5 Steps to Proactively Seek Feedback and Receive It Well

By Natalie Runyon & Ann Jenrette-Thomas

WHITE PAPER

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The lack of the substantive feedback that lawyers of color receive is not a new phenomenon. A lack of candid and constructive feedback was cited as a top barrier to advancement for women lawyers of color in this 2009 report from Catalyst.

At the same time, "Many lawyers of color do not receive the same level of substantive feedback because their feedback-givers are afraid to be viewed as biased," stated Ann Jenrette-Thomas, Chief Diversity & Inclusion Officer at Stinson, in a recent case study. This can be particularly harmful to the development of lawyers of color during times of crisis, such as the current pandemic or a recession.

Legal employers are investing in training their managers and supervisors on how to give feedback; yet these trainings often do not take into consideration the power dynamics, nuances, and challenges that are involved when the recipient of the feedback is a lawyer of color and the provider of the feedback is white. [For more on some of these nuances, see our recent white paper on how to give feedback across differences.]

In this white paper, we examine the best ways for lawyers of color to request and gain feedback so that they can empower themselves and propel their career success. Indeed, learning how to receive feedback effectively is a skill that can be learned. Many lawyers do poorly when providing feedback, and moreover, prefer to avoid having to give giving critical feedback altogether. This is especially true when the feedback dynamic involves someone of a different racial, gender, or other demographic.

In light of this, we wanted to empower lawyers of color by providing them with some tools on how to get the most out of any feedback interaction they have. We describe our Five Steps to Proactively Seek Feedback below as part of this empowerment because we understand that a skillful receiver of feedback can draw value from any feedback, regardless of who delivered the message or even how poorly it was delivered. We encourage lawyers of color to increase their efforts to obtain feedback and increase visibility, especially in light of the additional hurdles created by COVID-19.

Lawyers of color should not wait on those assigning work to voluntarily provide feedback. Taking ownership of your own career development and proactively seeking feedback are critical. Sebastian Sanchez, a capital markets associate at Skadden, Arps, Slate, Meagher & Flom and advisory board member of Thomson Reuters *Next Gen Leadership: Advancing Lawyers of Color* initiative agreed that taking charge of your own career and soliciting feedback of all sorts is crucially important. "I made mistakes along the way, but I used them as opportunities for learning by showing that I valued the feedback I received and the chance to improve my work product," Sanchez said, adding that, over time, he gained greater confidence, the trust and respect of his assigning attorneys, and stronger relationships with them. As a result, Sebastian received better assignments, earning more client-facing work and the status as a "go-to" associate within his practice.

Monica Heinze, another advisory board member of *Next Gen Leadership* and an associate in the corporate practice at Wachtell, Lipton, Rosen & Katz, said she uses feedback to develop her confidence and regularly seeks it from senior associates with whom she works. "It is important for me to know what I am doing well and how I can improve in order to avoid my inner critic," Heinze said. This is particularly important given that attorneys of color (and other underrepresented groups within the legal profession) are prone to experiencing *Impostor Syndrome* — the persistent inability to believe that one's success is deserved or has been legitimately achieved as a result of one's own efforts or skills. The insidious nature of the Impostor Syndrome as it pertains to lawyers of color is that it ingrains a feeling of *undeservedness*. And this feeling is too often reinforced by societal messages, such as the assumption that attorneys of color were hired because of their “diversity,” not because of their qualifications.

Moreover, these societal messages could serve as the basis for additional underlying biases, such as confirmation bias, where people unconsciously focus on information that *confirms* their already-held beliefs.

Reflect on What Can Prevent You From Seeking Actionable Feedback

Before recommending specific tactics for seeking feedback, it is important to engage in some self-reflection. If you’re an early career attorney still trying to figure it all out, taking proactive action to seek feedback can feel risky and bring up a lot of fear, from not wanting to make a mistake to stepping too much out of one’s comfort zone.

Indeed, Pamela Meanes, partner at Thompson Coburn discussed this at a panel in 2017 titled ***Don’t Always Take Criticism as Discrimination***. “You have to make sure that you are balanced and realistic in your view,” Meanes explained. “Sometimes, as a person of color, we see everything through our lenses, and it is difficult to say sometimes, ‘It ain’t got nothing to do with your color.’”

