meaning
 - iii. Incorporates context, environment and emotion
 - iv. Models include
 1. Barnlunds Model – Every factor from environment to learning level must be considered

- III. Communication/Behavior Styles – the key to unlocking communication. The DISC communication model is a behavioral assessment tool that categorizes individuals into four primary personality types: Dominance (D), Influence (I), Steadiness (S), and Conscientiousness (C). Each type reflects distinct communication styles and preferences.
 - a. Dominance individuals are assertive and results-oriented.
 - b. Influence types are sociable and persuasive.
 - c. Steadiness individuals value harmony and consistency.
 - d. Conscientiousness types focus on accuracy and detail.

- IV. Understanding DiSC styles helps improve interpersonal communication, intrafirm communication, enhances team dynamics, and tailors interactions to best meet the needs of different personality types, ultimately fostering more effective collaboration and relationships in professional settings.
 - a. DiSC Introduction – William Moulton Marston, 1928
 - b. Style Review of Each Style – what to use and not use and how to do so

- V. “User Guide” to communicate effectively via DiSC Style

- VI. Summary - Communication is a fundamental aspect of any organization. It affects collaboration, client relations, your reputation, and overall efficiency

You can improve your communication by considering what result you want your communication to achieve, using all three models, Linear, Interactive, and Transactional, and incorporating the behavioral and communication styles tool called DISC

Bonus handouts–

Common listening traps

DISC Behavioral Styles Summary – “Cheat Sheet”

DiSC Grid

FAST PACED

T A S K	Buys on Logic	D = 10%	Buys on emotion	I= 25-30%	P E O P L E
	Direct		Interactive		
	Fast Paced		Friendly		
	Decisive		Enthusiastic		
	Independent		Fun		
	Results-Oriented		Inspiring		
	Big Ideas		Emotional		
	Defiant - Sparring		Illogical		
	I like a Challenge		I like exposure to People		
	I thrive on Competition		I like to make people Laugh		
	I like to be my own Boss		I am a great Starter/Plate Spinner		
	I am Hard Working (work as hobby)		I am prone to Exaggerate		
	I don't like Indecision		I don't like being Embarrassed		
	I want you to be Quick		I want you to be: Fun		
			Enthusiastic		
			Responsive		
	NEEDS: Challenges		NEEDS: Image		
	Choices		Recognition		
	Control		To be liked		
	Buy- Results and performance		Buy - Image and Relationship		
	Buys Accuracy	C = 25-30%	Buys in Silence	S= 30-35%	
	Calculating		Steady		
	Logical		Helpful		
	Dry Wit		Diplomatic		
	Analytical		Sentimental		
	Cautious		Quiet		
	Thinker		Kind		
	Can Appear Cold		Pleaser		
	I like to be Correct		I like Friendly Environments		
	I like Details		I like Teamwork		
	I strive for Perfection		I am a great Finisher		
	I follow the rules		I prefer to Listen		
	I don't like Mediocrity		I don't like Saying no/ Conflict		
	I want you to be: Accurate		I want you to be Kind		
			Patient		
			Soft Spoken		
	NEEDS: unemotional		NEEDS: Appreciation		
	value		Security		
	Excellence		Peace		
	Quality Answers				
	Buy- Quality and Value		Buy - Ease and Familiarity		

SLOW PACED

DISC BEHAVIORAL STYLES SUMMARY

	DOMINANCE “D” Energized by “Problem Solving”	INFLUENCE “I” Energized by “People”	STEADINESS “S” Energized by “A Steady Pace”	CONSCIENTIOUSNESS “C” Energized by “Following Rules / Procedures”
MAJOR GOALS:	Results Control	People involvement Recognition	Security/Stability	Accuracy Order
MAJOR FEARS:	Losing control of environment, Being taken advantage of	Rejection Loss of approval	Sudden change Losing security	Criticism of performance Lack of standards
DISLIKES:	Being controlled by others Lack of results	Complex details Working alone	Hostility, conflict Unpredictability	Disorganization Unclear explanations
UNDER PRESSURE:	Domineering Impatient	Emotional Disorganized	Conforming Indecisive	Withdraws Stubborn
AS A BUYER RESPONDS TO:	Options Efficiency	Testimonials Saving personal effort	Assurance of stability Personal attention	Evidence of quality and accuracy Logical approaches
DECISION STYLE	Quick	Emotional ”Gut Feel”	Deliberate	Analytical

