

## Inside Out > column



By Christina Martini  
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By David Susler  
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## The art of conversation

**H**ere is a portion of the conversation. See more from the columnists on [chicagolawyer magazine.com](http://chicagolawyer magazine.com).

**How do you get to the root of what your client needs?**

**Tina Martini:** There are several important factors in getting to the root of your client's needs. First, you need to fully understand the issues with which your client is dealing and the legal and business implications of those issues. To get to the heart of what those issues are, you must have open and honest communication with your client. You have to be able to ask the necessary questions so that you can fully understand the various facets of the matter. You also have to be willing and able to listen to the client's answers and really hear what they are saying.

Often, the correct legal answer only gets you halfway, since there is always a business context within which issues are addressed and decisions are made.

There are also other factors, such as the client's organizational politics, which often play an important role. Clients need their lawyers to be sensitive to these dynamics and to be able to strike the correct balance so that the advice they provide is from the most beneficial point of view for the client.

**David Susler:** I echo Tina's comments. You have to ask questions, as that is the only way to understand the issues and the nature of the deal or transaction. You need to understand the impact of the matter to your client's overall business. To do this successfully, you not only have to ask the right questions, you also need to talk to the right people. A key to this is building a relationship with your client. The better you know each other, the easier it becomes and the more adept you become at getting to the heart of the matter.

**How do you improve your communication skills to become a better lawyer?**

**Martini:** Strong communication skills are at the heart of every great lawyer. As with most things, the more you practice, the better you become at it. It takes a lot of hard work to be a good communicator and it helps to have strong mentors to help you hone your skills. Much of oral and written legal communication is taking a lot of information and distilling it down into a clear and concise message that clients can understand while ... steering them in a particular direction. Regardless of whether you are writing or speaking with your clients, it is important for you to carefully think about what you are going to say before you say it. You should consider whether the message is correct and whether you are saying it as effectively as possible.

You also need to think about your client's preferred style and method of communication. Everyone has different styles which need to be respected. When you are meeting with your client, outline what you are going to say to help you get started. When you are writing to them, carefully think about and proofread what you have written. Practice makes perfect.

**Susler:** Communication, oral and written, is a lawyer's currency in trade. The first thing to do to improve your communication skills is to listen — listen to other lawyers, listen to your clients, not only to what they say but also to how they say it. There is a physical aspect to oral communication, which is as important as what you say, if not more so. Observe other's body language, how they deliver their words, in court, in client meetings, on the phone. Observe their facial expressions and gesturing. Listen to their tone of voice and modulation.

The more you speak, the better communicator you become, so practice that as well —

speak at CLEs, at client meetings, at board meetings. Reading and writing are also good ways to learn. The bottom line is practice. And remember — you can always improve, no matter how long you have been a lawyer.

**What is your biggest tip for talking to the other side effectively to accomplish your client's goals?**

**Martini:** It is essential that you are calm, cool, collected and respectful in your communications with an adversary, no matter how contentious the situation may be. You should try to avoid taking an inflammatory tone in your communications, since it is generally unnecessary and can often make the situation more difficult. People sometimes mistake the need to deliver a strong message with yelling or screaming to get it across. Strong messages are generally best delivered in a calm, direct manner.

As in your dealings with clients, it is also important to try to see the other side's point of view as best as you can. By putting yourself in their shoes, you will have a greater understanding of where they are coming from. By doing your best to fully appreciate both sides, you will be better positioned to reach a satisfactory resolution to the matter at hand.

**Susler:** Implicit in effectively communicating to the other side is first understanding what your client's goals are. We discussed earlier how to do that, so now we are ready to talk to the other side. You will encounter a number of different styles in opposing counsel, some easier to deal with than others, and you have to learn to roll with whatever you may encounter. Whatever that may be, I am a strong believer in the old adage that you attract more flies with honey than with vinegar. ■

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