Be aware of the lawyer brain

Attorneys are trained in law school to spot problems for clients, and this way of thinking has a troublesome side effect in which lawyers often are “looking for the bad,” according to Dr. Larry Richard, CEO of LawyerBrain. The brains of lawyers “look for operating efficiencies for repetitive thought processes, so our neural pathways build to make ‘looking for the bad’ more efficient,” Dr. Richard explains. The default thought process of “wrong spotting” can color how feedback is given as well as how it is interpreted. This phenomenon is exacerbated when you add conscious or unconscious biases on top of the lawyer brain.

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For more on this, see our interview with Dr. Richard for a three-part series of the phenomenon of the “lawyer brain” and its impact on feedback.

Understand what can derail you

Feedback, especially if it is disliked, can be triggering. When triggered, it is easy to distort the interpretation of the feedback for a variety of reasons — it conflicts with a long-standing truth you have held about yourself, you dismiss the feedback as biased, or you simply don't trust the person providing the feedback or your employer. In their book Thanks for the Feedback, Douglas Stone and Sheila Heen of the Harvard Negotiation Project, identified "relationship" and "identity" triggers as two blockers of feedback that can impede a person from effectively receiving information that could enhance performance.[1]

Don't derail your professional growth by allowing your trigger to prevent you from finding something of value in the feedback.

- **Relationship triggers** — "This type [of trigger] is provoked by the particular person who is giving us the feedback," according to Stone and Heen. How well we receive substantive feedback can be distorted based on the relationship we have with the person who is giving it. If the receiver does not trust the giver, for example, it can be difficult to benefit from the underlying message. Because everyone interprets interactions with others through their own worldview and with their own biases, a feedback situation involving people from different backgrounds can be filled with misinterpretations and distrust. Instead of focusing on the message, the receiver focuses on the messenger. *To avoid a relationship trigger, challenge yourself to understand the message regardless of the messenger*.

- **Identity triggers** — This kind of trigger is sparked by your identity and sense of who you are. When feedback is given that conflicts with your sense of who you are as a person, it is easy to become overwhelmed, threatened, or ashamed, disabling your ability to remain objective during a constructive conversation about strengths and weaknesses. Betsy Miller and Tori Nugent, Practice Leaders in the Public Client practice at Cohen Milstein described how difficult it can be to control your triggers. "Most people in the normal course of difficult conversations get into the blame game or have their 'identity buttons' triggered," they said.

Don't derail your professional growth by allowing your trigger to prevent you from finding something of value in the feedback. To avoid derailment, Miller and Nugent advocate for young lawyers to "stay grounded and realize that *you* have the power to treat feedback — even if it's hard to hear or poorly delivered — as an opportunity for growth. You can digest and make use of the feedback without letting it own your mood. Treat feedback like a forward-looking chance to improve, not like a personal attack."

1 Heen, S. and Stone, D. (2014) *Thanks for the Feedback. New York: Penguin Books; p. 16-17.*

Know about cultural differences in communication

Regardless of whether you work in a law firm, corporate law department, or a government or nonprofit agency, legal institutions in the United States are governed by the cultural norms developed by those who are in the majority. Thus, cultural differences in communication can serve as an impediment to effective feedback. These differences not only occur with respect to racial and ethnic differences, but even with regional differences in communication styles. For example, work cultures in the Midwest typically center on an indirect communication style that prizes efforts to be nice and civil to others, therefore, a lot may be communicated through what is half-said or not said at all.

A lawyer of color (even one raised in the Midwest) who is accustomed to direct communication can often misunderstand and misinterpret the subtleties of what is being communicated if they are unfamiliar with this communication style. They may take the lack of substantive commentary or the muted tone as an indication that their performance is better than what the giver of the feedback intended to communicate.

The key to navigating any cultural nuances is to study and understand the ways in which people communicate within your workplace. Notice the actions and behaviors of both those who are most praised at your workplace and those who are most criticized. Ask people you trust to share their insights. Keep the idiosyncrasies of your workplace, and in particular the individuals you work with, in mind as you engage in a feedback exchange.

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5 Steps to Proactively Seek Feedback

1. Cultivate a growth mindset

In her book *Mindset: A New Psychology of Success*, Carol Dweck coined the term "growth mindset" — the way in which people believe their most basic ability can be developed through dedication and hard work. In this mindset, brains and talent are just the starting point. In the context of receiving feedback, it is even more critical to have an expansive outlook of many possibilities and avoid a fixed, black-and-white frame of mind.

