



## Identifying psychological traits in young lawyers

Is it wise to encourage specialisation at law school?

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# Identifying psychological traits in young lawyers

## Is it wise to encourage specialisation at law school?

Psychological profiling can be used to assess law graduates and trainees as well as more experienced lawyers. However, is it wise or even right to encourage specialisation at law school?

OvationXL, a leading coaching consultancy, surveyed a random sample of top 100 law firms to assess whether it's possible to psychologically profile a law graduate for their suitability to work in some branches of law but not others. Partners and the heads of learning and development in 50% of the top 100 UK law firms were surveyed, plus ten more current clients. The survey used a combination of face to face interviews, telephone interviews and shorter email questionnaires. In addition we discussed the topic with three OvationXL business coaches who are themselves lawyers, plus two others who have extensive experience in coaching lawyers in the different branches of law. The law firms approached varied in size from 20 – 550 staff (Note A). The average size was 307, with an average split of 53% professional staff to 47% support staff.

We asked seven questions:

- 1 Can law graduates be psychologically profiled for their suitability to work in some branches of law but not others?
- 2 If so, should they be identified at law school, during their studies?
- 3 What should law firms bear in mind when recruiting law graduates destined for different branches of law? How much emphasis should be placed on academic qualifications as against psychological traits?
- 4 What should law graduates consider when choosing a branch of law that best suits their temperament and personality? How can they possibly know?
- 5 What psychological traits can be identified as 'must haves' in the different branches of the law?
- 6 Is there a widespread mismatch in today's law firms between the psychology of lawyers and the different types of client they must deal with?
- 7 If so, can coaching help improve business performance in spite of a mismatched psychological profile to a particular branch of law?

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*Note A: The size of firm quoted applies to the office/s for which the respondents had responsibility. The figures do not therefore necessarily include regional or international offices of larger firms.*

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## SUMMARY OF FINDINGS

- The detailed results from the survey on pages 5 – 9 reveal that there are indeed psychological traits associated with different the branches of law.
- The survey found that whilst distinguishing psychological traits are also evident in law students, most people felt it was too early and/or unethical to use this knowledge to encourage students to make final decisions about their future whilst still at law school.
- Employers take most notice of emotional traits and 'fit'. They are considered to be more valuable than pure academic qualifications.
- Law students and trainees would gain benefit from understanding which traits carry the most weight in different branches of the law.
- Most lawyers are able to find their niche, perhaps by subconsciously matching natural traits with their chosen branch of law and its associated types of client/situation.
- When repetitive mismatches between client and lawyer do occur business performance coaching is one option that can be considered.

## DETAILED SURVEY RESULTS

This is what we found:

### 1 Can law graduates be psychologically profiled for their suitability to work in some branches of law but not others?

**74%** said **yes**, believing that signature psychological traits can indeed be identified in law graduates & trainees.

Some confessed to having a strong hunch about which branch of law they were destined to work in within moments of talking to a graduate or trainee. Others said profiling can be a helpful guide though not absolute.

### 2 If so, should they be identified at law school, during their studies?

**76%** said **no**, qualifying in most cases that it is too early. Profiling is good for guiding though not for identifying. Many of the lawyers surveyed suggested that as most of the signature behaviours to any lawyer, such as critical thinking, the ability to make sense of large volumes of information, decision making and judgement are common to all types of lawyer, there is little point in using profiling techniques at law school. Most people agreed that it is a good thing that a part of lawyer training involves a 'cooks tour' of all different aspects of a practice. Trainees need to be given a chance to work in commercial organisations before they are 'pigeon holed'. Otherwise skills don't have a chance to develop and talents may be missed. Profiling at the point of choice could be of value.

*"Personality profiling is often more useful in determining how someone might perform under stress or whether they can handle detail or not. They are not really designed to predict how a person would perform in different branches of law. Graduates should be trained to be flexible enough to work in any branch of law."*

Terry Elston Business Performance Coach, OvationXL

*"Psychological profiling isn't foolproof. Some personality tests can be valuable for helping an individual identify development needs although they should not be used to 'pigeon hole' law personnel."*

Caroline Newman Business Performance Coach, OvationXL

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### 3 What should law firms bear in mind when recruiting law graduates destined for different branches of law? How much emphasis should be placed on academic qualifications as against psychological traits?

Most business decisions in the broader world are strongly biased towards emotional 'gut feel' decision making and this is no different in law firms. This means that 'success traits' or 'indicators' need to be taken seriously when recruiting if they can be proven to have an impact on a candidate's ultimate success within the different branches of law (Note B).

*"Motivation and genuine interest would be more pertinent when considering such choices. Employers need to ask motivational and competency based questions to ascertain whether there is likely to be an appropriate fit. Additionally, employers need to consider the cultural fit – does the individual approach their work in a manner that is aligned with the values of the organisation?"*

Caroline Newman Business Performance Coach, OvationXL

*"Ethically one is disallowed from selecting purely on the basis of psychometric personality profile answers. Ability and aptitude testing is a different matter, in that there are right/wrong answers and if matched against a job spec', it is possible to say yes or no to someone's application. However, the personality profile can be used as a steer or guide to an individual."*

Joanne Garner Business Performance Coach, OvationXL

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#### 4 What should law graduates consider when choosing a branch of law that best suits their temperament and personality? How can they possibly know?

