



LMICK Quarterly CLE

It's Time for Your Annual Check-up!

Measuring the Health of Your Law Firm with the LMICK Risk Management Tool

1.0 hour Ethics CLE, On-Demand

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While it may take more than “an apple a day” to keep malpractice and ethical complaints at bay, LMICK has a new tool to check-up on the health of your firm. Attendees will receive an overview of the new 30-Minute Malpractice Check-Up and how to use it. This session will discuss issues related to communication (SCR 3.130(1.4)), fees (SCR 3.130(1.5, 1.15)), supervision (SCR 3.130(5.1-5.3)), and conflicts (SCR 3.30(1.7-1.11, 1.13)). Attendees will gain a better understanding of these pitfalls and discuss solutions and resources for a healthier practice.

Presented by:



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Courtney joined the Lawyers Mutual team after beginning her career in litigation. In addition to her role in client relationship management, she is focused on providing relevant risk management resources. Courtney's experience includes litigation, both criminal and civil, as well as transactional work. She has also worked in the insurance industry, training attorneys and other officials in various legal issues.

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Measuring the Health of Your Law Firm with the LMICK Risk Management Tool

LMICK 2022 Fourth Quarter CLE

Presented by Courtney Risk, Esq.

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www.lmick.com

This CLE walks participants through the *30-Minute Malpractice Checkup Risk Management Practice Guide*. The guide provides several hyperlinks to resources for review. Additional resources are included, below.

A. Ethical Considerations and The Cloud

Lawyers Mutual of Kentucky Disaster Planning Series Article #5:

In our first installment, [we noted that one option for backing-up client files and other client information is to utilize a cloud server](#). Pennsylvania Ethics Opinion 2011-200 stated cloud computing is “merely a fancy way of saying stuff’s not on your computer.” (internal citations omitted). In the legal software market, lawyers have a variety of cloud-based solutions available from practice management software to full document management. There are also a variety of combinations of cloud-only data storage to hybrid systems with physical servers on location and supported by a cloud back-up.

Cloud storage can offer lawyers several advantages¹, including:

- Reduced infrastructure and management;
- Cost identification and effectiveness;
- Improved work production;
- Quick, efficient communication;
- Reduction in routine tasks, enabling staff to elevate work level;
- Constant service;
- Ease of use;
- Mobility;
- Immediate access to updates; and
- Possible enhanced security

In the wake of a localized disaster, cloud storage can assist a lawyer to continue practicing with little or minimal interruption. Remote access to cloud-based client information not only allows for quicker contact with [clients to provide any required notice of possible file destruction](#), but for seamless handling of client matters in a timely fashion.

However, there are risks associated with the use of cloud computing providers, including:

¹ Committee on Legal Ethics and Professional Responsibility Formal Opinion 2011-200.

- Storage in countries with less legal protection for data;
- Unclear policies regarding data ownership;
- Insufficient encryption;
- Unclear data destruction policies;
- Hackers;
- Server crashes;
- Viruses;
- Business interruption (e.g., weather, accident, terrorism); and,
- Absolute loss

Lawyers must scrutinize the security of any cloud-storage provider they are considering utilizing in their practice. Although these risks seem ominous, none of these risks are quite as risky as having little or no back-up system in place for practice interruptions. A little research can go a long way in mitigating some of these risks and maximizing the potential so the lawyer can quickly and ethically face the unexpected.

A Lawyer's Ethical Obligations in the Use of Cloud Computing

The [Kentucky Bar Association Formal Ethics Opinion E-437](#) opined lawyers can use cloud computing. The opinion explains that, although cloud computing is new, the lawyers ethical obligations have remained the same. “[L]awyers must follow the Rules of Professional Conduct with regard to safeguarding client confidential information, acting competently in using cloud computing, properly supervising the provider of the cloud service, and communicating with the client about cloud computing when such communication is necessary due to the nature of the representation.”

- Safeguarding client confidential information
 - “[A] lawyer has a duty to take reasonable measures to protect confidential client information in any setting: bricks-and-mortar law office, offsite warehouse, or online storage or service site in the cloud.”
 - *See SCR 3.130(1.6), (1.9), (1.15), (1.18)*
- Acting competently in using cloud computing
 - “[T]he lawyer [is required] to investigate the qualifications, competence, and diligence of the provider. A lawyer who does not investigate whether a warehouse he or she is considering for the storage of files has adequate security to safeguard client files fails in his or her confidentiality and competence obligations to the client. Likewise, an attorney selecting an online provider of storage or other service must investigate the provider to be sure that client information is reasonably sure to remain confidential and secure.”
 - *See SCR 3.130(1.1), (1.6, comment 14)*
- Properly supervising the provider of the cloud service

- The “rules require supervision of a provider of online storage just as they require supervision of an offsite provider of services such as a storage warehouse operator and just as they require supervision of a paralegal working within a bricks-and-mortar law firm.”
- *See SCR 3.130(5.3).*
- Communicating with the client about cloud computing when such communication is necessary due to the nature of the representation.
 - “While cloud computing does not always require client consultation, there may be situations in which consulting with the client may be proper. A lawyer must exercise judgment to determine if a particular client matter involves highly sensitive information such that the lawyer should consult with the client about the use of the cloud.”
 - *See SCR 3.130(1.4).*

In light of these duties, the opinion provides a list of questions for lawyers to consider when reviewing potential cloud-based service providers:

- What protections does the provider have to prevent disclosure of confidential client information?
- Is the provider contractually obligated to protect the security and confidentiality of information stored with it?
- Does the service agreement state that the provider “owns” the data stored by the provider?
- What procedures, including notice procedures to the lawyer, does the provider use when responding to governmental or judicial attempts to obtain confidential client information?
- At the conclusion of the relationship between the lawyer or law firm and the provider, will the provider return all information to the lawyer or law firm?
- Does the provider keep copies of the confidential client information after the relationship is concluded or the lawyer or law firm has removed particular client information from the provider?
- What are the provider’s policies and procedures regarding emergency situations such as natural disasters and power interruption?
- Where, geographically, is the server used by the provider for long-term or short-term storage or other service located?

While this list is not exhaustive, it is comprehensive and provides a great starting point in researching. Narrow in on two or three cloud storage providers that offer the services you desire and then ask these questions. Make notes, compare, and determine which cloud service provides you with what you need to manage your practice and meet your duties to your clients.

B. Planning To Protect Clients' Interests In The Event Of The Lawyer's Death, Disability, Impairment, Incapacity, Or Extended Absence²

Who?

Each attorney should designate a back-up attorney to handle matters in case of an emergency. It is recommended to develop a written agreement to define the scope and duration of the arrangement, including parameters to act on your behalf to close the practice in the event of death, disability, impairment, or incapacity.

In the meantime, if you have not identified who your back-up would be, make this a priority. If you have identified your back-up, reach out and set a time to discuss the agreement and confirm it is still a good fit. When determining the best fit, first identify an attorney you trust. Additionally, identify an attorney that:

- has the appropriate qualifications to handle the matters in your practice;
- has the capacity to take on the caseload outlined in the agreement;
- is licensed to practice in Kentucky (and any other jurisdictions you also practice);
- is in good standing with the KBA (and any other applicable jurisdiction);
- is unlikely to have conflicts with you; and,
- has sufficient professional liability insurance.

What?

How would the back-up attorney determine what files are active if you were unavailable? If you utilize a case management or docketing system that only backs-up to a local server, the information could be compromised or lost in a natural disaster. Consult your IT personnel to determine the best option for a secondary back-up. Options for back-ups can range from uploading to a cloud server to routinely printing a docket of all active cases **as well as client contact information**.