Heen and Stone in their book *Thanks for the Feedback* described this flexibility as "identity nuance".[2] As feedback-receivers, you hold simple truths and labels about yourself, such as "I am a good person." However, these binary labels don't hold up in a complex world where change, learning, and adaptation are constant. Having identity nuance means that you are willing to let go of these simplistic judgements in a binary world and embrace the gray area. Heen and Stone write, "There are things about ourselves that are hard to accept, but when we do, we're more grounded. Tough feedback is less likely to knock us over...".[3]

2. Map out the feedback conversation

When you are taking the initiative to ask for feedback, preparation for the feedback conversation is almost as important as the interaction itself. The first step in making a plan to request feedback is be very clear about the purpose of the conversation — Is the interaction an evaluation or a request for true feedback? It is also wise to decide what kind of feedback would be most useful to you right now from the person you are asking.[4]

Next, plan to take control of the meeting by stating the purpose of the meeting and checking in with the feedback-giver to ensure you both have the same understanding. After you both agree to the main objective of the meeting, then, tell the feedback-giver what feedback would be most useful, for example, by asking, "How did you find my performance on [specific topic]?"

2 Heen & Stone, 2014, p. 187.
3 Heen & Stone, 2014, p. 188.
4 Heen & Stone, 2014, p. 230.

Then, prepare to listen attentively to what the feedback-giver has to say. It is likely that the person may say something that might offend you or elicit a defensive reaction. Devise a plan for how you ideally want to respond. In this instance, focus on understanding their perspective in detail (*see the next section for how best to do this*).

Alternatively, if you find that the giver of feedback is providing vague answers like, "You're doing fine," ask pointed questions that will allow you to better learn and grow. For example, Heen and Stone suggests asking, "What's one thing that you see me doing — or failing to do – that's getting in my way?" or "If I had to do this assignment again, what would you have me do differently?"[5]

3. "Seek first to understand, then to be understood"

This is the fifth habit from Steven Covey's *Seven Habits of Highly Effective People*, a book written more than 30 years ago. However, the principle of understanding another person's perspective *first*, and only then focusing on how to be understood is a principle that was articulated more than 900 years ago when St. Francis of Assisi offered the concept in a prayer.

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At the core of this idea is curiosity. To demonstrate interest in understanding the perspective of the feedback-giver, you can ask specific questions to effectively drill down into any part of the feedback that is not fully understood. Here are the basics of what you need to know:

- **Expectations** — What does the feedback-giver consider to be a successful outcome? Ensure that you have enough specificity to get a clear picture of what the feedback-giver expects from you regarding the work itself, its delivery, timing, and presentation. Be sure to get on the same page about overall communication on the project. Sometimes, your actual legal work product is not the culprit for harsh criticism; it's the failure to meet other expectations.
- **Gaps** — What *specifically* did you do or not do that failed to meet expectations? When it comes to getting the most out of feedback, the devil is in the details.
- **How to gain clarity** — What must you do differently next time to ensure that you completely meet expectations? When you feel triggered by some feedback that you don't like, it's easy for your brain to feel scrambled. In these moments, follow these action steps to gain better clarity about your performance:

A. Get additional information. Asking "Tell me more," is a powerful reply question because it elicits more information from the feedback-giver and gives you a moment to regain your composure so you can remain objective and fend off the tendency to become defensive. More specifically, it will allow you to remain calm and ready for the next steps.

B. Listen attentively. Approach the feedback with a mindset of learning. Try to understand the challenges from the feedback-giver's perspective.

