

Legal Coaching

A newcomer between professional consulting and mediation

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In contrast to purely legal professional advice, legal coaching is the accompaniment and support of the client by an experienced lawyer or attorney according to the quality standards developed by the professional associations for coaching, with a focus on the interests and needs of the client. It increases the lawyer's competence in communication skills and conflict management and thus relies on soft skills. However, unlike the additional training in mediation, the decisive advantages are that the lawyer does not lose his partiality and thus not his mandate and that it can be applied both as a complete coaching process and selectively in the mandate. 1

1. Introduction

Today, coaching is an integral part of personal and professional development. The coach supports and accompanies difficult phases in training or during demanding projects, the (re-)entry into professional life, the preparation of the next career jump or salary negotiations. In crisis situations, it is easier for people with a trustworthy partner at their side to concentrate on the essential things, to keep an eye on the goal and to go their way in a focused and continuous manner. In addition to this individual work, a coach can also be called in by the company management to accompany and support changes in the company - the introduction of new processes or structures, outplacement or teambuilding. The latter is reminiscent of the job description of a lawyer, who also sees himself as a confidant and partner of his client. In both cases, the client remains the master of the situation and the lawyer/coach is solely responsible to the client. 2

However, while the lawyer primarily makes his legal expertise available and thus accompanies the client in disputes, negotiations or court proceedings, the coach offers a form of professional communication and process management, which offers the client a protected framework for development and own decisions. 3

2. Legal advice today

Today, the business model of legal advice is in a dilemma: hardly anyone comes to the firm today for pure knowledge transfer or advice. Thanks to globalization and the Internet, information on every topic and every legal question can now be accessed free of charge and comprehensibly at any time and anywhere. When the client comes to the firm today, he is well-informed and expects to find a trustworthy partner who will accompany him through a crisis situation and help him shape change in his living conditions. The pure consulting, which used to be the core competence of lawyers, is receding into the background and instead competences in crisis management, conflict resolution, empathy, communication and negotiation skills, strategic and systemic understanding are playing an increasing role. "The future of the legal profession will become female" was the title of the study forecast by the German Bar Association (DAV) as early as 2013 and meant that the classic competencies for the legal profession such as assertiveness, analytical thinking, pragmatic solutions were rather "typically male"; however, in the future the industry would demand "typically female" qualities.

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That's nothing new. Other classic consulting professions have also developed in this direction in recent years because the market has demanded it. The consulting industry is becoming increasingly more accessible, more humane and therefore less interchangeable. Not becoming interchangeable can be achieved in particular through a unique combination of professional and life experience. If legal expertise meets communication and crisis competence and combines this in legal coaching, the lawyer reacts to modern client expectations, because this coaching lawyer can pick up and understand his client much better in his current situation.

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Legal Coaching can describe both a complete coaching process and the selective situation-related application of coaching techniques in the mandate.

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3. How do you learn coaching?

Years ago, the opinion was that academic expertise was the only thing that mattered and that it was not important whether you taught as a professor at university, advised as a lawyer, treated as a psychologist or coached. Today we know that these are very different methods used to achieve different goals. Thus, one becomes a coach through a professional coaching training, which corresponds to the uniform standard of the leading professional associations for coaches (like the International Coach Association, ICF). After successful completion of this training, a certification process follows regularly, in which the coach proves his practical experience and his ability (comparable with studies and legal clerkship or the theoretical and practical part in the specialist lawyer training). The certification of the coach ensures, independently of the training in professional practice, that the coach is regularly trained further, follows the ethical guidelines and that his coaching is of unadulterated quality even after many years.

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These are the quality requirements of professional associations for professional coaches, which are increasingly also stored in the coach profiles by the current online platforms for the placement of coaches. 8

But what is the benefit of such training for lawyers? 9

1. It pays off in his business, because his clients are satisfied with his services.
2. It pays off for him personally, because he is happier himself.
3. It pays off in his office, because the employees are more satisfied.

As a trained coach, the lawyer can not only understand the client's crisis from a legal but also from a human perspective, determine its stage and select the appropriate methods to lead the client out. These are not primarily legal steps, but communication that addresses the client's need for security. The client feels understood and the lawyer can better classify and understand the client's information, but also coordinate strategy and tactics as well as client management. This leads to a trusting and sustainable client relationship, but also to the right legal solution for the client. Business is revived. The lawyer can really help on a human level and feels fulfilled and meaningful in his work. 10

The coaching training has provided the lawyer with an understanding of human relationship systems, needs, communication patterns and paradigms. He will be able to better understand his client, but, above all, himself. To become a good coach, you first have to work on yourself. Self-reflection, self-management, mindfulness, change of perspective, setting and achieving goals, distinguish him. In his coaching training he has therefore dealt with his own strengths and weaknesses, fears, triggers and beliefs. This is intensive and not easy and usually leads to a different self-image and relationship to oneself. This lawyer no longer slips easily into burn-out or a deep crisis in his life. It has grown and matured personally. 11

Such a reflective and self-contained boss will prefer a leadership style based on mutual respect and esteem, but also on clarity, transparency and trust. He knows what he and his firm stand for, what they are there for and which employees fit in his firm and the firm's team. However, he also knows the needs of his employees and is therefore involved in personnel and team development. Structures and processes should support and not hinder the personal responsibility of the employees. It can mediate in team conflicts. Difficult issues are not ignored, but approached sensitively. The employees like to come to the office and identify with their work, so that the entire team pulls together, which ensures a healthy working atmosphere.

4. Mediation vs. Legal Coaching?

Legal coaching thus offers added value for the lawyer himself, his team of employees and his clients, which pays off both directly and economically. 12

Mediation training increases the communication competence of the lawyer. However, mediation can neither be used as a superior in employee or team management nor as a lawyer within the framework of a legal mandate, since the mediator assumes the role of an impartial mediator.

In Legal Coaching, on the other hand, the lawyer retains his partiality and thus his role in the mandate. In contrast to mediation, the communication competence gained through legal coaching can therefore be used comprehensively and directly.

Legal coaching is therefore the perfect post-graduate training for the lawyers of tomorrow.