[When considering cloud storage options, review the ethical obligations and considerations for cloud computing, here.](#)

When?

Would the back-up attorney be able to easily identify immediate deadlines, court appearances, or other critical meetings? Maintaining a calendar that backs-up to the cloud is often the best choice for ensuring you or your back-up attorney can meet critical deadlines, even if local servers or case management systems are damaged or destroyed.

² Adapted from [LMICK's Disaster Preparedness Series](#), 2022

The calendar can also act as a triage guide when the unexpected has occurred, ensuring the most critical items are addressed first.

Preparing Your Agreement with Your Back-Up Attorney

After you have identified an appropriate back-up attorney and reached a verbal agreement, we recommend formalizing the agreement in writing. Once executed, we also recommend updating client engagement letters to notify them of the arrangement as discussed below.

Checklist: *What to Include in the Written Agreement*

- State the purpose and intent of the agreement. The purpose should be limited to only addressing the duties of the back-up attorney in your absence. Include language clarifying that the agreement is not intended to create a partnership or law firm.
- Define the scope of the agreement. Although most attorneys will have a single back-up attorney, it is possible one attorney may be the right fit to help wrap-up your practice in the event of your death or disability while a second attorney may be better suited to cover you on shorter or planned leaves. You may also desire to have the scope limited to certain matters (litigation only, transactional matters only, etc.). Once you determine the best fit for your practice, describe it in the written agreement.
- Determine fee arrangements. The agreement should cover when and how much the back-up is to be compensated. Many attorneys agree to perform back-up services for no or nominal compensation, which should be memorialized in the agreement. If a fee will be shared, consider the time spent on the matter by you, the back-up, and whether the case is on a contingency fee basis. Identify the source of payment, e.g., accounts receivable, settlements, or fees received for the back-up's services only. It is almost certain that [SCR 3.130\(1.5\(e\)\) on fee sharing](#) will apply. Be sure to comply with its disclosure and client consent provisions.
- Discuss how client funds will be handled. Consider making arrangements for the back-up to handle your client trust account. One way is to make the back-up a signatory on the trust account. A better way is a special power of attorney that permits the back-up to act for you only in specified circumstances.
- Outline any administrative or practice management duties. For solo practitioners without administrative staff, will the back-up also be handling payment of your office utilities or other firm bills? Are there other tasks that are not client-facing

but still need to be handled? Provide a general description of these items and your expectations of the back-up attorney.

- Identify what information has been exchanged. Document what information you have shared. This could include items such as:
 - Law office entry permission and information
 - Professional calendar location and access
 - Client file information and access
 - Contact information for our professional liability insurance provider including the policy number
 - Contact information for key persons to be notified other than clients (which you may want to simply list in the agreement for ease of access)

Additional considerations

If the reason for closing a practice is the death of a sole practitioner, planning agreements designating a closing lawyer may become void. It will probably be necessary for the estate's executor to authorize the designated lawyer to close the practice. For this reason, part of the planning process should include making sure there is a provision in the lawyer's will directing the executor to appoint the designated lawyer to close the practice.

Client Engagement Letters and Back-Up Attorney Arrangements

Back-up arrangements may be implemented only with client consent. The best practice is to notify clients of the identify of your back-up attorney and the agreed upon scope of his or her work in advance in an engagement letter acknowledged in writing by the client. This has the advantage of in-place client consent for a back-up to take over a matter without delay. Remember to update this clause in your engagement letter if this back-up attorney changes. Additionally, if the back-up attorney changes during the course of representation, provide written notice to those existing clients of the change and request their consent.

Sample Clause for Engagement Letter:

Back-up Attorney Notice: In order to meet my ethical obligation to protect your interests in the event I am unavailable due to an extended leave, I have appointed [INSERT NAME HERE] to act as my back-up attorney. [INSERT NAME] will have the authority to [DESCRIBE SCOPE HERE. *EXAMPLE: handle matters that arise during a planned leave and will step in to assist wrapping up my practice should the need arise.*]

Checklist: Preparing Information for Your Back-Up Attorney

Now that you have identified your back-up attorney and executed a written agreement, what information do they need to effectively perform their duties and fill-in for you?

We recommend compiling information on both the administrative and the practice procedures. For solo practitioners, this information can reside in a single document. However, for attorneys that have associates that are not involved in certain administrative tasks, the division can allow the practice procedures to be shared for practice management purposes, not only for disaster preparedness.

1. Have a thorough and up-to-date ***administrative procedures manual*** that includes information on:
 - a. Client Information:
 1. How to generate a list of active client files, including client names, addresses, and phone numbers
 2. Where client ledgers are kept
 - b. Financial Records:
 1. Where the safe deposit box is located and how to access it
 2. The bank name, address, account signers, and account numbers for all law office bank accounts
 3. The location of all law office bank account records (trust and general)
 - c. Management Information:
 1. Contact information for your power of attorney and the executor of your estate
 2. Location of documents related to the ownership of the firm, including leases, a list of utilities, etc.
 3. Where insurance policies are located and names of carriers
 4. Procedures for payroll, if any
 5. List of employee benefit providers, if any (i.e., health insurance, retirement, etc.)
 - d. Communications:
 1. Where to find, or who knows about, the computer passwords
 2. How to access email accounts
 3. How to access docket or practice management software, if any
 4. How to access your voice mail (or answering machine) and the access code numbers
 5. Where the post office or other mail service box is located and how to access it.
 - e. File Management
 1. Where are files located
 2. Where are the file back-ups located
 3. Contact information for anyone needed for file access
2. Have a thorough and up-to-date ***practice procedures manual*** that includes information on:
 - a. How to use the calendaring system

- b. How to check for a conflict of interest
- c. How to use the docket or practice management system
 1. Note: include any contact information for software support or direction to tutorials available from the vendor
- d. How the open/active files are organized
 1. What are the typical subfolders in matters (i.e., client communications, pleadings, research, notes, etc.)
 2. General guidelines for what is saved digitally versus paper copy, etc.
- e. How the closed files are organized and assigned numbers
- f. Where the closed files are kept and how to access them
- g. Where original client documents are kept
- h. The office policy on keeping original client documents

Making Arrangements for Extended Leave³

1. Agreement with a Backup Lawyer (See above).
2. Client Considerations
 - Backup arrangements may be implemented only with client consent. The best practice is to notify clients in advance. Many lawyers do this in an engagement letter acknowledged in writing by the client. This has the advantage of in-place client consent for a backup to take over a matter without delay. Some lawyers send a letter to clients shortly prior to extended leave informing them of the absence, explaining backup arrangements, and asking for client consent. In either case the backup lawyer should always notify clients immediately upon taking over.
 - Protecting client confidentiality is paramount. In sudden emergencies such as the death of a lawyer it is permissible for an unassociated lawyer to inspect the lawyer's client files without client consent to the extent necessary to identify clients and determine matters that require immediate attention. With a long lead time, there should be ample opportunity to get client consent and avoid any question of breach of confidentiality.
3. Your Risk Management Actions Prior to Extended Leave
 - The goal is to be sure all active cases have up-to-date files, are accurately calendared, and in a posture to be continued without interruption. This is best accomplished by completing detailed case management plans for every active matter that includes a description of work done and a schedule for accomplishing remaining work. This also helps to determine how fees could be shared with the backup.

³ Adapted from "Risk Management Checklists for Maternity Leave" 2015, Lawyers Mutual of Kentucky. Available at <http://www.lmick.com/item/risk-management-checklists-for-maternity-leave-3>.