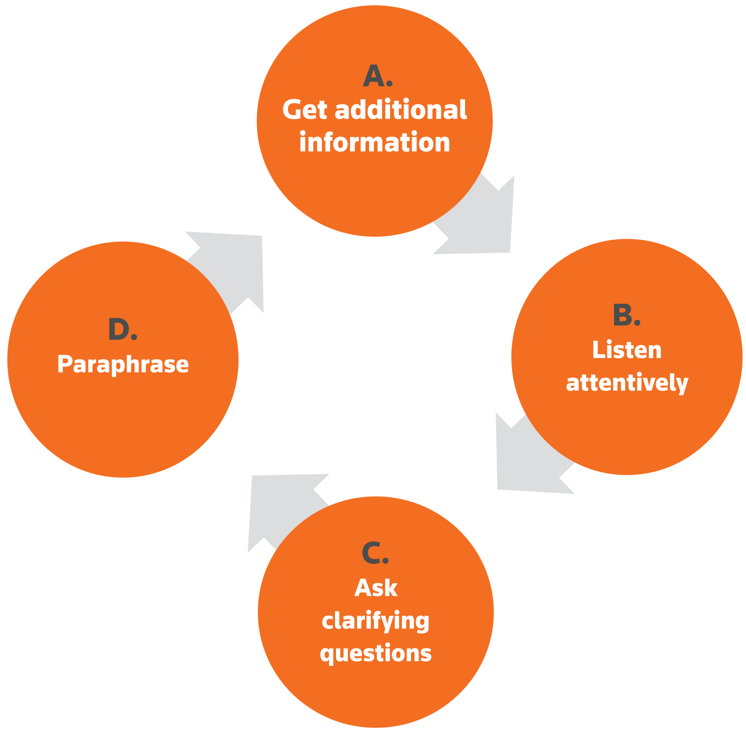
C. Ask clarifying questions.

- "Thank you for sharing that. I have a question about this part of what you said ..."
- "What else did you observe about me or my work? What can you see that I can't?"
- "Can you give me an example of what a good [memo, argument, presentation, etc.] looks like?"
- "What is your advice moving forward?"
- "What could I say or do to demonstrate competence in the future?"

D. Paraphrase. Repeat back what you heard and ask for the feedback-giver to elaborate if you remain unclear: "I heard you say X ... Does that accurately reflect your thoughts?"

5 Heen & Stone, 2014, p. 239, 258.

Keep going with this process until you understand or if you find yourself getting frustrated, turn the conversation toward a more positive direction.



4. Ponder the feedback that bothers you the most

Sometimes when feedback is given, it is not interpreted as "constructive" but rather "blame," which can be perceived as unfair and evoke immediate defensiveness. It can take you a while to master the art of reducing defensive reactions. At the same time, feedback that you don't like can be valuable once you have the opportunity to ascertain its value.

When you're really struggling with feedback that seems fundamentally "off," divide a sheet of paper into two columns. On the left, list all the things that are wrong with the feedback (including content, delivery, suspected biases, etc.). On the right side of the paper, make a list of things that might be right about the feedback.

The key is to not dismiss what is useful about the feedback because of the things that are wrong with it. *See template below*:

What is wrong with the feedback	What could be right about the feedback
• Analyze the content of the feedback and what is upsetting about it. • Think about the delivery and what you don't understand or like about how the feedback was delivered. • List the biases that may be coming up during the feedback process.	List everything that is accurate about the content of the feedback in terms of: • Specifics • Meeting or not meeting expectations • Timing

After you do this exercise, let 24 hours pass, and then return to review it by taking a few steps back to analyze what can you learn and how you contributed to the situation.

- **Ask yourself**, "What is the learning opportunity?" Sometimes, after you hear some unexpected in-the-moment constructive feedback, you may not be able to consistently create space for yourself before a defensive internal response occurs. One way to help to create a "pause" and remove yourself from the situation is to say, "Thank you. Could we discuss this later after I have had an opportunity to think about what you have said?" Then, to help you separate yourself from the actual feedback, you can ponder questions such as, "What is the universe trying to teach me?" or "How can I leverage this feedback to help advance in my career?"
- **Deliberate on**, "What am I doing (or failing to do) that is contributing to this difficult dynamic?" Each person has a role to play in a challenging interaction, and asking yourself this question allows for reflection.
- **Mull over**, "What can I do differently in the future to perform better?" This allows you to collect some additional details and be provided with some specifics on how to improve and meet expectations.

5. Close out the conversation

To wrap up the feedback chat, particularly if you need some distance from the feedback you have just received, you can say, "I want to be mindful of your time, and I would like to turn our conversation to what actions I can take to address the feedback."

At this point, you have two options — ask one more question or summarize action steps. Sometimes, if there has been a lot of back and forth, you can ask for *one* concrete take-away. Questions, such as the following, are effective:

- "What is one thing that I could change that would make a difference to you?"
- "What are one or two things I could work on?"
- "Based on your feedback, I will work on [insert action items]. Do you think that would help meet your expectations? Would you recommend I do anything else?"

