

ARTICLE

EVEN EMPLOYEES ARE SELF-EMPLOYED— SUCCESS AS A PROFESSIONAL TAKES MORE THAN TECHNICAL ABILITY

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I. INTRODUCTION

Graduate, pass the bar, land your dream job, realize that technical competence is not enough. This Article addresses “soft skills” and business planning needed to complement technical ability. Every year firms hire a new group of intelligent, hard-working people. Some survive and thrive. Others move on. Up-or-out is a reality. When you start a new position, look around for grey hair and do the math.

II. PHRASES FOR SUCCESSFUL PROFESSIONALS

You understand the art of being a successful professional when you understand phrases like:

1. *Getting fired is your last opportunity to make a good impression!*

Firms may fire you. Clients may fire you. Prepare for this

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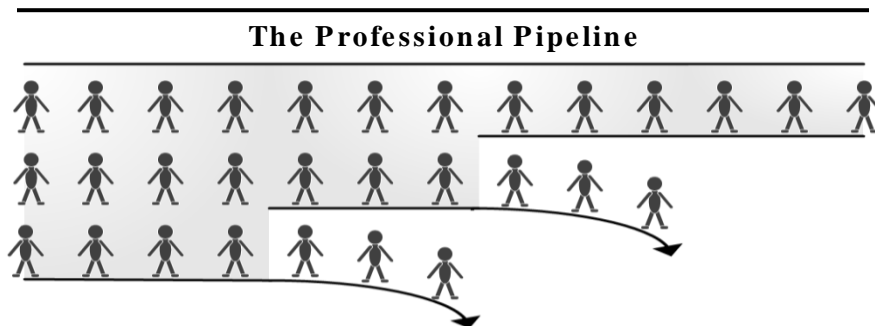
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possibility and make the most of this opportunity. Yes, it is an opportunity. Not the one you wanted, but still an opportunity. If it is a law firm or legal department, thank them for the experience, then ask for a good reference and assistance in locating another position. If it is a client, thank them for the past working relationship and assure them that you will assist in transitional matters. Let them know that you would welcome the opportunity to work with them in the future. Again, this is business. Customers that stop buying from you today may want to do business again in the future.

2. *Up-or-out is really forward-or-find-work-elsewhere.*

The professional pyramid is really a flowing, narrowing pipeline. Being good at what you do today isn't enough. Firms start new people each year to provide a continuous flow of professionals at each level over time. Staying inside the pipeline requires continually increasing your real and perceived value to the firm. Don't assume that the first place you start your career is the place for you. Professionals are a lot like actors. Even the best actor isn't right for every role.



3. *Add credibility to your credentials.*

Make your reality match your rhetoric. You need to create and protect your professional “brand name” by developing a reputation as someone who is knowledgeable, fair, trustworthy, and reliable. Integrity and honesty cannot be faked long-term. Being ethical includes doing the right thing. Understand the difference between “can I” and “should I.” Your brand will be one of your most important intangible assets. Provide service, not just services. Make realistic promises and timely deliver a high-quality product that doesn't fluctuate with your perception of importance of the client or the task.

4. *Behave like you are self-employed if you want to stay employed.*

It is your responsibility, not your firm's, to strategically build your career. A paycheck is just a revenue pattern and doesn't change the reality that success takes more than billable hours. Success requires avoiding missteps as well as taking the right ones. You are a business and you need to find the right balance between your production, marketing, and administration. Over time your monetary compensation will be increasingly linked to the total value you produce for the firm, not just your personal billable hours.

III. MARKETING

1. *Begin to build your "book of business" when you begin your career.*

- Understand your industry: landing and retaining clients drives profits. Long-term success includes the skills to supervise and keep others productive.
- While daily production is important, a good rule of thumb is to spend 20% of your time developing new and retaining existing clients. If you are expected to produce eight billable hours per day, then you need to invest two more on average in marketing and administration.
- Create a strategic, long-term business plan with a balance between specialization and generalization. Promote yourself with your specialty but be cautious about niche specialties that have a limited market beyond your firm.
- Make sure that your skills, knowledge, and relationships with clients and others make you valuable and increasingly difficult to replace. Continually evaluate the market for your current skills and acquire ones that will be valuable in the future.
- Get to know your client's business and industry beyond what is needed to complete a task. This is how you move from a technician to a trusted business advisor.
- Seek out networking opportunities, both personal and professional. You will broaden your reputation and learn of opportunities.
- Be aware of opportunities to get your name out in front of clients and potential clients. Use approaches like sending holiday cards, putting their names on firm marketing

lists, and starting a substantive newsletter for your practice group.