- In a perfect world, every practice has a written law office procedures manual or standing operating procedure – in this world relatively few do. If your practice does not have written procedures, you should prepare them for your backup. See above for details about what to include in the written procedures.
- Additionally, for planned absences (parental leave, planned medical procedures, longer than normal travel, etc.) provide your back-up attorney with a **case memo** for each case discussing:
 - Key facts
 - Deadlines
 - Client contact information
 - Drafts of upcoming work product that is due
 - Any additional relevant information

Checklist: Preparing For Extended Leave

- Notify clients.
- Notify professional contacts.
- Notify malpractice carrier.
- Prepare employee(s).
- Print a master client/contact list.
- Prepare case status summaries.
- Arrange for collection of mail.
- Arrange for payment of bills.
- Arrange for processing of payments received.
- Update voice mail and email messages.
- Update calendar.
- Place a sign on your door.
- Map your files.
- Backup your data.
- Plan for emergencies.
- Prepare for the inevitable.

B. Use Your Calendar to Manage Workload Effectively

The duty of diligence requires management of one’s workload so each matter can be handled competently. (SCR 3.130 (1.3), comments 2 and 3)

[A great article from Attorney@Work](#) by [Jay Harrington](#) discusses the what, how, and when of “time curation”. We hit the highlights, below, but the full article is worth the quick read!⁴

⁴ <https://www.attorneyatwork.com/time-management-for-lawyers/>

- What: List Building

- Keep the list system simple. Otherwise, it becomes overly complicated and cumbersome that we don't utilize the tools.
- Work from two connected lists:
 - A Macro List: Identifies the big objectives and responsibilities. For example, "Write summary judgment motion for xyz case." Under each Macro goal, break the big objective into smaller tasks. For example, for the motion for summary judgment there are likely smaller tasks like: outline motion, pull case law for x proposition, review Mr. Smith's medical records for exhibits, etc.
 - A Micro List: This is the daily to-do list that identifies the specific sub-part tasks from the macro list to be completed on a particular day
- Make sure the to-do lists include business development and wellness activities, as well.

- How: Pomodoro Technique

- The technique was developed by Francesco Cirilio and is based on the "sprint/recover" work philosophy. Here is how it works:
 - Decide on a task to tackle
 - Set a timer for 25-40 minutes
 - Work intensely on the task during the interval
 - If a distraction pops in your head, write it down, but immediately get back on task
 - At the end of the interval, get up and take a short break (5-10 minutes)
 - After four intervals, take a longer break (15-30 minutes)
- By intensely focusing on the task, productivity increases and more is accomplished in a shorter period. Plus, it provides the brain a break so it can remain fresh for longer stretches.

- When: Time-Blocking

- Typical calendars are filled with the priorities of others: meetings, court appearances, etc.
- Instead of allowing the open spaces to dictate when there is free time to tackle work (drafting, researching, etc.), actively block out time in the calendar for tasks during the most productive time of day, at least a few times a week.
- Other than court mandated appearances, you can and should control your calendar; do not allow others to control your time. Taking control of your time allows you to control productivity and prevent getting stuck at the office in the evenings on a daily basis because that is the only time no one is around to interrupt.

C. Managing Workload Also Requires Ensuring You Have Time to Supervise

Managing or supervisory attorneys have a duty to ensure associates and nonlawyer assistants are in compliance with the Rules of Professional Conduct. (SCR 3.130 (5.1) & (5.3)). This requires carving out time to routinely discuss matters, including the steps taken, the proposed strategy, and how the associates or nonlawyer assistants are meeting their ethical obligations. If managing partners are overwhelmed with their own caseload, this supervision often is the first piece to fall off the radar.

D. Calendar Discussions with Clients Every 30 Days—*At Least*

While looking at the calendar, go ahead and place a reminder to reach out to the client every 30 days. This reinforces the practice of regular communication with the client. It also prompts regular review of the file and can, at times, serve as a reminder that a task must be completed. (*For example, records previously requested arrived since the last client update and need to be reviewed.*)

Of course, if the client is one that needs more regular communication, then give it. If a significant case development occurs, do not wait thirty days to advise. Some communications must occur immediately.

E. Engagement Letters

The first risk management action that should be taken with every new matter after a conflict-of-interest check (*the importance of which is a whole other presentation*) is the preparation of a comprehensive letter of engagement including fee terms and conditions. Many lawyers confuse a fee agreement with an LOE. A fee agreement

standing alone is not an LOE – it accomplishes few of the purposes or protections of a thorough LOE.

The following checklist⁵ identifies key considerations in tailoring a comprehensive LOE for a new matter:

1. Client Identification
2. Related-Party Identification
3. Conflict of Interest, Attorney-Client Privilege, and Confidentiality Issues
4. Scope of Representation
5. Related Matters and Limiting the Scope of Representation
6. Identification of Goals
7. Scope of Authority
8. Staffing the Engagement
9. Legal Fees and Expenses
 - i. Retainers
 - ii. Rate Changes
10. Billing Procedures
 - i. Format
 - ii. The client's responsibilities for fee payment
 - iii. How often the client will be billed
 - iv. When payment is expected to be made
 - v. The firm's options when fees and costs are not paid timely
 - vi. Whether interest will be charged for late fee payment
 - vii. What fees are due if the client discharges the lawyer before completion of the representation
11. Scheduling Major Steps
12. Consent for Use of Email, Smart Phones, Cloud Computing, and Any Other Electronic Device The Firm Uses to Send Client Confidential Information
13. Communication Expectations (including types of communication not utilized in the firm (i.e., texting))
14. File Retention and Destruction
15. Dispute Resolution, including designation of jurisdiction
16. Withdrawal or Termination
17. Signature by Lawyer and Client

Sample LOEs are available on Lawyers Mutual's Website at www.lmick.com – click on Resources > Practice Management.

⁵ This list is a composite derived from several sources to include Legal Malpractice 2009 Edition, § 2:10 and the Minnesota Lawyers Mutual Insurance Company.

F. Non-Engagement Letters

Which of the following scenarios should trigger a non-engagement letter?

- A friend bumps into you at the coffee shop and asks for your thoughts on her divorce.
- A potential client comes to the office to discuss a claim but does not have enough information to move forward.
- A client reaches out to discuss an unrelated matter and asks for your advice before moving forward.

If the lawyer does not want to take on the case, each of these likely requires a non-engagement or declination letter.

i. Why Use Non-Engagement Letters?

Courts look to the conduct of the parties to determine whether an attorney-client relationship has formed. KBA Ethics Opinion 414 states:

*Courts have found that the relationship is created **as a result of the client's reasonable belief or expectation that the lawyer is undertaking the representation.** Such a belief is based on the conduct of the parties.*

The cleanest way of ensuring the client does not believe an attorney-client relationship has formed is to send a letter stating, "I am not your attorney in this matter."

ii. What to include in a non-engagement letter?

