

**Deloitte.**



**Bounce back from adversity**

How chief legal officers can adapt  
in the face of disruption

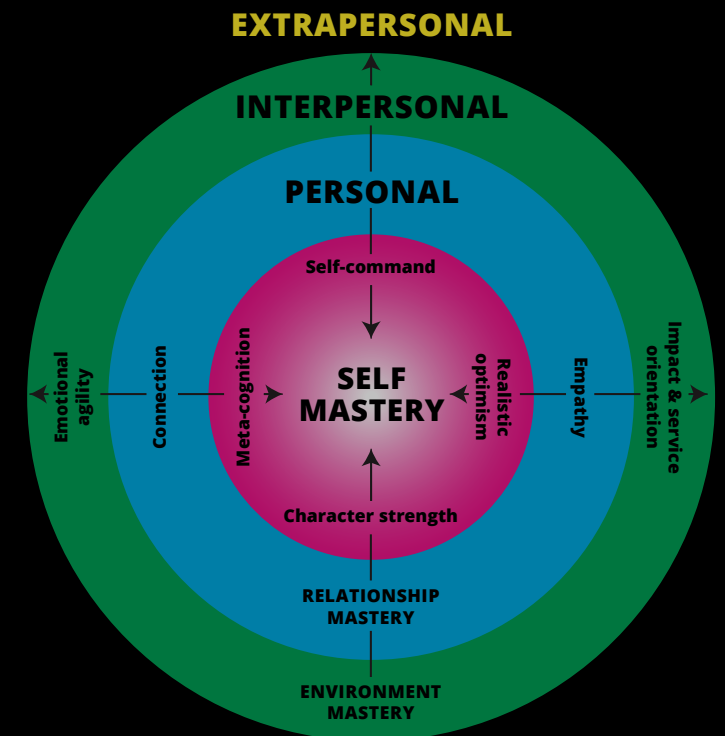
# Introduction

*Editor's note: Information throughout this article has been adapted from Deloitte's four-part Resilience article series.*<sup>1</sup>

How resilient are lawyers? According to one study, not very. A group of 100 accomplished attorneys ranked in the 30th percentile for this personality trait.<sup>2</sup>

Resilience may be more important than ever today. In a recent study by LifeWorks Research Group and Deloitte, 82% of senior leaders report exhaustion indicative of burnout risk. The top stressor is an increase in work volume, followed by the desire to provide adequate support for the well-being of staff.<sup>3</sup> More specifically, in the 2022 Deloitte strategy survey more than 80% of legal executives reported an increased workload—almost 30% noted a significant increase.<sup>4</sup>

The good news for chief legal officers (CLOs) is that resilience can be learned. The first step is in recognizing that resilience isn't just about the ability to bounce back from disruption and adversity. It's also about bouncing out of self-limiting thinking and paradigms, and bouncing up to our highest potential. Think of resilience as something that happens across three realms: personal, interpersonal, and extrapersonal.



Source: Adapted from Deloitte research<sup>5</sup>

## The personal realm

In the personal realm, resilience is defined by our command over how we respond to life's events, rather than these events having their way with us.

Within this realm lie four core ways of being: meta-cognition, self-command, realistic optimism, and character strength.



### Meta-cognition

Meta-cognition is the cultivated habit of "observer consciousness." This means watching our own mental, emotional, and physical responses to life events in real time, rather than being unconsciously "lost" in reactions, thoughts, and feelings.



### Self-command

Self-command is the ability to exercise agency over our thoughts and emotions, conveying optimized well-being, positive emotional states, and greater perspective and wisdom.



### Realistic optimism

Realistic optimism describes the core leadership task of leading an organization, team, or industry toward a vision. A mindset of realistic optimism helps explain the past productively while expecting positive future outcomes no matter the circumstances.



### Character strength

To exercise character strength is to build personal and career meaning, engagement, and achievement, guided by one's innate, authentic values in action. Character strengths reflect who a person *is*, defining what values in life are most important to them.