- Prepare thirty-second “elevator” speeches. This is a key part of making an effective first impression in different situations.
 - Introduce yourself with your first and last name in person and on the phone. Be gracious. Help people out by not assuming someone remembers your name.
 - Always have business cards to exchange. Date the cards and add notes that identify the person and situation for later reference. You will meet many people over the years.
 - Keep a contact list of people you meet. Cultivate real friendships with people you sincerely like. People prefer to work with people they like.
 - Learn the art of the business lunch. A lunch should not last more than one and a half hours. Choose a place that is conducive to conversation. To get better service, find a good place and go often. Drink alcohol only if the client orders it first and then drink prudently.
 - Begin your networking by making friends and lunching regularly with people at your level. These connections give you a good foundation for lasting professional relationships as your career progresses. Participate in civic or bar organizations for the same reasons.
 - If you have a family, develop relationships with clients in the same life situation. Think of activities where you can extend invitations that include their families. This can be particularly helpful with inter-gender working relationships.
 - While marketing is essential to long-term success, your top priority in your first two years is to learn the law and how to be a lawyer.
2. *Promote yourself if you want to get promoted.*
- To progress, you need to have a good reputation beyond your own department. Think of the firm like a small town where you want to get elected to the city council. It will take the votes of many people who believe in your value and competence. Recommendations from people outside your practice group are particularly valued by management. Volunteer for firm committees in order to meet people in other departments and then work to

impress them.

- Look for opportunities to do work for partners in other departments. Do your very best work for them because they will have fewer opportunities to observe your abilities.
- Offer to help a partner or senior associate write a paper or presentation for a professional group. You will benefit from the experience and earn their gratitude.
- If the opportunity arises, make your client or superiors look good. It may be worth more than taking credit yourself—even if you deserve it more.
- Keep a file of your accomplishments. This will make it easier to write “self-evaluations” or update your resume when needed.

3. *Being competent includes looking and acting competent.*

- Your professional image among coworkers and superiors must be cultivated if you want to advance. Although electronic communication has reduced personal contact with clients, remember that others may be bringing clients into the office and you are part of the impression they form.
- Attention to your appearance signals an ability to pay attention to important details. Good, traditional grooming is essential, including trimmed nails, a clean, professional haircut, and natural make-up. “In” fashion trends like scruffy facial hair, high-cut skirts, or cleavage may make some people uncomfortable. Always remember your cologne, no matter how expensive, should not arrive before you do nor stay around after you go.
- Listen to yourself on a recording. If you have a strong accent, poor diction, low volume, or other issues with your voice, do something about it. There are diction coaches.
- E-mail correspondence and conference calls have reduced opportunities to build and maintain personal relationships with clients by replacing one-on-one phone calls and face-to-face meetings. Keep the “personal” in the relationship by occasionally making the effort to call clients, invite them to lunch, or schedule working group meetings to kick off new transactions.

IV. PRODUCTION

1. Understand what it takes to be proficient and efficient in your profession.

- Learn to balance and prioritize. Remember that great opportunities rarely come at convenient times. If you are serious about your career, you must grab such opportunities even if it means putting off personal plans. Keep a running list of projects that have been assigned to you. Missing deadlines could be the death of your career. Like a juggler, you can't afford to drop any ball.
- Be flexible. Client problems don't arise just between 9 and 5. Be willing to stay late or work weekends when necessary. If you need backup at home, plan ahead for emergencies.
- Prioritize and reprioritize all the time. Keep in mind that even less important projects must get done within a reasonable time frame. It is your responsibility to give every client good service once you have taken professional responsibility for a task. A poor finish on any project overshadows everything good that you did.
- Have a broad knowledge base about your profession and keep up with what is going on. Knowing more than your specialty allows you to identify issues and plan opportunities beyond your area that can bring value to your clients. It also helps assure that your work doesn't create unforeseen problems somewhere else. Think big picture. Keep the forest perspective even though you are just cutting down one tree.
- Before you begin a project, visualize what the end result should be. Be sure all issues are addressed. Ask yourself: "Do I have all of the facts and circumstances to answer the question?"
- Never enter a meeting or the office of anyone senior to you without a pad and pen. Details are critical. If you don't take notes you may (1) find yourself going back with questions, or (2) missing something. Given a choice between these two, the first is the only choice for a professional. If something is missed, the one without the list must overcome the presumption of guilt.
- When given a challenging task, start somewhere and keep going. If professional tasks could be laid out in a checklist, they would be computerized or outsourced.