They are best sent by certified mail, return receipt requested. A former prospective client with a complaint or claim "never" receives a non-engagement letter sent by regular mail. A typical letter:

- Thank the prospective client for making the personal contact, calling, or coming into the office
- Includes the date and subject matter of the consultation
- Provides clearly that representation will not be undertaken
- Repeats any legal advice or information given — making sure that it complies with the applicable standard of care

- Advises that there is always a potential for a statute of limitations or notice requirement problem if the matter is not promptly pursued elsewhere. Providing specific statute of limitations times should be avoided because of the limited information typically received in a preliminary consultation. If, however, it appears that a limitations period will expire in a short period of time, the declined prospective client should be informed of this concern and urged to seek another lawyer immediately.
- Advises that other legal advice be sought
- Avoids giving an exact reason for the declination, why the claim lacks merit, or why other parties are not liable
- Encourages the person to call again

G. Termination Letters

Whenever possible withdrawal should be a clean break – a clear-cut decision with the client’s agreement in writing. Use a disengagement letter that:

- Confirms that the relationship is ending with a brief description of the reasons for withdrawal
- Provides reasonable notice before withdrawal is final
- Avoids imprudent comment on the merits of the case
- Indicates whether payment is due for fees or expenses
- Recommends seeking other counsel
- Explains under what conditions the lawyer will consult with a successor counsel
- Identifies important deadlines
- Includes arrangements to transfer client files
- If appropriate, includes a closing status report

After sending the disengagement letter, carefully follow through on the duty to take necessary actions to protect the client’s interest and comply with the representations in the disengagement letter. This avoids a malpractice claim over the manner of withdrawal.

Finally, a complete copy of the file should be retained. Of course, this presupposes that you have built a thorough file—a critical risk management tool. A disengaged client or one that terminated you has a high potential to be a malpractice claimant. The first line of defense is a complete file with a comprehensive disengagement letter. This is the best evidence for showing competent and ethical practice in disengaging a client.

H. Do Not Sue Clients or Former Clients for Unpaid Fees

It is almost never a good idea to sue clients for unpaid fees. A significant number of malpractice claims begin as a counterclaim in a fee dispute. Lawyers need to weigh the loss of the fee against the potential damages (and cost to defend) in a malpractice claim, not to mention the indirect financial loss created by the obligations and stress of the malpractice claim.

Instead, be proactive in your practice to minimize the risk of unpaid fees.

- Screen clients and verify they have the resources to fulfill their payment obligations. Discussing the client's financial situation can be difficult but is necessary and much better for all parties to address up-front.
- Discuss billing procedures before beginning the representation. Inform the client of how often invoices are prepared and sent to them for payment. It can be helpful in some situations to share a sample bill to show what types of fees can arise in a billing cycle. Also, discuss the firm's procedure for handling when an account is delinquent, including withdrawal from representation if the bill remains unpaid.
- Develop a collection strategy to catch delinquent accounts early. Once an invoice is late (the first time), assign someone to reach out and follow-up. If possible, this should be someone other than the assigned attorney to minimize the impact on the attorney-client relationship. Staying proactive can hopefully resolve the issue and, if not, at least allows the firm to determine when it may be appropriate to seek to withdraw from representation before the unpaid fee becomes astronomical.



Policy coverage

Lawyers Mutual offers a variety of coverage limits, with per claim limits ranging from \$100,000 to \$5,000,000. Other policy features include:

- Immediate assistance in claims avoidance and claims repair
- Up to \$10,000 for attorneys fees in defending a bar complaint (outside of policy limits) per policy period
- \$500 loss of earnings, for each named insured, each day when attending a trial, arbitration, mediation, or deposition up to \$10,000 (outside of policy limits) per policy period
- Coverage for acts, errors, and omissions anywhere in the world
- Mediator/arbitrator coverage
- Coverage for non-lawyers for services performed in the course and scope of employment with the insured firm
- Penalty-free reporting for incidents or potential claims
- Immediate coverage for new partners, associates, and employees during the term of the policy, with no additional premium due until policy renewal
- Free extended reporting period endorsement (“tail”) coverage provided upon death or disability
- Free extended reporting period endorsement (“tail”) coverage for retiring attorneys who have been with Lawyers Mutual for five consecutive years
- Prior acts coverage when applicable
- Basic cyber insurance with higher limits available
- CLE premium discounts
- Financing options
- New lawyer discount of 60% in the first year of practice (with graduated discounts through the fourth year of practice)

For a quote or consultation, complete a premium indicator or call 502-568-6100.



Cyber liability and data breach response coverage, limits, and retention

Cyber Liability		Default Coverage	
Coverage limits	10 or fewer lawyers	11 or more lawyers	
Aggregate Limit of Liability <i>(Does not include privacy breach response service limit)</i>	\$100,000	\$250,000	For all Damages, Claims Expenses, Penalties, PCI Fines, Expenses and Costs
<i>Sublimits</i>			
Information Security and Privacy	\$100,000	\$100,000	Per Claim and in the Aggregate
Regulatory Defense and Penalties	\$10,000	\$20,000	Per Claim and in the Aggregate
Website Media and Content Liability	\$100,000	\$100,000	Per Claim and in the Aggregate
PCI Fines, Expenses and Costs	\$5,000	\$10,000	Per Claim and in the Aggregate
Cyber Extortion	\$10,000	\$20,000	Per Claim and in the Aggregate
<i>Sublimits are part of, not in addition to, the overall Policy Aggregate Limits of Liability</i>			
<i>Retention/Deductible</i>			
Cyber Extortion	\$2,000	\$2,000	Each Extortion Threat
Privacy Breach Response			
<i>Coverage and notification limits (Separate from and in Addition to Aggregate Limit of Liability)</i>			
Legal Services, Computer Expert Services, Public Relations and Crisis Management Expenses Retention	\$50,000	\$50,000	Each Incident and in the Aggregate
Notification Services, Call Center Services, Breach Resolution and Mitigation Services	10,000	20,000	Notified Individuals in the Aggregate*
<i>Retention and threshold of notification coverage</i>			
Legal Services, Computer Expert Services, Public Relations and Crisis Management Expenses Retention	\$0	\$0	Incident
Notification Services, Call Center Services, Breach Resolution and Mitigation Services Threshold	100	100	Notified Individuals Each Incident

*A sublimit of up to 10% of notified individuals residing outside the United States, which is part of and not in addition to the notified individuals aggregate limit of coverage.

[Higher limits are available upon request to our policyholders.]