Experience some of the many different branches of law before making your decision. Don't feel pressurised to rush into something you might regret later on. Trust your intuition. Personalities maybe more like you in one area of law and not others. Take that as a helpful sign. To succeed you are going to need to become passionate about it so ask yourself if your chosen subject really interests you. Before making your final decision check if firms are hiring or firing.

*"OvationXL estimate some 65% of successful job applicants are appointed due to psychological traits and an emotional 'gut feel' – leaving just 35% on pure technical ability. This means that graduates would be well advised to research which psychological traits count for each branch of law and then work out how to bolster and prove these strengths at interview".*

Robin Johnson Business Performance Coach, OvationXL

#### 5 What traits can be identified as 'must haves' in the different branches of law?

There are so many branches of law and many positive psychological traits are a given in all categories. These include:

- Ability to make sense of large volumes of information
- Attention to detail
- Honesty
- Integrity
- Decision making
- Critical thinking
- Hard working
- Intelligent
- Prudent
- Ability to think through potential pitfalls in a transaction

Some would argue that being organised and good with IT are threshold competencies for all lawyers though this may not be the case every time.

What we wanted to find out is whether there are any psychological traits that are distinctive to some branches of law and not others.

Each respondent was invited to score each of the selected branches of law by highlighting just two traits for each category. This is what we found:

# SURVEY RESULTS:

## Traits to excel in different branches of law

**59%** agree that **corporate & commercial lawyers** are **analytical**. **53%** believe they make **the best natural leaders** – the only lawyers to score well in this category. Many of the corporate lawyers that we have coached would have succeeded equally well in other commercial enterprises. Other qualities mentioned in responses include being highly competitive and ambitious.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Corporate & commercial	35%	12%	18%	59%	35%	<b>53%</b>	17%	6%	0%

**Red highlights** indicate best in class.

**71%** agree that **commercial property lawyers** are **well organised and good time managers** whilst **47%** think of them as being **analytical**. Being a good time manager means able to prioritise their daily activity to produce the highest possible benefit to their clients and their firms, rather than being constantly pulled off course by the latest distraction. The best commercial property lawyers are genuinely eager to get the deal struck. Some people mentioned that they are often better at socialising with their clients and other stakeholders e.g. wine and beer property agents.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Commercial property	<b>71%</b>	0%	23%	47%	17%	0%	24%	6%	6%

**83%** agree that residential property lawyers are the most organised and best time managers whilst 47% think that they are at ease with their clients. At ease with clients means being approachable and respectful, whilst at the same time being open and direct and treating their client as an equal – certainly not just saying those things their client wants to hear. The repetitive nature of much of this type of work is mentioned in responses so the individual needs to be content to work in a somewhat less creative environment.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Residential property	<b>83%</b>	12%	0%	18%	24%	6%	47%	0%	5%

**72%** agree that **employment & benefit lawyers** make the **best communicators**. A good communicator needs to be a versatile communicator. This means being able to handle different situations in flexible ways to achieve an optimum Win-Win outcome.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Employment & benefits	29%	6%	11%	24%	<b>72%</b>	0%	17%	23%	0%

**59%** think **private client lawyers** are good **listeners**. This means they are active listeners, having the ability to switch off distractions and really focus on what the client is saying. **52%** think they are **the most at ease with their clients** so respectful, approachable, open and direct. Private client lawyers are considered to be better at their "soft skills" than many and more caring than is the norm. **48%** describe them as **good communicators**.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Private client	6%	11%	0%	18%	48%	0%	52%	<b>59%</b>	0%

**71%** think **divorce lawyers** make **the best listeners** with **41%** thinking they are at **ease with their clients**.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Divorce	18%	24%	12%	0%	35%	0%	41%	<b>71%</b>	0%

**47%** think **personal injury lawyers** are **well organised and good time managers** and **41%** think of them as **good communicators**.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Personal injury	<b>47%</b>	24%	11%	23%	41%	0%	12%	24%	18%

**59%** think **criminal lawyers** are **good communicators**. The criminal lawyer seems to get the raw deal in terms of remuneration and they spend a great deal of time working the legal aid system. Despite this, at **25%** they scored highest for being **the most optimistic**. Maybe significantly, criminal law remains the only major area of law where OvationXL have yet to be approached to help bolster business performance. Can someone reading this change that?