## The personal realm (cont.)

### Break out of limiting patterns

- ✓ Identify the most common triggers of negative emotions and responses
- ✓ Uncover the deep, limiting beliefs about the world and about people who comprise our version of reality (e.g., “People can’t be trusted” or “I must be perfect or I’m nothing”)
- ✓ Detect our most common in-the-moment “thinking traps” (e.g., catastrophizing by assuming the absolute worst outcome is going to occur)

Source: Deloitte research<sup>6</sup>

### Build your brain muscles

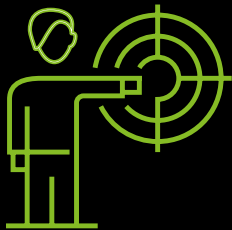
Daily somatic mindfulness practice can build the brain “muscles” behind meta-cognition, self-command, and realistic optimism. In this practice, individuals bring mindful awareness to physiological sensations, such as their own breathing.

Studies have shown that eight weeks of daily 15-minute practice makes observable changes in the brain, with grey matter decreased in the survival-based fight/flight regions of the brain (the limbic system, where the negative reacting patterns come from) and increased in the prefrontal cortex, the region of self-command and positive emotion.<sup>7</sup>

## The interpersonal realm

The interpersonal realm is all about relationship mastery. Specifically, do our relationships provide a deep, fulfilling sense of connection? That sense of understanding fuels our ability to be resilient and to feel engaged with our counterparts. And for CLOs, who often wear [two hats](#)—one as head of the legal function and the other as a business advisor who contributes to the enterprise strategy—that authenticity can help build the types of high-quality connections that boost team performance and, ultimately, personal resilience.

To enhance relationships in the interpersonal realm, try concentrating on two communication practices: active constructive responding and managing difficult conversations.



Legal function leader



Business advisor

### Active constructive responding: “The joy multiplier”

The times when people share exciting news can be one of the most critical moments in a relationship. In those instances, try to be an *active constructive responder*, which means paying full attention to the person who is talking and even going further by helping them to relive that positive experience.

You might ask: *What did it feel like? Who was there? What else was happening?* That type of engagement is called the “joy multiplier” because you’re helping the storyteller experience more of the positive emotion associated with the event. The interaction, in turn, can build connection and trust, while all the mental gears of empathy are working in the background.

## The interpersonal realm (cont.)

### Building connection and trust through difficult conversations

It's human nature to remember the high and low points in relationships. We especially tend to remember whether people did (or did not) show up for us when dealing with situations that required difficult conversations.

There are ways to plan these conversations beforehand so a difficult moment can become an exchange that ends up fortifying the connection.

1

Affirm the overall goal of the conversation, starting with your own perspective. The point is never to “win,” prove yourself right and others wrong, or to exert power.

2

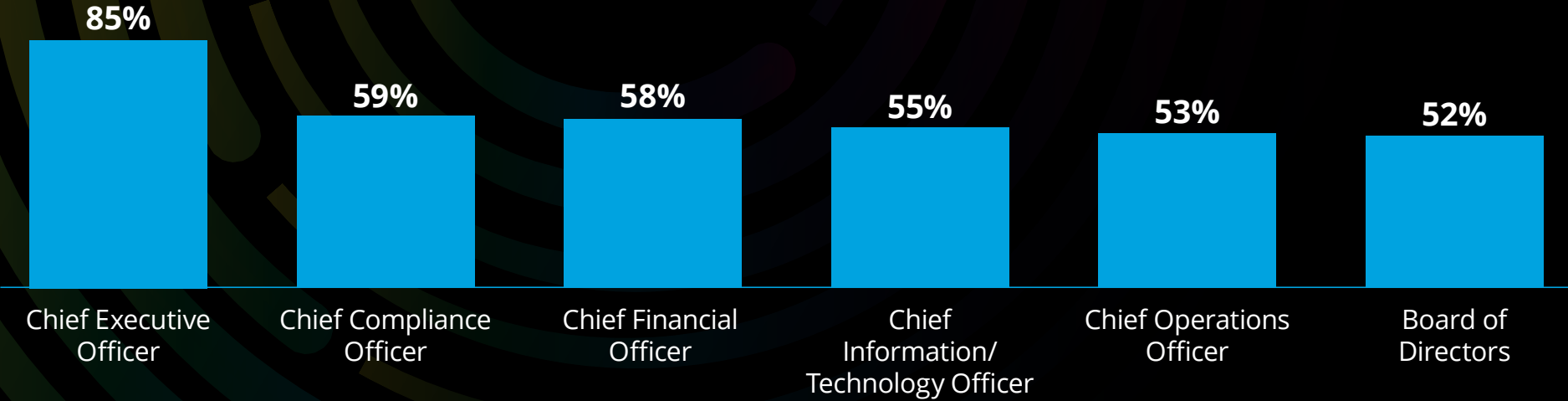
Start to test your information by checking your assumptions. It's also critical to acknowledge how you contributed to the situation, how you'll own up to it, and how you'll make it right.