Then, summarize what you think the key take-aways are from the feedback conversation; then, ask the feedback-giver if they agree. Next, set up expectations for follow up. Tell the feedback-giver what you will do to keep them apprised of the outcomes from the recommended action(s).

Most importantly, thank them for their time and send the person a summary of the meeting via email with the action step(s) and the agreed upon expectations, promising future updates.

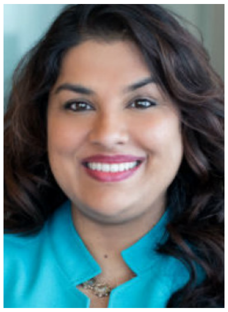
The Way Toward More Effective Feedback

Utilizing these 5 steps will make it easier and more effective for you to receive feedback. Getting better in this area means overcoming your tendency to quickly dismiss feedback, staying open and curious, and truly focusing on what the giver expects and thinks you should do differently.

Ultimately, it's your decision as to accepting the feedback in its entirety, partially, or not at all. If after following the strategies outlined above you decide not to take the feedback because it's unfair, not who you are, or simply not what you need right now, that is okay. However, we encourage you to delve deeper into what's useful about the feedback so that you can propel your career forward.

Lawyers of color who take initiative and understand what specific actions they need to follow in order to improve and excel in their careers will spur a multiplier effect of empowerment and engagement at legal employers and within the profession as a whole.

Biographies



Ann Jenrette-Thomas

Chief Diversity & Inclusion Officer, Stinson

Ann Jenrette-Thomas oversees the implementation of Stinson's Diversity and Inclusion Action Plan, taking an innovative approach when it comes to addressing challenges within the firm and the profession relating to diversity and inclusion. Her two-pronged approach centers on individual responsibility — equipping people with the knowledge, skills, and tools they need to create an inclusive environment — and eradicating the effects of bias through systems and process. She addresses structural bias by continuously evaluating the firm's policies, practices, and norms and identifying unique methods to achieve desired outcomes.

When she noticed that diverse attorneys and law students were often foreclosing opportunities simply because they did not know the "unwritten rules" for success in the profession, Ann created Big Law Success: The Inside Scoop for Law Students and New Lawyers, a five-part podcast that demystifies how to thrive in big law. Ann also led a multi-stop roadshow to law schools in order to educate diverse law students on the importance of a strong personal brand, and has worked with several organizations on diversifying the law school pipeline.

Prior to joining Stinson, Ann was a diversity and inclusion consultant, an attorney at an Am Law 100 firm, a judicial clerk for the U.S. Court of Appeals for the Second Circuit, and a legislative attorney for the New York City Council. She was also president and CEO of a nonprofit organization.

She earned her B.A. in Political Science from University of Albany at SUNY and her J.D. from Western New England School of Law. At Georgetown University Law Center, she specialized in courses concerning tax-exempt entities and estate planning. In addition, she is a member of the Hennepin County Bar Association Diversity & Inclusion Committee and a Mentor for TeenSHARP, a youth leadership program that helps low-income, black, and Latino students prepare for higher education and leadership opportunities.

Natalie Runyon

Director of Enterprise Content, Thomson Reuters

Natalie Runyon has more than 20 years of experience working and volunteering for multinational corporations, nonprofits, and the US Government — Thomson Reuters, Goldman Sachs, and the Central Intelligence Agency.

Currently, she is the director of enterprise content for talent, inclusion, and culture within the brand marketing function of Thomson Reuters. Before her current role, she ran the strategy and operations team supporting key account programs within the Legal business, and before that, she ran global security in the Americas for three years. As a volunteer leader, she has led strategic leadership and change initiatives on the global and local levels for business resource groups at Thomson Reuters.

Natalie is a conference speaker and an author of articles for the Legal Executive Institute, The Glass Hammer, Security magazine, and CSO Online. Natalie was named one of the Top 20 under 40 in Security Director News in 2013. She also serves on the board of She Should Run, a non-partisan nonprofit focused on building the pipeline of women to run for elected public office in the US; and the board of Middle Church, a faith institution in the East Village dedicated to nurturing souls, advocating for social justice, and standing up for those within marginalized communities.

She earned her M.B.A from The George Washington University and her B.S. in International Trade and Finance from Louisiana State University. She completed an Organization Development & Leadership certificate from NYU in April 2016 and is a Certified Leadership Coach and Certified Protection Professional.

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