- Tackle tasks with road blocks first and easy ones while the road blocks are clearing.
 - When you are starting out, take the time you need to get things right. It is expected that you will get faster over time.
 - Review your work before submitting it for review by others. If possible, plan your time so that you can look at it with fresh eyes at the start of a new day. A break away from the project can give you a new perspective. Always ask yourself: “Does the result make sense?”
 - It is okay to not know something. Use it as an opportunity to utilize your skills and resources. Invest your own time in learning about your firm’s research resources before issues arise. You are being paid for production, not learning.
 - If you hit a dead end, don’t throw in the towel. Step back and view the problem from a different perspective. A different route to accomplishing the client’s objective may occur to you.
 - Speak up:
 - when you need help,
 - when you have the skills to help,
 - when you have a suggestion,
 - when you identify a problem, and
 - when you spot an opportunity.
 - Your professional efforts are your product and you need to keep contemporaneous records. At a minimum, write your time down every day. It is preferable to do it as you switch from task to task. Time not reported is time not rewarded.
2. *If you mess up, fess up. Know how to fix mistakes.*
- Take review notes as constructive criticism. Promptly clear your review notes and learn from your mistakes. That is the growth path of a professional.
 - Errors can’t be buried. If you make a mistake, admit it and fix it promptly. Mistakes tend to grow over time until they are corrected. Don’t compound a mistake with lies because that is often a bigger mistake.
 - Be cautious about written apologies for many reasons, including the fact that clients may remember a written apology longer and discount all of your future good work. Also, that letter may become part of a file passed on as

personnel change.

3. *Listen, think, edit, then speak—communication is your key to success.*
 - Listen carefully to what clients and supervisors say to you. Make sure that you understand their position/question before responding. Let other people finish talking before you prepare your response. Don't interrupt or guess where they are going with a statement.
 - Communicate in the other person's style, not your own. If your audience is detail orientated, be detailed. However, there are always exceptions to every rule, and cursing is an important exception to this rule. If people curse, don't curse back.
 - Think about your approach and the words you plan to use before you start an important communication. For example, present requests in a way that makes it in your supervisor's best interest to say yes. If things do not go your way, remember you have outgrown phrases like "it's not fair."
 - Learn effective communication techniques that span the generation gap. Take age into account in communication and make sure that you speak clearly and respectfully.
 - Speak slowly when you leave a phone number. People are not impressed with how fast you can say the numbers. Don't make someone listen to your phone message twice just to catch the numbers.
 - Allow extra time in a conversation when you are dealing with someone if English is their second language. Slow down the conversation. Give the person a moment to translate what you have said and prepare their answer.
 - If English is your second language, admit if you need to slow down the conversation.
 - Learn to write properly. If you handwrite something, make it legible. It is disrespectful and wasteful of other people's time to expect them to decipher your scribbling.
 - Memos to a file to support positions and memos to superiors analyzing a certain situation are not an e-mail or text message. They need to fully explain the facts and the current situation, and fully support the conclusions. Complete sentences and proper English must be used. Perception of IQ is highly affected by the written word.

- Keep your work files orderly and make sure that others can understand what you document. This also helps if you have to go back to a file after a long period of time.
 - Return phone calls as soon as possible but no later than the same day. Leave a voice message if it is after hours.
4. *Technology provides opportunities and pitfalls.*
- Match the media you use to the recipient, not to your favorite style. Many clients and professionals are old school and do not appreciate the casual, little-effort shorthand of an abbreviated text message. Use full sentences rather than “OK” or “will do.” In the era of electronic media, you still need to master the art of interacting with people face-to-face.
 - Be cautious with technology. For example, write important e-mails before putting in the addressee. This eliminates the risk of transmitting half-done e-mails.
 - Teaching new technology to more senior professionals is a much-needed resource and a way to get networking opportunities.
 - Remember that your image today includes your virtual self. Nothing is ever really password protected or deleted. Don’t underestimate the technology that exists to check you out. For example, before you post a picture on a social networking site, ask yourself what message it might present to a client, partner, or firm administrator who looks you up.