3

Seek to understand more deeply. Literally ask “what” and “how” instead of “why” questions (which put people on the defensive). Your objective is to create a dialogue of discovery.

## The interpersonal realm (cont.)

Which relationships do CLOs view as most important to their success?



● Legal executives' rankings

Source: Deloitte research<sup>8</sup>

## The extrapersonal realm

The extrapersonal realm of resilience comprises the external, or “environmental” conditions that must be navigated across nature, society, and work. In addition to navigating external conditions, CLOs have expansive influence over forming these conditions for others. It’s in the extrapersonal realm where we bounce *beyond*—surpassing current versions of ourselves, self-transcending by breaking through boundaries to reach new potential.

It takes an intentional effort to steady ourselves in the face of external conditions that test our resilience. In the extrapersonal realm, adversity forces us to change those conditions or figure out ways to diminish their effects.

### Environment mastery

We can take two broad actions to master external adversities.



*Environmental agility* refers to our ability to take whatever life throws at us in stride. Achieving this degree of agility requires us to decide how life’s stumbling blocks will affect us, the meaning we’ll assign to those obstacles, and the life we’ll have as a result. Strong, connected relationships help us build strength in this area.



*Impact and service orientation* is the practice of focusing meaning, or purpose, on someone—or perhaps on many others—rather than on oneself. The business community, for example, increasingly has adopted [purpose as a way to measure the value of a company](#),<sup>9</sup> which represents a real-world example.



## The extrapersonal realm (cont.)

### Resilience cascades through teams

Within the extrapersonal realm, there are several ways for leaders to apply resilience lessons to teams.

- ✓ Educate team members about the overall makings of resilience
- ✓ Infuse language about resilience concepts into the team's regular conversations
- ✓ Enable teams with distinct resilience practices
- ✓ Consider role and organization-based ways to support the underlying elements of extrapersonal resilience in the context of team dynamics

This last way could include aligning individuals with their character and talent strengths by redesigning jobs and team structures, using strengths-based goal setting and performance management standards, and tracking how these initiatives serve the greater good.

## Resilience: Assurance against unpredictability

In today's world, resilience can offer some reassurance against a tide of unpredictability. The conditions that foster this core personal strength, the hardships we face, and the capabilities we bring to bear to overcome them act interdependently as we respond to our biggest challenges. If we peel back these factors and take a closer look at the skills needed to overcome these obstacles, we can approach optimum resilience.

# Contact

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# Endnotes

- 1 [“Building Resilience: A roadmap for the modern C-suite,”](#) Resilience article series, Deloitte, 2022.
- 2 Markus Hartmann et al., “The perfect legal personality,” ACC Docket, July/August 2011, p. 33.
- 3 [“Inspiring insights: Well-being and resilience in senior leaders,”](#) LifeWorks Research Group and Deloitte, 2021.
- 4 [“A tale of trust and transformation: Highlights from the 2022 CLO and CCO strategy survey,”](#) Deloitte, 2022.
- 5 [“Building Resilience: A roadmap for the modern C-suite,”](#) Resilience article series, Deloitte, 2022.
- 6 Ibid.
- 7 Ibid.
- 8 [“A tale of trust and transformation: Highlights from the 2022 CLO and CCO strategy survey,”](#) Deloitte, 2022.
- 9 Kwasi Mitchell, [“The power of the purpose-driven C-suite,”](#) Deloitte, 2021.



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