	DOMINANCE “D” Energized by “Problem Solving”	INFLUENCE “I” Energized by “People”	STEADINESS “S” Energized by “A Steady Pace”	CONSCIENTIOUSNESS “C” Energized by “Following Rules / Procedures”
COMMUNICATION APPROACH	Brief & to the point Stick to business Outline possibilities for person to get results & be in charge	Be friendly & upbeat Provide time for them to talk about ideas & non-work topics	Be patient – they need more time to make decisions Be sincere & personal Provide assurance of support	Take time to prepare your case in advance Support ideas with data Focus on facts Provide explanations in a patient, persistent manner
KEY PHRASES THAT WORK	<p>“We had an issue today that has been solved, but I want to keep you in the loop on...”</p> <p>“Here are our options, X, Y and Z. Which do you want me to pursue?”</p> <p>“You look buried /busy/distracted. How about if we re-schedule for when you have more time?”</p> <p>“When you frustrated, how do you want me to help get the conversation back on track?”</p>	<p>“How are you feeling about this solution?”</p> <p>“I really appreciate your help on this – thank you!”</p> <p>“How can I help make your life easier on X?”</p> <p>“We have an issue that is bound to come up again – let’s put our heads together and see what solutions we can come up with”</p>	<p>“No worries, we deal with X all the time”</p> <p>“There will be some changes in the short term, but that will make doing X so much easier and faster.”</p> <p>“Do you have enough information to make a decision?”</p>	<p>“There a 7 items on this order that require attention; A, B, C, D, E, F and G”</p> <p>“These are the 7 steps that we need to take. Let’s cover each one and make sure we’re both clear.”</p> <p>“It will take me 1 hour to process X, 15 minutes to process Y, and 35 minutes to process Z. That means I will have this returned to you by ZZZZ.”</p>

Common Listening Traps

“When is it my turn?”

- the challenge to suspend our own needs.
- genuine listening means suspending our own beliefs, opinions and judgments.
- listening is one sided - a gift to the other person.

“That reminds me of the time”

- people don't want to be interrupted to hear about the time it happened to you.
- good listening encourages the speaker to go deeper into his own experience.

“Well if I were you”

- listening is not giving advice.
- listening is providing a sounding board to allow people to vent and come to their own conclusions.

“Have you heard the one about?”

- listening isn't shifting the topic to your own interests.
- Listening is not about being the jokester.
- this quip demonstrates not listening, by using something the speaker says as a trigger to make a joke or change the topic, to make it “your show”.

You Hear Only What You Want To

- you let hidden assumptions or beliefs dictate what you hear.

Reacting Emotionally to What Others Say

- this is the main reason conversations turn to arguments.
- the comments are taken personally, as a remark about you personally.

Listening With a “Clenched Mind”

- not listening because you're protecting yourself from the message of what the other person is saying.

Not Acknowledging What the Other Person Says

- dialogues where neither person acknowledges the other person are uncomfortable to have and even to observe.
- these conversations often end in violent agreement. (people who agree but don't know it because they're not listening)

Not Listening to People Who Are Hard to Listen To

- people who talk too much are difficult to endure but their need for attention is genuine.
- not listening increases their yearning to be heard.
- resist the temptation to turn away.

Unlock the
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Adaptable
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in your firm

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Top 3 Learning Outcomes for Today

1. Understand communication models, their uses, and the effects within your firm
2. Discussion of communication tools
3. Choosing proper tools to create the communications outcomes you want to create

Take Aways - simple user's guides to increase the effectiveness of your communication choices and outcomes



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Why do you need to be able to adapt your communication style?