V. ADMINISTRATION

1. *Understand what it means to be a professional.*

- Laws and rules change. Commit to a plan of keeping up-to-date as a professional. This must become a part of your routine and requires a commitment outside of the normal work day. Clients are willing to pay for services but not for your learning curve.
- Learn about available research resources on your own time and before issues arise.
- Have a network of professionals in different disciplines you can consult when complex, technical issues arise.
- Don’t be too proud to learn from paralegals, analysts, or administrative staff.

- Attitude is important. It is important that your colleagues perceive that you want to learn as much as possible.
- 2. *Learn what it takes to be a professional.*
 - Have a high CQ (cultural quotient) to complement your IQ. Thriving in an increasingly globalized business world requires the ability to adapt to and work with different national, organizational, and professional cultures. Show respect to everyone. Be nice to, and considerate of, administrative staff. They can help or hurt you.
 - Identify mentors and make sure that your choices have the right work experience and success. To foster these relationships, consider how you might help your mentors.
 - Have mentors in and outside the firm. Outside mentors can give perspective and confidential independent advice that inside mentors can't. Keep in mind, however, that it is unprofessional to disclose confidential or proprietary information outside the firm.
 - Avoid getting involved with other people's issues. People love to drag in others but it usually means dragging them down. You will have enough of your own battles.
 - Don't complain if things go badly. Your superiors are observing your behavior and will assume that you will behave in a similar fashion around their clients and yours.
 - If you travel with superiors or clients on a business trip, be on time, pack light, and don't order alcohol unless they do it first.
 - Avoid turning discussions into win/lose situations whenever possible. You want the other person open to persuasion or negotiation, not vested in proving you wrong. How you present your arguments can be as important as the content of your argument. Be assertive but not aggressive. Learn to professionally and respectfully disagree.

VI. A LIST OF CAREER-SHORTENING ASSUMES

The following is a sample of "assumes" to avoid. The most important should be: Never assume you can assume.

1. *People don't mind if you look at your Blackberry or take a phone call during a conversation or in a meeting. Everyone does it.*

Many people are offended, especially clients and senior colleagues. Turn it off unless you are truly expecting something urgent. If you are with a client, explain in advance why this call or e-mail is important and then put your device on vibrate. If you find yourself reluctant to explain, it is probably not important enough to make the client feel second in line.

2. *You can rely on technology.*

Back things up if you don't want to back up your career. Electronics fail or can be lost or stolen. Remember that your business phone, computer, and e-mail account belong to your employer and can be cut off without notice.

3. *If you put it into your day-timer or Blackberry, the meeting is set.*

Confirm meeting dates and times a day before the meeting. If there has been a miscommunication, it doesn't matter who made the mistake. Apologize for the misunderstanding. Your graciousness will end an uncomfortable situation and be appreciated.

4. *Everyone uses words the same way and knows acronyms.*

Don't assume that clients know the meaning of acronyms and legal terms. People want to do business with people who can communicate.

5. *More is better when it comes to writing.*

Keep things concise. Writing a long memo gives the impression that you didn't take the time to edit it down to a short, precise report.

6. *Small things don't matter.*

A client may not know how smart you are or if you graduated with honors. They will know if you spelled their name wrong.

7. *It's okay to be messy because you are busy.*

Keep your office space or cubicle orderly. We all know brilliant, successful people that have a mound of clutter. But this is not the first assumption people will make when you are

starting out. If something is lost or missed, you are likely to be at the top of the suspect list.

8. *After hours doesn't count.*

People don't stop forming opinions when the business day ends. You are being observed 24/7 on or off the internet.

VII.FINAL THOUGHTS

While this article may be a long list of suggestions to remember, the list could, if necessary, be summed up to say: be conscientious, respectful, and diligent. No list can cover all necessary soft skills, and as we have observed in recent years, technological changes have necessitated developing new ones. Our final suggestion is to observe successful professionals throughout your career and incorporate their better traits.