When Job Descriptions Don't Do The Job

"I don't think it is any exaggeration to assert that most of the Job Descriptions I've seen given to practice leaders of major law firms, have been compiled with little thought as to whether they reflect the scope of that specific practice leader's job – or indeed, the real job of being a practice leader."

The other day I received a note for the Director of Professional Development at a 600-attorney firm that I had worked with on a number of occasions some years back. The note read: ***"I have been working with our Managing Partner to develop initial job descriptions and a training plan for our practice group leaders. We may wish to engage your services to review the job descriptions when developed, refine the training plan, and deliver the training."***

Looking back into my client records from six years previously when I had worked with this firm on a strategic planning undertaking, I replied: *"I still have in my files the original Job Descriptions for your practice group leaders, so I take it that these descriptions are now being significantly revised."*

The Director's response: *"Could you forward the job descriptions you have to me? I'm not sure I've seen your version."*

The subject of Job Descriptions seems so trivial, but this situation is at the heart of why I see so many firms and their firm leaders struggle with getting their practice groups to perform as well as initially expected.

Too many job descriptions are written and then simply filed away

In one of my public sessions on practice leadership, that I conduct on behalf of Ark Conferences, I asked of a group of about 20 registrants for a show of hands as to how many of them had written, formal job descriptions. Of the 20, only two hands went up (which is pretty typical of the responses that I've continued to elicit during the past five years!) As I looked to those practice leaders who had raised their hands I realized that one of them was from a firm who had sent *two* registrants. So I naturally followed up with asking the two for more detail. They then engaged in a debate amongst themselves about whether there really was a job description, who in their firm had actually received copies, and whether it was still current.

The life of a job description doesn't end once the document has been finalized; rather it grows along with the individual assigned to it. In theory, job descriptions should provide structure, setting clearly defined roles and helping to establish the parameters of the desired performance outcomes. But in a dynamic environment, a standard job description can become outdated within a few months on the job.

No job can remain static especially where competitive conditions are changing. For that reason, every practice leader's job descriptions should be reviewed at least once a year. You should go through the job description and indicate what may no longer be relevant; what responsibilities or outcomes may be changing, however slightly; and what new responsibilities and outcomes have been added to the job.

What should absolutely not be acceptable behavior in any law firm, is to simply draft a written job description and then file it away, never to be referenced again until some crisis erupts or new management team is selected.

Too many job descriptions are simply copied from some other firm

The new Director of Talent Management (how we love our titles) at a 950-attorney firm is dealing with a management team that is transitioning the firm from largely being a geographic-centric organization to one that is attempting to develop integrated practice groups across their 15-office, international platform. (And yes, I was rather taken back too, as I thought most firms of that size had been through the transition years ago). His e-mail request to me: *"I wondered if you could refer me to a good description of the role and responsibilities of a Practice Group Chair in a law firm. Also, if you've put some thought into this, how does this role impact the local Office Chair role description?"*

To interpret this request – "Can you please send me a standardized Job Description that I can then tweak, modify and put in front of all of my practice leaders so that . . . Presto! We too, now have Job Descriptions in place."

I don't believe it is any exaggeration to assert that most of the Job Descriptions that I've seen given to practice leaders of major law firms, have been compiled with little thought as to whether they really reflect the scope of that specific practice leader's job – or indeed, the real job of being a practice leader.

To belabor this point even further, I've asked countless practice leaders this question: *"Please reflect back on your personal experience, either in the practice of law or while engaged in some other meaningful activity be it civic, community, voluntary or political in nature. Think back to some individual who stands out in your mind as the very best mentor, teacher, leader that you have had the experience of working with. Now tell me please, what specifically did that individual DO that caused you to perform better than you might otherwise have performed?"*

The responses that I will consistently elicit from practice leaders include behaviors like:

- the individual I'm thinking of set high expectations for excellence;
- they showed an interest in me and challenged me to take on particular projects before I even thought I was ready;
- they were always accessible and actually took the time to listen to my ideas;
- they gave me feedback, both positive and constructive, and weren't shy about telling me when and where I went off track;
- they always took time out to celebrate our accomplishments;
- and so forth.