“True Communication is the Response You Get”



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The Three Communication Models

1. Linear
2. Interactive
3. Transactional



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The Three Communication Models

Linear – One Way Communication

- Aristotelian – Ethos, Pathos, Logos – credibility, authority, logic
- Lasswell – Who, What, Which Channel, to Whom, What Effect
- Shannon- Weaver – Deal with the Noise
- Berlo – Source, Message, Channel, Receiver

- Announcements, texts, emails, press releases, marketing campaigns, etc

The Three Communication Models

Interactive – Two Way Communication

- Osgood-Schramm – Encoder/Decoder, Equal and Reciprocal, Easy to Interpret
- Wesley and MacLean – Everything Complicates Everything

- Team discussions, collaborations, communications with clients

The Three Communication Models

Transactional – Everything Complicates Everything

- Barnlund Transactional Model – Public and private cues, culture and environment, noise, emotion, physical engagement
- Dance’s Helical Model – Around and around we go until everyone comes to a common understanding



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Some Ways Communication is Affecting Your Firm

1. Client Relationships

- Communication is the basis of all trust – if you’re good
 - Manage Expectations
 - Reduce Misunderstandings
 - Better collaboration and rapport
- List three ways you build trust between you and your clients



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Some Ways Communication is Affecting Your Firm

2. Professional Reputation

- Prioritizing Communication often leads to –
 - Referrals and Repeat Business
 - Reduced complaints
 - Demonstrated expertise
 - Three types of communication that you use communication to improve your firm's reputation



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Some Ways Communication is Affecting Your Firm

3. Team Dynamics

- Effective Communication leads to –
 - Collaboration
 - Workflow and process improvement
 - Early problem identification and resolution
 - More billable hours
 - Your internal communication rhythm?



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A Few Best Practices

- **Clarity and Simplicity**
 - Summaries and Visual Aids
 - Set expectations at initial meeting
- **Active Listening**
 - Listening Traps Tool Provided
- **Regular Updates**
 - Scheduled?
- **Written Communication**
 - Susceptible to nuance and misinterpretation – emotions when reading...
- **Utilizing Technology**
 - Tone and Nuance

That's a Lot, is there a Hack?

Yep

Common Misconceptions About “Communicating”

- “This is so obvious, why doesn’t he get it?”
- “I’ve told you 10 times...”
- “I swear I’m speaking English...”
- “I’m *SO* tired of Joe talking about himself all the time...”



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Common Listening Traps

- When is it my turn
- That Reminds me of the time...
- Well, If I were you
- Have you heard the one about...
- You only hear what you want to
- Reacting Emotionally to what other say