As of August 1, 2017



Supervision and Coaching

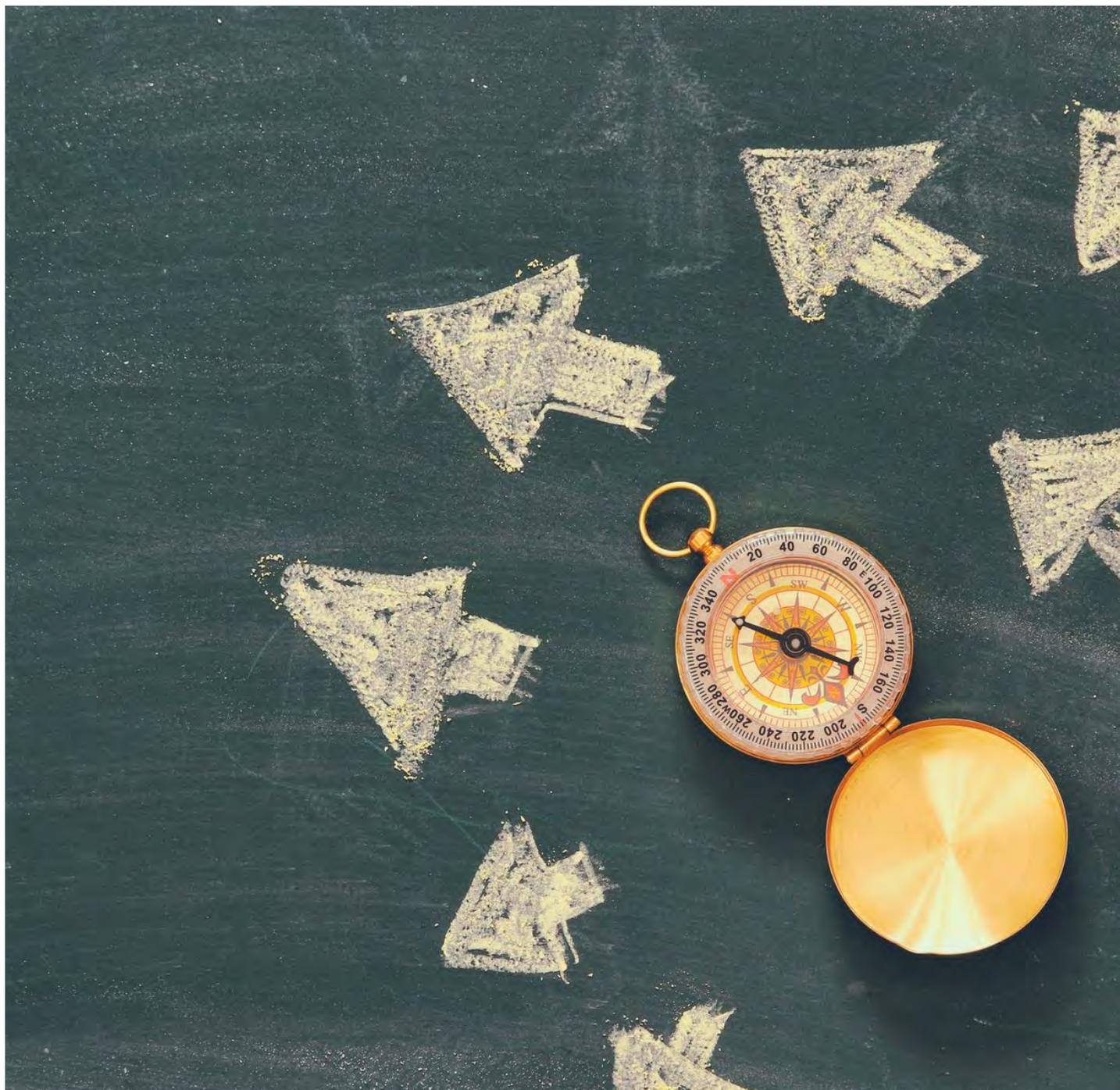
Additional Resources

Harvard Business Review: [*How Leaders Can Open Up to Their Teams Without Oversharing*](#), Liz Fosslien and Mollie West Duffy

- “[Research shows](#) our brains respond positively to people when we feel a personal connection with them. We try harder, perform better, and are kinder to our colleagues. Command and control management is on its way out, and bosses who practice empathy and make an effort to connect with their subordinates are in.”
- “We [recommend] be[ing] **selectively vulnerable** — or open up to your team while still prioritizing their boundaries, as well as your own.”
- “Provide a path forward: ... ‘Because of _____, I’m feeling _____ and _____. But here’s what I’m planning to do next to make it better: _____. And here’s what I need from you: _____. What do you need from me?’”

First Round Review: [*The Best Managers Don’t Fix, They Coach – Four Tools to Add to Your Toolkit*](#), Anita Hossain Choudhry and Mindy Zhang

- “[O]ver-relying on fixing constrains our ability to lead and robs our team members of growth opportunities.”
- “As a result, many managers get overwhelmed with responsibilities and burn out.”
- “Great managers know they need to invest in the long game: building a team that is constantly growing, feels empowered to drive results, and reaches higher levels of performance.”
- [Daniel Goleman study](#) identified six leadership styles: Commanding, Visionary, Affiliative, Democratic, Pacesetter, and Coaching
 - “[C]oaching was rated as leaders’ least preferred style, even though it correlates with positive team dynamics.”
- “We define coaching as getting someone from where they are to where they want to go by tapping into their own wisdom and keeping them accountable to achieving their goals.”
- “[B]y adopting a fix-it management approach, she was trying to get her direct report to use her compass to define success — and as a result, the employee was no longer connecting with the work that had her so excited in the beginning.”
- Coaching leads to two things:
 - We invest in their inner teacher
 - We empower them to trust themselves



Management

The Best Managers Don't Fix, They Coach — Four Tools to Add to Your Toolkit



The authors are [Vinita Hossain Choudhry](#) and [Jimmy Zhang](#), who have coached hundreds of managers. Hossain Choudhry is CEO at [The Grand](#), a group coaching platform to support managers in making leadership decisions. She's also an executive coach (formerly at [Reboot.io](#)) and previously the Head of Knowledge at First Round Capital. Zhang is a former product leader at [Dropbox](#) and at [Oscar Health](#), and is now an executive coach at [Throughline](#) and [The Grand](#).

Think about your typical week as a manager. How many times did you help your direct reports by trying to solve their problem? The answer is probably as many times as you met with them. While that's common among managers, it's not always optimal.

Too often, managers feel the best way to add value is by fixing someone's problem. "I know the answer, and I need to tell them," we say to ourselves. But over-relying on fixing constrains our ability to lead and robs our team members of growth opportunities.

As a result, many managers get overwhelmed with responsibilities and burn out. They create a team culture in which they're expected to have the answers. And their direct reports — instead of utilizing their talents and stretching their problem-solving skills — become dependent on their managers to do their jobs.

Managers are not solution vending machines. They're not paid to give answers.

Great managers know they need to invest in the long game: building a team that is constantly growing, feels empowered to drive results, and reaches higher levels of performance.



style or shift their approach — many bring the best of intentions, but frankly, simply end up winging it.

But if they aren't aware of it, most managers default to a single approach. Daniel Goleman, a psychologist and leadership author, [studied](#) 3,871 executives and identified six leadership styles: Commanding, Visionary, Affiliative, Democratic, Pacesetter, and Coaching. What he found was that the most effective leaders didn't over-rely on a single style; they had mastered multiple styles and could skillfully match the right style to a situation.

Similarly, as a manager, you have a toolbox of skills, styles, and competencies to pull from. In order to be the best manager possible, you need to: (a) assemble a diverse and varied toolbox, and (b) wisely select the tool that will be most useful in a given situation.

As executive coaches, we've worked with hundreds of startup managers. We've seen first-hand that coaching is one of the least utilized and yet most effective management tools. (In fact, in Goleman's research, coaching was rated as leaders' least preferred style, even though it correlates with positive team dynamics.) By adding coaching to your toolbox and calling upon it in the right situations, you can uncover your team's blind spots, help your direct reports grow into more capable leaders, and ultimately, enable your team's best work.

In this article, we'll unpack why managers fall into the fixing trap and dig into the fundamentals of coaching, sharing four actionable tools you can start using immediately. We'll distill the highlights of what we've learned in years of coaching training — all adapted to everyday management scenarios so you can see how to practically put them to use.

THE DEFAULT APPROACH: FIXING



"To be honest, I haven't been feeling motivated at work. I tend to be bogged down in execution details, and I'm not getting enough exposure to strategy. I look around, and my peers are working on strategic projects that move their careers forward."