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Criminal	11%	<b>25%</b>	17%	24%	59%	0%	17%	12%	0%

**65%** think **litigators** and **dispute resolution lawyers** are **analytical** whilst **59%** believe they are **organised/good time managers**. The best litigators have a flair for taking centre stage. One respondent cheekily suggested that litigators can be somewhat diminutive in stature with *"something to prove"*. Some said litigators are *"almost born like that – argumentative, keen to prove their point, never happier than when they are squaring up for a good fight."* They are good at holding their ground under fire. Litigators are skilled at recognising both sides of a debate with high competencies in negotiation and bartering skills. At **29%** litigators scored the highest for being **the most courageous** – prepared to take calculated risks. They are also considered innovative.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Litigation/ dispute resolution	59%	5%	<b>29%</b>	65%	30%	18%	0%	5%	0%

A strikingly high **95%** agree that **Intellectual property lawyers** are **the most analytical** (an outstanding best in class). **48%** consider them well organised/good time managers. Whilst only scoring 24% they came out on top again for being **the best at IT**.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Intellectual property	<b>48%</b>	0%	0%	95%	29%	0%	5%	0%	<b>24%</b>

# Comparative table

Red highlights indicate best in class.

	Organised + good time manager	Optimistic	Courageous	Analytical	Good communicator	Leader	At ease with clients	Good listener	Good at IT
Corporate & commercial	35%	12%	18%	59%	35%	<b>53%</b>	17%	6%	0%
Commercial property	<b>71%</b>	0%	23%	47%	17%	0%	24%	6%	6%
Residential property	<b>83%</b>	12%	0%	18%	24%	6%	47%	0%	5%
Employment & benefits	29%	6%	11%	24%	<b>72%</b>	0%	17%	23%	0%
Private client	6%	11%	0%	18%	48%	0%	<b>52%</b>	59%	0%
Divorce	18%	24%	12%	0%	35%	0%	41%	<b>71%</b>	0%
Personal injury	47%	24%	11%	23%	41%	0%	12%	24%	18%
Criminal	11%	<b>25%</b>	17%	24%	59%	0%	17%	12%	0%
Litigation/ dispute resolution	59%	5%	<b>29%</b>	65%	30%	18%	0%	5%	0%
Intellectual property	48%	0%	0%	<b>95%</b>	29%	0%	5%	0%	<b>24%</b>

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## Top of their class

Organised and good time managers

1st	Residential property	83%
2nd	Commercial property	71%

Optimistic

1st	Criminal	25%
2nd	Divorce and Personal injury	24%

Courageous

1st	Litigators/Dispute resolution	29%
2nd	Commercial property	23%

Analytical

1st	Intellectual property	95%
2nd	Litigation/dispute resolution	65%

Good communicators

1st	Employment & benefits	72%
2nd	Criminal	59%

Leaders

1st	Corporate & commercial	53%
2nd	Litigators /dispute resolution	18%

At ease with clients

1st	Private client	52%
2nd	Residential property	47%

Good listener

1st	Divorce	71%
2nd	Private client	59%

Good at IT

1st	Intellectual property	24%
2nd	Personal injury	18%

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## 6 Is there a widespread mismatch in today's law firms between the psychology of lawyers and the different types of client they must deal with?

Sometimes. Whilst most lawyers seem confident in finding their niche when embarking on their careers, some find soft skills more of a challenge and this is where coaching can help.

Whilst most lawyers are generally matched to the types of client they work with, many can achieve a higher level of performance with the right type of help. These days we are frequently called in to help highly competent lawyers to bolster their self awareness and leadership skills, their self-confidence (this can be one root cause for not winning sufficient new business or being less effective at collecting fees owing) and to help them create a more versatile and self-confident style of communication. The difference can be very significant in terms of increased fee income and personal impact – two highly relevant non-fluffy outcomes. Good 1-2-1 coaching can make lawyers feel happier in themselves by tackling challenges that are highly specific to them.

*"By raising self awareness, self confidence and developing a versatile style of communication, we are entirely confident that we can transform a good lawyer into an exceptional performer without needing to alter their personality. Small modifications in behaviour can make a big difference in business performance by enabling the lawyer to succeed in different situations with more types of client and colleague."*

Robin Johnson Business Performance Coach, OvationXL

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## 7 Can coaching help improve business performance in spite of a mismatched psychological profile to a particular branch of law?

A resounding yes. There is strong support for coaching as a training method and a belief in its effectiveness. Of course, coaching can – and should – be focused on increasing the firm's efficiency and profitability as well as bolstering appropriate psychological traits.

Click on the following sample links that demonstrate ways to bolster 'soft skill' traits in lawyers:

[Balanced scorecard](#)

[Behavioural change](#)

[Build rapport](#)

[Develop leadership skills](#)

[Self confidence & positive thinking](#)

[Versatile communication skills](#)

[Waste of time management](#)

[Measuring the value of coaching](#)

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## IN CONCLUSION

- Psychological traits are evident in law students.
- It is too early and ethically unsound to use psychological testing to determine a student's niche whilst at law school.
- Employers frequently place a higher weighting on psychological traits (a candidate's 'fit') over and above pure academic qualifications.
- Most lawyers find their natural niche, perhaps subconsciously matching their natural traits to their chosen branch of law.
- There is almost invariably scope for everyone to improve on their business performance, from trainee to managing partner. Coaching is certainly one option for bolstering appropriate psychological traits/soft skills with primary aim of increasing efficiency and fee income.

*"Assessing psychological traits can produce one source of helpful indicators that can be used to help structure coaching priorities."*

Robin Johnson Business Performance Coach, OvationXL

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