Now here's the punch-line (in case anyone missed it): Where in your existing practice leader's job descriptions (if you have them) is there any reference to the job actually involving any of the above activities? In other words, where in the job description, does it address the issues of managing, leading, motivating, inspiring, dealing with . . . ***people***?

Too many job descriptions are task focused and not outcome focused

The Director of Professional Development at one mid-sized regional firm asked me if I might have a look at their firm's Practice Leader's Job Description to see if there "were missing anything." The subsequent document I received was 8 pages in length, 116 paragraphs and over 2000 words. Not only was there nothing missing (except anything to do with leading people – my earlier point) but this was a comprehensive laundry list of every conceivable leadership and management task that you could ever imagine! If some lawyer from that firm were to ask me if they should take this job, I would respond "only if it was to be a full-time position."

In *First, Break All the Rules: What the World's Best Managers Do Differently* (Simon and Schuster, 1999), Marcus Buckingham shows how the number one criteria for satisfaction is clear expectations. In essence, this means telling your practice leaders exactly what they are required to accomplish. However, most every practice leader's job description that I've seen, fails on this count.

My contention is that we have made a strategic mistake by drafting and using job descriptions too narrowly. Most practice leader's job descriptions focus on tasks and responsibilities rather than on the effect of their performance on the firm.

For example, here are a few excerpts from the typical practice leader's job description:

- *Communicate regularly with the members of the practice group.*
- *Establish annual practice group goals, budgets, and objectives to meet the Firm's goals.*
- *Monitor work allocation on a practice group-wide basis.*
- *Understand business trends likely to affect practice group growth.*
- *Recommend marketing strategies for meeting practice group goals and objectives, seeking input from practice group members.*
- *Develop strategies for educating clients about the Firm's expertise.*
- *Make recommendations to the managing partner concerning future lawyer and paralegal needs.*

Because these job descriptions focus attention by defining the job and its "boundaries" and because we have used them as operational tools, job descriptions have not lived up to their potential as a strategic tool.

What if we write job descriptions in terms that are outcome-centered instead of those that are task-focused? Here is an example:

> ***The Practice Leader is to invest time in getting to really know the individual members of the team; getting conversant with their strengths and career aspirations; and coaching and helping (one-on-one) each individual member become even more successful than she/he would have been, had the individual not been the practice group leader.***
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> ***The Practice Leader is to work with the group, as a team, to identify and implement specific joint action projects intended to increase the group's overall morale; enhance the visibility of the group in their competitive arena; improve the service and value delivered to clients; secure better business; and work towards developing a dominant position in some niche areas in the marketplace.***

> *"A job description that focuses on a practice leader's contribution to the firm's success becomes an important and powerful strategic tool because it direct behaviors and decisions to outcomes rather than to tasks."*

By changing the framework within which we describe how people are expected to work, the document should clearly identify what the professional taking the job must do to be considered successful. Read your practice leader's job descriptions (if you have them) and see whether the document focuses on tasks or outcomes.

A job description that focuses on a practice leader's contribution to the firm's success becomes an important and powerful strategic tool because it direct behaviors and decisions to **outcomes** rather than to tasks. It sets expectations and put everyone on notice that performing tasks is not enough: to be successful, those tasks must result in a positive impact on the firm. In fact, a job that has no impact on the firm is one that you probably don't need.

Too many job descriptions exist in isolation of a complete performance management system

We must remember that the job description is but one component in a complete performance management system. Your performance management system includes other components (the competency assessment and development plan, coaching and feedback, monitoring and tracking of performance, formal appraisal, etc) and serves to remind a practice leader that perhaps some elements of the job are not being done as well or as often as needed. Conversely, it gives the practice leader an opportunity to suggest better ways of doing things (more cost effective, more efficient, more easily accomplished), and to point out some tasks that are redundant, unnecessary or negative to the goals of the group or the firm.

Using the job description makes it much easier to identify training needs for the future. By reviewing actual performance against the outcomes set out in the job description, you can create a development plan that is specific and relevant to each practice leader.

Finally, having the job description in place removes uncertainty and makes the appraisal process more productive. For those practice leaders who are not keen on having their performance analyzed, they cannot say that they didn't know what was expected of them when there's an actual, written job description in place.