How would you approach it? Most managers start scanning for problems. Once they've identified a problem, they jump straight to fixing it. Take this example of the manager (Rachel) and her direct report (Ana). If Rachel uses a fixing approach, here's how that conversation might go:

The default approach: Fixing

Ana

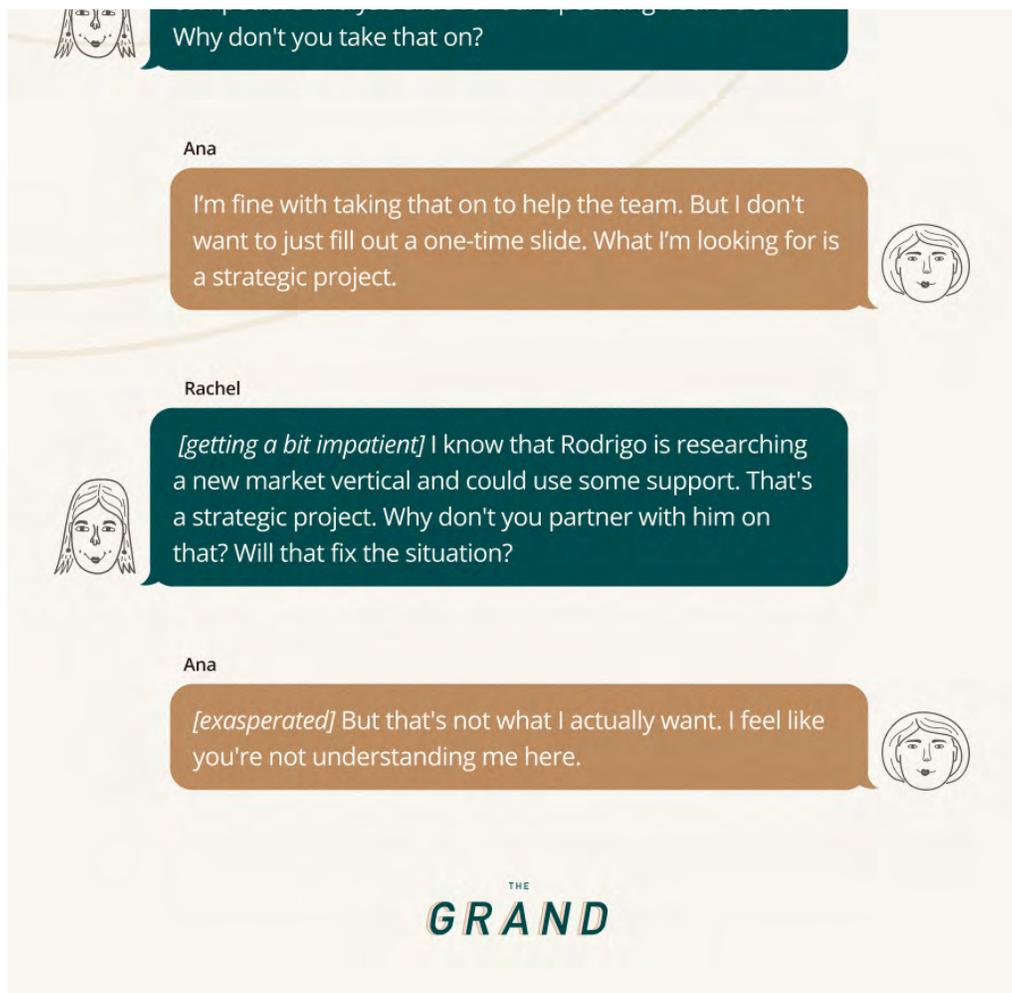
To be honest, I haven't been feeling motivated at work. I tend to be bogged down in execution details, and I'm not getting enough exposure to strategy. I look around, and my peers are working on strategic projects that move their careers forward.

Rachel

Thanks for sharing that with me. I remember when I was at your level and looking to get promoted. What was most valuable was focusing on execution. I rolled up my sleeves, focused on executing the projects in front of me, and that's what got me promoted to where I am now. You have mission critical projects to execute, so you're already on the right path.

Ana

But that's exactly the problem I'm facing. I'm spending all my time on execution and not enough time on the strategic problem solving I see other product managers doing.



What did you notice about the conversation above?

First, the manager started with **advice from her own experience**. She assumed that her direct report was asking for strategic opportunities in order to get promoted, and that sharing lessons from her own career advancement would be relevant. While those assumptions might be true, it's also possible that her direct report has a different "why" behind the ask — for example, acquiring a new skill, gaining confidence, or charting the course for a different career path.

Second, the manager **prescribed solutions** — creating a competitive analysis slide,



difficult, entitled, and not focused enough on their core role. The direct report leaves feeling unheard and dismissed.

We've encountered this very situation in our own careers. When Anita was managing several people who had just graduated from college, she reflected on her own first job — and was reminded of a manager who was unclear and didn't offer the right level of support. Vowing to do the opposite, when a direct report came to her struggling to prioritize everything on her plate, Anita immediately jumped into fix-it mode, getting super prescriptive.

She told her to take a sheet of paper, draw a triangle on it, and then break it up into thirds. In the bottom of the triangle, Anita wrote down 3-5 things her report should work on for the week. Next, she outlined three things for the next three days in the middle section, and the one thing that she needed to complete before she left the office for the day at the top of the triangle. Anita did this for her direct report every day for several weeks, thinking she had solved her problem. Oftentimes, Anita would also look at that triangle and take a few things off of her plate and just do it for her, trying to lighten the load. Yet the direct report's creativity started to wane as she spent long hours trying her best to get those critical tasks done.

Why managers are prone to fixing:

Situations like this are common in manager-report relationships. When a manager adopts a fixing approach, they assume that:

1. Their experiences are relevant to the other person's situation.
2. They know the other person's problem well enough to prescribe advice.



situations, jumping straight to fixing causes (a) a misinformed solution that makes the problem worse, (b) a band-aid solution that temporarily soothes the wound but doesn't solve the deeper issue, and/or (c) a long-term dependence on the manager to fix all problems, thereby depriving the direct report of opportunities to grow and solve their own challenges.

Why do managers instinctively dive into fixing? Two big reasons:

We think we know: We got promoted into managerial roles from senior individual contributor (IC) positions because we excelled at building our expertise and swiftly applying it to solve problems. We're wired to think, "I know the answer and can add value here" and jump into action.

We think we *should* know: Many managers (particularly those who are new to managing people) experience imposter syndrome. They might think, "I should know the right answer. Otherwise, if I don't, I'm a bad manager." To protect our own credibility, we take on immense pressure to fix problems.

Being the hero who swoops in and relieves someone of their problems feels good, and it's hard to let go of the chance to reinforce our competence.



Mindy Zhang, former product leader at Dropbox & Oscar Health, and current executive coach at Throughline & The Grand.

Many have had brushes with that second one in particular. When Mindy became a people manager at Dropbox in her mid-20s, she battled imposter syndrome as she managed people with up to a decade more experience. Whenever a direct report came to her with a challenge, a negative talk track kicked in. She thought: "I need to solve this problem for them, *now*. Because if I don't... Well, they'll know that I'm faking it. That I'm not a real product leader."

As a result, she often overworked herself solving team members' problems, and most of the time, her solutions were misinformed because she didn't have full context. A wake-up call came while working with an executive coach who did a round of in-depth 360 feedback that scored her across dimensions of leadership. "Keeping talented people challenged" was her lowest score. Mindy realized that the amazing product managers she was hiring were joining her team so that their strengths and expertise could shine, not so she could take on their problems.

THE ALTERNATIVE APPROACH: COACHING



Of course, this term is still a bit fuzzy, especially in the startup world, where coaching can take many forms. We define coaching as getting someone from where they are to where they want to go by tapping into their own wisdom and keeping them accountable to achieving their goals.

To put it simply: Coaching is a skill, while being a manager is a role.

