



Don't Just Scale Your Company — Scale Yourself

Skills and Professional Development



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As in-house counsel, your non-lawyer colleagues are typically focused on running the business day-to-day and quarter-to-quarter, with growth as one of their most important metrics. In this article, we focus on the mindset you need to be an integral part of this effort.

Reconceptualize who you are

Start from the mindset that an in-house lawyer is a businessperson with a legal degree. This means you should be providing workable, efficient, and business-oriented solutions, not just “legal advice.” Your work needs to ultimately point to actionable steps that your colleagues can take.

In law school and at law firms, lawyers are trained to cover all the bases and leave no stone unturned. This is how we end up with law review articles that have a list of footnotes longer than the actual article text and law firm responses to the client that turn a multiple choice question into a 30-page memorandum.

For some, this drive for completeness may be spurred by a fear of committing legal malpractice by missing an option, or perhaps the need to bill more hours. Regardless of the motivation, a single-minded focus on being thorough is insufficient to help your business colleagues.

A side effect of striving for completeness is often a surfeit of options that baffle your business colleagues and are unrelated to their other business considerations. To help them translate your research into actions, start ranking options by what your existing business team can functionally achieve and which action-path is most efficient in terms of labor, technology, and dovetailing with current processes.

This doesn't mean that your company should always choose the easiest option. Rather, this is an exercise in discipline to enable your colleagues to assess the cost and achievability of what you are proposing. They need to be able to counterbalance perceived risks against perceived costs.

It's not over until...

Keep in mind that if you're in a growing business, the volume of work will never decrease. It will only become more complex and increase in volume. This is not a cause to be angry, frustrated, or stressed. Rather, this is job security for you. Every new challenge presents an opportunity for you to help your colleagues cut through the complexity and make important strategic decisions. And it represents an opportunity to grow your own skillset by learning something new.

A first step in coping with this reality is to think of yourself as work-in-progress whose talents can still grow. Psychologist Carol Dweck has studied the concept of the “growth mindset” in a variety of organizations and settings. [She determined](#),

“Individuals who believe their talents can be developed (through hard work, good strategies, and input from others) have a growth mindset.”

And those with a growth mindset achieve far more than those who think their main role is to deploy their innate skills. What might seem like an ongoing gauntlet of new challenges will seem far less daunting if you continue to evolve and improve your own skills and perspectives at the same time.

Think like a bookie

When we are providing legal advice, there is always some uncertainty about how our particular matter will be viewed by a counterparty or neutral decisionmaker (e.g., judge). Even situations that look remarkably similar to cases handled by the court previously may differ on a few critical facts. Or perhaps your case will be heard just before lunch, resulting in a [surprising court ruling](#).

What your business colleagues need from you is a sense for the odds of each possibility occurring, as well as the magnitude of the payout (or penalty) associated with each path.

If your company is considering offering a new financial product that does not fit easily into an existing regulatory structure, you can research the types of corrections that are most likely to be requested by regulators if they later disapprove: Will restitution be sufficient or should you expect penalties and curtailing other lines of business if you are later determined to have made a misstep?

Your business colleagues need your feedback on these likely costs and the probability of each one occurring. While you cannot *ex ante* develop the exact odds of a certain outcome, if you are experienced in a certain area of law, you can assess the relative likelihood of each option.

Final thoughts

By translating options in possible costs and probabilities, your business colleagues can better understand your perspectives and factor them into their broader decision-making process.

If you can scale yourself with the right mindset and communication style that is attuned to the way your business colleagues think, you become their go-to advisor when challenging problems arise. Now you will have a seat at the table, rather than being thought of as the dreaded legal review obstacle that arises only after the terms have essentially been set in stone.

The result is a virtuous circle: Your participation upfront in key business decisions lets you influence alternatives before seemingly irrevocable commitments are made. Your influence on alternatives will ease subsequent legal review and further burnish your reputation as a facilitator and key influencer.

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Neil Peretz has served as general counsel of multiple companies, particularly in the financial services and technology industries, as well as a corporate CEO, CFO, and COO.

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