



The Good Work of Lawyers for Others and Ourselves

By Robert A. Creo



Previous columns have addressed the lawyer's identity and reputation, followed by exploration of self-awareness and professional enhancement and development. The next series of columns explores enhancing core skills and knowledge in order to become more successful practitioners.

PBI's Initiative

In March 2015 an international panel was convened by the Pennsylvania Bar Institute (PBI) to explore legal education and training with the primary objective of identifying the characteristics of successful lawyers. The consensus from the panel was that knowledge of substantive law and procedure is complemented by mastery of "soft skills," summarized as 17 traits that epitomize successful attorneys.

These 17 skills are listed in PBI publications in the following order: self-direction and self-motivation; commitment to lifelong learning; effective communication; study of the techniques of persuasion; analytical thinking; resilience; integrity; strategic thought about the needs of clients; leadership; skills in problem-solving; ability to work in groups; project management; trust-building; accountability; financial literacy; risk management; and understanding the unique role of our profession in upholding the rule of law.

Soft Skills and Effective Lawyers

There is recognition by those who study the legal profession that addressing the soft skills and traits of lawyers should be at the forefront of legal education and training. Randall Kiser, author of the book *How Leading Lawyers Think*, contends that the most effective trial lawyers have certain attributes, attitudes and behaviors. My own experience causes me to focus here on four areas of Kiser's findings: accountability, empathy, connectedness and learning. Kiser frames these traits and behaviors as follows.

Accountability: Successful lawyers treat their representation as personal and integrated into their thoughts and actions, with a high level of engagement, empathy and authenticity, not with detached, unemotional analytic reasoning.

Empathy: This is the ability to recognize the immediate emotional perspective of another person while maintaining one's own perspective.

Connectedness: It encompasses a body of knowledge about how the world works and the ongoing effort to update, supplement and modify that knowledge. This involves absorbing multiple depictions of contemporary life.

Perpetual Learning: This goes beyond continuing legal education or substantive law or court procedures and, to quote Kiser, is based upon deliberate practices with the curiosity and flexibility of a "beginner's mind — an attitude of enthusiasm, humility, receptiveness and interest."

The work by Kiser and PBI identifies and promotes the view that how lawyers conduct themselves while away from work and how they view and engage with the world have significant impact on their ability to be successful while at work.

Into Africa: My Journey with Former Child Soldiers

In 2007, I created an initiative through Mediators Beyond Borders (www.mediatorsbeyondborders.org) to educate, provide psychological services and repatriate approximately 100 former child soldiers back to their native Liberia from United Nations refugee camp Buduburam near Accra, Ghana.

On the team were a number of lawyers, including Pennsylvania attorneys Louis Kushner, Ingrid Lundberg and Robert Peirce, who donated substantial time and money to the project, including going to Ghana and Liberia at their own expense. This multi-year project included many activities and events outside the normal course of lawyering as well as much uncertainty and tangible risk while in Africa. At the time I viewed this work as something separate and distinct from our roles as lawyers and placed the time and effort in the humanitarian/civic-duty silo. Now that time has given me perspective grounded in the context of the findings by Kiser and PBI, it is clear that the work in Africa enhanced my ability to be a better lawyer, mediator and arbitrator.

Upon entering a Third World country and culture for the first time, most of us grapple with a range of emotions, including surprise, fear, sadness, disgust, frustration, contempt and anger.

The infrastructure is lacking and there are masses of people living in difficult conditions. Emotions, however, are not all negative, as volunteers experience happiness, hope and respect as they build trust and gain an understanding of how their contributions and efforts have significant impact upon the lives of others. Those less fortunate often resist the concept of being victims as they face a daily struggle for enough to eat, to be safe and to improve their lot and that of their family and friends. What struck me about the former child soldiers was their self-direction and motivation, their integrity, their ability to work in groups, their empathy, their trust-building, their project- and risk-management skills and, most of all, their resilience.

A young man named Lawrence was not a former child soldier but was a mainstay of the project by helping us during each of our visits to Ghana. He was a singer in a group that toured the refugee camp and performed locally in Ghana. He filled the quiet moments with song. His natural grin was contagious and made us all feel comfortable and grounded us in hope.

During my third visit, Lawrence reluctantly shared his story. During the civil war he was a college student in Monrovia, Liberia, where his father managed a hotel and his mother was a teacher. When the rebels, including child soldiers, attacked Monrovia, his family took refuge in a church with hundreds of others. The rebels overran the church and fired indiscriminately into the pews. He and a few other boys survived by hiding under the dead bodies of parents and siblings. After the rebels left all for dead, Lawrence and the other boys he had never met before walked by night hundreds of miles to the refugee camp.

Years later, as the tide of the civil war changed, child soldiers who had been pressed into service by the rebels arrived at the camp. Lawrence and many others approached these lost souls with empathy

and compassion and rested their futures on forgiveness and reconciliation rather than vengeance.

Thank you, Lawrence, and all the others for making me a better human being and, consequently, a better lawyer.

For Your Consideration

This I believe: Attorneys who engage in humanitarian or community activities far outside of their comfort zone expand not only their capacity for human connection but also enhance their own competence and ability to represent clients effectively.

Although there is much to do as volunteers, there is even more to learn. So, when asked to volunteer, say, "I'm in. Let's go!" ♣

Takeaways

- Become uncomfortable.
- Become connected.
- Volunteers give and learn.
- Go.



Pittsburgh lawyer Robert A. Creo has mediated and arbitrated thousands of cases since 1979, including serious-injury and death claims, complex business transactions and cases involving multimillion-dollar settlements. Among other things, he has served as a salary arbitrator for Major League Baseball and the Major League Baseball Players Association, as a grievance arbitrator for the National Football League and the National Football League Players Association and as a neutral for the U.S. Senate Select Committee on Ethics, Office of Fair Employment Practices. He is an adjunct professor at Duquesne University School of Law. He co-founded Mediators Beyond Borders in 2006 and headquartered it in his Pittsburgh office for the following four years.

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