The key element is tapping into *their own* wisdom, not *your* wisdom. When we constantly support our teams using our wisdom, we are hyper-focused on solving the problem at hand based on our past experiences and learnings.





Returning to Anita's own management example, an "aha" moment arrived during her first coaching certification course. One of the training sessions talked about how we often live our lives according to someone else's compass. Only through deep inquiry and by asking open and honest questions can we know [our own compass](#). Anita realized that by adopting a fix-it management approach, she was trying to get her direct report to use her compass to define success — and as a result, the employee was no longer connecting with the work that had her so excited in the beginning.

In their next 1:1, Anita instructed her direct report to take the lead filling out that triangle. To aid in the process, she asked open and honest questions about what type of work her team member was most drawn to and where she saw opportunities for the firm to grow. By taking a coaching stance, Anita helped her trust her intuition and develop her own compass. In turn, this allowed the direct report to come up with some of the most creative ideas deployed at the company, returning to the vibrant and innovative person Anita had hired in the first place.

When we instead use coaching to unearth someone's own wisdom, two things happen:

We invest in their inner teacher: This means that you're not just solving a one-time problem; you're helping them see patterns and behaviors so that going forward, they can develop their own resources and best practices to navigate their challenges.

We empower them to trust themselves: You'll see a shift in your team member's ability to more clearly and confidently articulate next steps they can take to solve a problem or achieve their goal.



essential to start coaching your direct reports: Empathetic Listening and Open and Honest Questions

To highlight empathetic listening, we need to start by defining the opposite of empathetic listening, which is self-focused listening. We've all been there before. Whether it's in a 1:1 with a direct report or a cross-functional meeting, we often listen to other people in order to answer one question: *What does this mean for me?*

We are listening to react and respond: *What should I say next? What conclusion should I draw? How should I interpret this? What does this person need from me? How do I help them figure this out?*

This is a natural human reaction because our brains are designed for pattern matching and problem solving — which can be quite useful in many parts of our lives. Instead, we recommend that managers use empathetic listening.

Empathetic listening means shifting from "What does this mean for me?" to "What's going on for this person?"

At its core, empathetic listening is:

Listening to understand another person's experience: *What's going on for them? What are they thinking, feeling, and experiencing?*



With this insight, we unlock previously hidden information that enables us to better guide the other person. It's important to clarify that empathetic listening is not:

Feeling the same feelings as someone else — this can lead to taking on other people's distress, a significant cause of burnout among managers.

Comparing the other person's experience to your own.

The second foundational skill of coaching as a leader is asking open and honest questions. Generally, questions can be closed or open. A closed question limits how the other person can respond.

For example:

Do you want to answer that question with a survey or with user interviews?

Are you OK with this new process we're putting in place?

Have you thought about doing X to solve the problem?

Sometimes, this approach can be useful. For example, if we need to make a fast decision on an urgent issue, we may not have the time to explore the full range of possibilities.



honest question is if you say yes to the following list:



I don't know the answer to the question.



I don't have a preferred answer.



I'm not trying to steer the person in a particular direction.

The difference between closed and open questions



Closed questions

Limits how the other person can respond

Examples:

- Do you want to answer that question with a survey or with user interviews?
- Are you OK with this new process we're putting in place?
- Have you thought about doing it this way?



Open & Honest questions

Expands the set of possible responses

Examples:

- What approach could you take to answer that question?
- What would your ideal process look like?
- What are some ways you could approach the problem?





we'll outline a practical scenario, flag what the fixing approach looks like, and share tips for applying the coaching technique instead.

Four coaching tools for managers



Outcome shift

When to use it: A team member is spinning on a problem; a disagreement with a colleague or running into an unexpected constraint in their project.



Options exploration

When to use it: You understand your team member's challenge and what they would like to see happen.



Acknowledging strengths

When to use it: A team member has imposter syndrome or doesn't feel confident in their ability to tackle a challenge.



Uncovering limiting beliefs

When to use it: A team member has unconscious assumptions that might be holding themselves or someone on their team back.

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Coaching Tool #1: Outcome Shift

When to use it: A team member is spinning on a problem — for example, an unexpected constraint in their project. They've thought about it, but are stuck on how to proceed.

If you took the fix-it approach, you might default to saying: Why is this happening?



without knowing what they want, they can't move towards it. Coaching can help them shift them from the problem to the solution, so they can start mapping out the path from A to B.

How to apply this tool:

"In this situation, what would you like?" (Repeat this back to the other person to make sure you heard correctly)

"What will having that do for you?" (This question helps them dig one level deeper on what they're solving for)

Pro-tips to keep in mind:

Repeat the second question as many times as you need until you get to the core of what your direct report wants out of the situation.

Use the exact wording of the questions. For example, saying "will" instead of "might" presupposes that your direct report will achieve this goal in the future and puts them in a mindset to do so.

If what your direct report wants isn't tractable — for example, they want a difficult colleague removed from the team — you can explain why it's not feasible, then ask: "Let's keep exploring to see if there's another possibility. Given the way things are, what else would you like?"



When to use it: You understand your team member's challenge and what they would like to see happen. You want to partner with them to solve it.

If you took the fix-it approach, you might default to saying: Have you tried doing X? I can step in and take this on for you.

Here's why you should use coaching instead: Your direct report may have context and ideas that you don't have. Instead of immediately suggesting what you would do, coaching empowers your team members to solve their own challenges.

How to apply this tool: Ask clarifying questions that help make the options more concrete, such as "What options do you have to make progress toward that outcome?" or "What other options do you have?" or "What do you want to try first?"

For example, say your direct report is relying on the Creative team to fulfill a key dependency before they can move forward with a campaign. The designer they work with hasn't shared any updates, and your team member is worried about the project status. You could ask: "What options do you have?" and have your direct report come up with their own ideas *before* you share any feedback.

Coaching Tool #3: Acknowledging Strengths

When to use it: A team member has imposter syndrome or doesn't feel confident in their ability to tackle a challenge.

If you took the fix-it approach, you might default to saying:

"Don't worry, you got this!"



“Have more confidence in yourself!”

Here's why you should use coaching instead: Cheerleading often intensifies imposter syndrome because it widens the gap between lofty expectations and where the person sees their own capabilities. In coaching, we increase someone's confidence by bringing awareness to their specific gifts — this helps them understand how they can apply their skills and strengths to the situation at hand.

How to apply this tool:

Remind them of strengths they've demonstrated in the past. Ask how they could apply them here. For example: "I hear that you're daunted by the tight timeline for this project. I also know that one of your strengths is designing under constraints. Earlier this year, you found a creative solution that allowed us to deliver the user impact without a major engineering rewrite. What would it look like to fully apply that strength in this situation?"

Go beyond cheerleading. Instead of lobbing over a "Great job!" after a team member nails a sales call, see if you can name the deeper strength they demonstrated. For example: "Nice job on that call! I noticed that you built strong rapport with the client, made them feel heard, and diffused their concerns about the product. Creating genuine trust with the client is a strength that makes you highly effective."

Pro-tip to keep in mind: To identify your team members' strengths, ask them to take the [VIA character strengths survey](#) (or another strengths assessment) and share their top five strengths.



themselves or someone on their team back. To spot when someone is stuck in a limiting belief, notice that they might say things like “I can’t” or “I’ll never be able to” or other phrasing that feels negative and fixed.

If you took the fix-it approach, you might default to saying: “That’s not true,” or “Don’t think that way about yourself.”

Here’s why you should use coaching instead: Limiting beliefs are often deeply ingrained. Simply denying them doesn't help the other person change. Instead, you can coach them to make their unconscious assumption conscious and shift to a more productive belief.

