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## MARKETING THE LAW FIRM

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# Obstacles to Overcome So Attorneys Can Train Others

By Sharon Meit Abrahams

Last month's article, [Training the New Crop of Incoming Associates](#), addressed adult learning theory at a 30,000-foot level. This article delves deeper into what firms can do to support their attorneys who lead training initiatives such as on-boarding new associates, delivering substantive knowledge, designing skill development training or any other aspect of professional development in the legal field. As noted in the previous piece, training lawyers has its own set of issues to overcome.

## Time

The number one impediment to getting attorneys to participate in training is time. In the corporate world, oftentimes employees are given dedicated time to complete training. Even in today's virtual world, these entities support employees in disconnecting from work. The Association for Talent Development's 2020 annual industry analysis notes the average number of employee training hours was 55.4 in 2020. Aside from CLE requirements, most firms have no hours requirements for continuing to develop skills and ability in one's career. In fact, it is common for lawyers to cancel attendance last minute or to bring client work into the learning environment.

The opportunity lost due to the billable hour weighs heavily on individuals asked to participate in or conduct training. One way for a firm to support attorneys in taking time to deliver or attend training is to give billable or investment credit for training time. Add a time category for professional development to account for time spent in training. This demonstrates the firm's support and allows attorneys to feel more comfortable participating during their work hours.

## Skill

Law firms commonly ask either a busy attorney who is good at practicing law or an attorney with slow hours to train others. Neither of these are good selection criteria because a busy attorney doesn't have the required hours to dedicate to teaching and an attorney with too many available hours probably has that availability for a reason.

Instead, take inventory of the attorneys who do public speaking as part of their business development. Those who are already good orators will have a leg up in the teaching environment. It's impossible to learn from a dull, monotone teacher, regardless of how smart they may be.

Once these great public speakers are identified, develop a plan to train them to be instructors. Many lawyers tend to share war stories or explain content from only their point of view as teaching techniques. Though this can be interesting in moderation, it is not the most effective way for participants to learn. Attorneys need to understand the foundation of designing educational content to build a successful program. Here are some tips for building that foundation, using an "opening statement" training as an example:

1. Write a learning objective. This is a statement about what the attendees will learn by the end of the educational opportunity.
  - a. Example: At the end of the opening statement training the attendees will be able to write a well-conceived opening statement (note this does not say deliver it).
2. Chunk concepts. This helps the attorneys determine if concepts can be taught together.
  - a. Example: In designing a session on opening statements, *storytelling* and *building a visual image* can be chunked together in the same lesson.
3. Outline the content. Create an outline that lists all the takeaways.
  - a. Example: List all the topics that need to be covered to write a well thought out and impactful opening statement.
4. Determine methodology. Learning modes need to align with the knowledge or skill that is being taught.
  - a. Example: Learning to write an opening statement should focus on the *writing* and not the presenting.

Next move from the skill of designing training to delivering it. Here are some key abilities attorneys should learn before they are in front of an audience. Content and training opportunities around these topics are available online.

1. Basic adult learning theory.
2. Facilitation skills.
3. Questioning techniques.
4. Handling hecklers.

Teaching comes naturally to some, while others can learn the skills. Ask around, there are probably a half dozen to a dozen lawyers in the firm who already teach as an adjunct professor.

## Tools

Most law schools follow the Socratic method, meaning most lawyers have little exposure to other effective learning methodologies. Depending on the topic, tools such as the below can be used to enhance learning and practice application of the new knowledge or skill. A moot court exercise is an example of a learning tool used in most law schools. This can be duplicated at the law firm level if the firm has the proper resources.

Teaching tools to consider:

1. Case Studies — used for analysis and discussion
2. Team activities — used to create collaborative relationships
3. Storytelling — used to teach influencing and listening skills
4. Online — used for self-directed content

## Cost

Law firms consider training and professional development activities as costs. Consider reframing training and professional development as an investment, like investing in new computer software. When a firm buys new software, it is with an expectation that the benefit of the software will eventually outweigh cost. If planned and well executed, the return on investment for training and professional development will be higher productivity, engaged attorneys and ultimately improved retention.

According to the Association for Talent Development's 2020 annual industry analysis, there has been an upward trend in direct learning expenditure in the corporate world. On average, corporations spent 16% of their budget on learning tools and technologies with an average of \$1,111 per learner. Except for mandatory continuing legal education (CLE) fees, law firms spend nowhere near this amount.

If law firms considered learning as an investment in an individual's future value, then more time, effort and funds would be allotted to this highly valued asset.

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