- Take Away – Common Listening Traps



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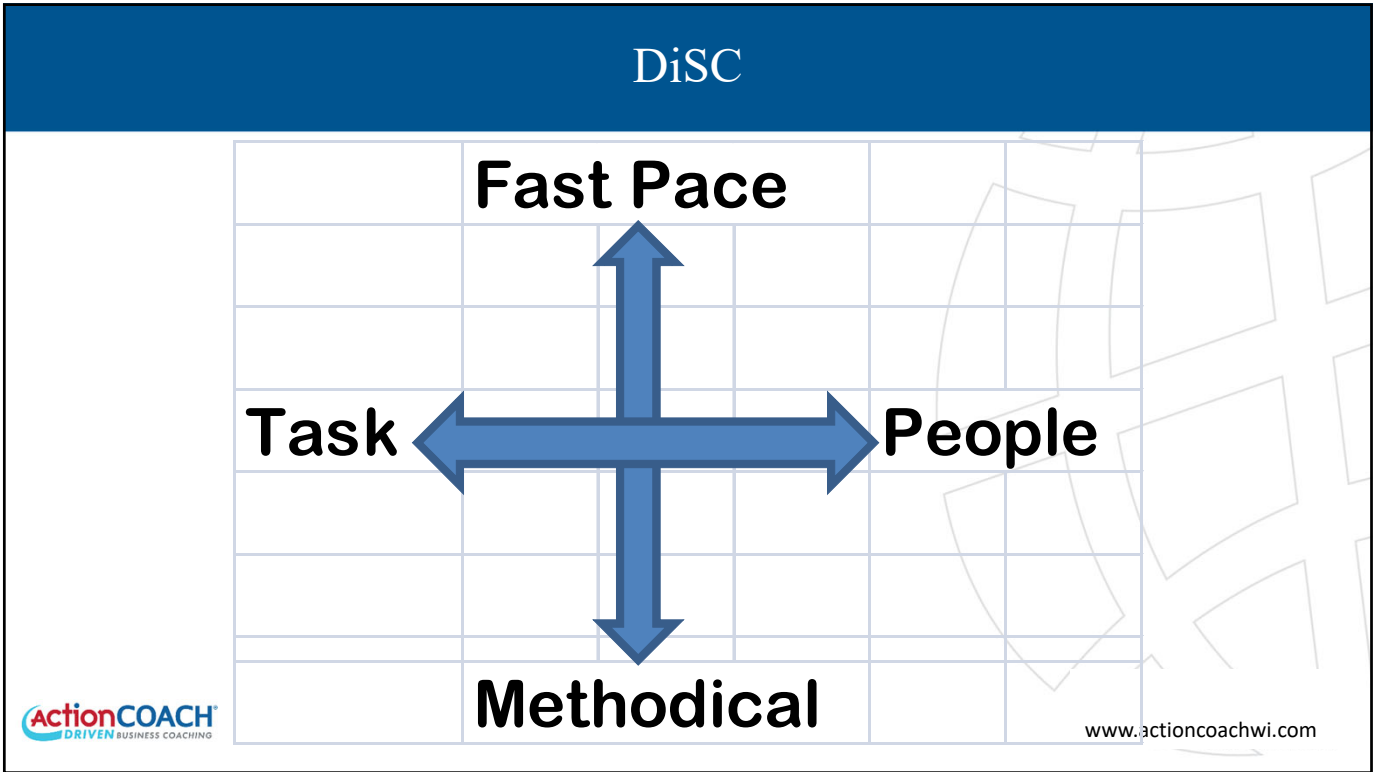
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A Different Way to Think

- People
 - Behaviors
 - Style
 - Personality
 - What makes you tick/what drives you nuts
- Systems and protocols

The DiSC Profile

- DiSC is a behavioral assessment tool used to understand and improve communication and teamwork
 - D – Dominant – Results and Goals
 - I – Influence – Social and Relationships
 - S - Steadiness - Cooperation and Support
 - C – Conscientiousness – Accuracy and Quality
- Understanding behavioral tendencies simplifies communication



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High D

- Fast Paced/Task Driven
- Driven
- Results Orientation
- Control
- Guarded

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High I

- Fast Paced/People Driven
- Relationships required
- Fun
- Like attention
- Open, trusting
- Great starter



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High S

- Methodical pace/People focus Orientation
- Steady
- Team player
- Great finisher
- Pleaser
- Needs safety
- Conflict averse



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High C

- Methodical Pace/Task Focus
- Needs detail for decision making
- Perfectionist
- Stubborn
- Reserved, Guarded



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Summary

- Communication is a fundamental aspect of any organization. It affects collaboration, client relations, your reputation, and overall efficiency
- You can improve your communication by considering what result you want your communication to achieve, using all three models, Linear, Interactive, and Transactional, and incorporating the behavioral and communication styles tool called DISC
- See Appendix for Take Aways

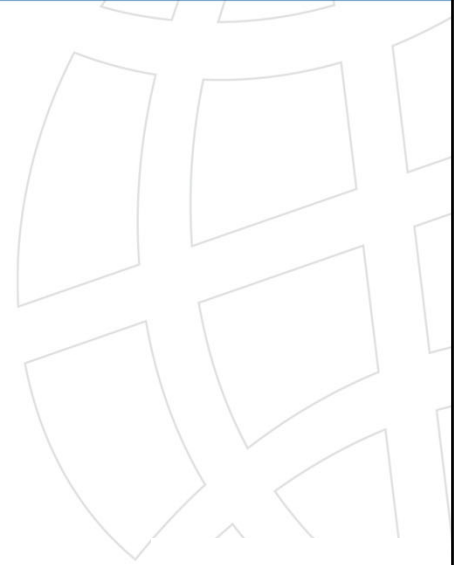


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Appendix

- Slide copies
- Common Listening Traps
- DiSC Behavior Styles Summary
- DiSC “Cheet Sheet” Grid



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