How to apply this tool:

Start by naming:

Step 1: When you notice that a direct report has a limiting belief, ask them: “What’s the underlying assumption behind that?” Help them name it and write it down. For example: “I’m too timid to be a leader.”

Step 2: Help them separate observations from interpretations. Observations are things we see or how we feel in our body. Interpretations are the meaning that we layer on top of these observations. We can separate them and notice how our interpretations don't necessarily follow what we're observing in the real world. For example: Your direct report says that they get nervous when they have to speak up in meetings and when they finally do, they speak softly and use a lot of filler words. This causes their team members to not take their ideas seriously. They interpret this to mean that they won't be a great leader.



Step 3: Brainstorm alternative narratives that are more positive and helpful. One way to do this is to shift from negative language to positive language. For example: Your direct report reframes the original narrative from “I’m too timid to be a leader” to “I want to practice my public speaking skills, so I feel I more prepared and comfortable speaking up in meetings.”

Step 4: Finally, you can help your direct report test these alternatives — for example, helping them find a speaking coach and giving them an opportunity to present at the next Business Review meeting.

COACHING IN PRACTICE:

Referring back to our earlier example of the pitfalls of fixing — what might happen if the manager (Rachel) used a coaching approach instead?

Coaching in practice

Ana

To be honest, I haven't been feeling motivated at work. I tend to be bogged down in execution details, and I'm not getting enough exposure to strategy. I look around, and my peers are working on strategic projects that move their careers forward.

Rachel

Gotcha, thanks for sharing that with me. I want to support you in this, are you open to me asking a few questions to learn more?

Ana



I'm curious: In this situation, what would you like?

Ana

I want to take on a strategic project, one that allows me to really stretch and grow my strategy skills.

Rachel

I see. So you want to take on a strategic project that allows you to stretch and grow your strategy skills. And what will having that do for you?

Ana

It'll allow me to improve my ability to drive strategic decisions, especially ones that directly impact our revenue goals.

Rachel

Gotcha, and growing in your ability to drive strategic decisions that impact revenue goals— what will having that do for you?

Ana

It'll allow me to explore whether being a COO is the right path for me in the long run. I've been thinking about making a future switch from product management to a hybrid role that's more operationally focused because I love learning about the business.

Rachel

Wow, I'm excited for you to explore that career path, and I want to support you in that. Let's brainstorm: What options do you have for starting to explore COO as a longer term career path?

Ana

That's where I need some help. I guess I could reach out and talk to our COO to hear how she got to that position.



In this alternate scenario, instead of assuming that their direct report is after a promotion, the manager digs deeper. She uncovers that her team member is interested in exploring a career pivot — an insight that she wouldn't have known without asking open and honest questions. Armed with knowledge about what her direct report is solving for, the manager can be a much more effective ally and advocate.

When *not* to use coaching:

But a manager who only coaches won't be very effective. Other skills, such as



Coaching skills are tools — not the whole toolbox.

Imagine that a direct report wants to understand the organization's strategy and KPIs so they know how their work contributes to the bigger picture. In this situation (unless the report is a senior contributor to the strategy), it would be frustrating for the manager to start with coaching and turn the question back on their team member. The team member might think: "You're asking *me* what the strategy is?" and wonder if the company's leadership lacks direction.

It'd be helpful for the manager to first provide clarity about the strategy and metrics that matter, *then* follow up with open ended questions to get feedback from their direct report: "How are you thinking about your team's goals in relation to the strategy?" Or "From your vantage point, what might be the biggest blind spots in our stated strategy?"

Additionally, coaching is not the right approach when you:

Are dealing with an urgent, high stakes problem: If getting something right is crucial and urgent, and the responsibility is a stretch for your team member, coaching isn't appropriate. You'll need to jump in and provide swift direction. Your team members can still learn by shadowing your instruction and observing how you handle the urgent situation.

Need to give feedback: Coaching isn't a replacement for clear, actionable feedback, but it can amplify the effectiveness of your feedback. If you've noticed an opportunity for your team member to improve, share the feedback directly. Then add an open and honest question to deepen their understanding of the feedback or brainstorm next



Are training a less experienced team member: Coaching is most effective when your team member already has foundational competence in a task. If your team member does not have the basic skills for their role — maybe they're new or taking on a project outside their realm of experience — start with instruction and mentorship. For example, if your team member is presenting to the executive team for the very first time, it's appropriate to share advice about how to frame their points and structure their slides. You can drop in open questions to help them reflect on their learning: "How are you taking in this new skill? What has resonated for you? What's been challenging, and where do you want to dig in deeper?" Once they grasp the basics, you can spend more time coaching to help them grow.

Are managing someone who's struggling to perform: A direct report who isn't meeting baseline expectations for their role needs clear expectations about what it takes to get to good performance standing. Empathy is important, but asking too many open-ended questions won't set them up for success. Use a more directive approach in these situations.

When not to use coaching



Navigating a high stakes problem

If getting something right is crucial and urgent, and the responsibility is a stretch for your team member, coaching isn't appropriate.



Having a feedback conversation

Coaching isn't a replacement for clear, actionable feedback, but it can amplify the effectiveness of your feedback.



Coaching is most effective when your team member already has foundational competence in a task.

A direct report who isn't meeting baseline expectations needs clear expectations to reach a good performance standing.

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Getting started with coaching:

It can feel daunting to master all of these new coaching skills overnight. As you look to incorporate new techniques into your day-to-day approach, keep these tips in mind:

Start small

Start small and think about one step you can take to incorporate coaching into your management approach. It can be as simple as asking a few open and honest questions during your 1:1s this week. Then, in the next two weeks, start introducing the outcome shift and other tools we covered above.

Express your intention

It can be jarring for your team members if you drastically change your management approach. Set context for this shift. Let them know you'll be trying a different approach by introducing more coaching practices into your work together.

Get feedback and adapt your approach

Create a timeline with specific check-ins where you explicitly talk about what's working well and what they'd like to see more of. Set up time on your calendars to have this feedback conversation so you can both learn from it and adapt accordingly.



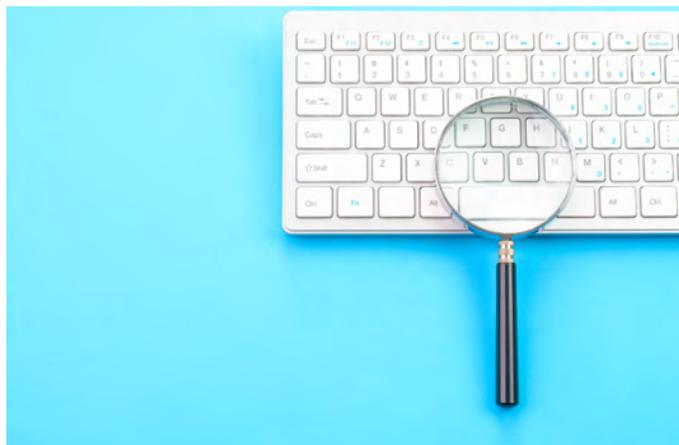
You're not always going to get it right. Often, you'll ask a question that doesn't land, or run through an options exploration session that doesn't actually get to a viable solution. That's okay. Be patient and keep trying. Good management is a practice, one that we should hone every single day.

In our experience working with hundreds of managers, we've found that the ones who are intentional about getting incrementally better each day are the ones who make the biggest impact on their teams.

Management isn't about having the expertise or know-how off the bat, but rather, understanding the needs of your team and adapting your style to best support them.

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