



Designing a  
**Flourishing**  
Law Firm



## A law firm that is flourishing matters now more than ever.

By Mary Vandenack

**I**n positive psychology, “flourishing” is a multidimensional term that is used both with respect to an organization as well as individuals. Flourishing refers to living within an optimal range of human functioning that involves experiencing a consistent level of positive emotional and social functioning. In an era where law firms continue to face changes in consumer behavior, technology and ethical rules; the Great Resignation; and very different views of the profession within different generations of lawyers, law firms may benefit from incorporating the principles of positive psychology in many aspects of firm functioning to create a firm that will flourish in general and within certain areas that will support overall flourishing.

A flourishing law firm will have a positive internal culture, will be well-respected by clients and the community, will be known for being on the cutting edge of the legal industry and will be recognized for its relationships internally, with clients and in the community.

## **ORGANIZATIONAL POSITIVITY**

Dr. Martin Seligman, one of the founders of positive psychology, developed a model referred to as PERMA. The model identifies five components that contribute to well-being: Positive emotion, Engagement, Relationships, Meaning and Accomplishment.

## **CREATE A FLOURISHING LAW FIRM CULTURE**

In the legal field, there is significant pressure on performance, production and perfection. Many areas of legal practice require long hours and superhuman efforts. A law firm culture consists of the attitudes and behaviors within a law firm that impact the way a firm's partners, associates, paralegals and administrative staff interact. These interactions impact how the law firm serves clients and is perceived in the community.

Consider a culture that focuses on supporting lawyers and employees in having a sense of well-being. Imagine the impact of a culture of well-being on client service. In a culture embracing positive psychology,

those within the organization feel valued both for what they contribute and who they are. Employees who feel valued in such a manner are more likely to actively participate in the law firm's efforts to provide quality work and great client service.

## **CONSCIOUSLY DEVELOP POSITIVITY**

Adopt strategies to develop positivity. Try the "What went well today and why?" method. A guide to this exercise can be found at [authentichappiness.sas.upenn.edu](http://authentichappiness.sas.upenn.edu). Generally, the approach is to ask each person at the firm to identify something that went well that day and to explain why. It can be very simple. Perhaps a partner noticed that a staff member seemed out of sorts and took a minute to talk to the staff member. In taking that moment, the partner was able to help that staff member solve a perplexing issue because the partner noticed and took the time to stop and offer support.

At our law firm, we ask what went well in terms of client service on a given day. It has become typical that everyone shares thank-you notes from clients and any story

behind them. Doing this seems to multiply our value for clients and great service.

## **CREATE A CULTURE OF MEANING**

Law firms exist because they have clients. If clients are happy with services, they tend to stay with the law firm. As lawyers, we sometimes forget that for clients, going to a law firm may be about as much fun as going to an endodontist for a root canal. We simply must be aware of that factor and engage them in a way that makes them feel supported.

At our practice group huddles, we discuss how we can help clients. We draw information from data, most particularly our clients. When we are clear about what is helpful and valuable to our clients (which varies a lot by practice area and type), we can focus on delivering exactly that to our clients. We find meaning by doing so.

We want everyone at our law firm to have a sense of meaning with respect to what they do. That might mean realizing that a particular associate hates her practice area. If we want that associate to flourish, we reevaluate the practice area in which that



associate works. Perhaps we have a people person stuck in billing. We need to move that person to a different role.

## RETHINK YOUR PRACTICE AREAS

A law firm engaged in practice areas that the lawyers love is more likely to be a flourishing law firm. My law firm has always been a boutique. We have sometimes ventured into areas that are outside our core business. We have found, however, that when we stay in our core areas, our partners are happier, more profitable and find more meaning in what they do. As a managing partner, there is nothing more frustrating and draining than dealing with the work of a departing lawyer who doesn't fit our core business.

We reevaluate our practice areas and services at least annually. We ask questions, including:

- What do our clients want, and how do they want to be served?
- Does the work we are doing give us a sense of meaning? Do we love what we do? Do we feel like we are making a difference?

- Is there something else we should be doing that would create a greater sense of meaning for us and value for clients?
- Are there areas we are trying to serve that are not really our highest and best use?

## RELATED SERVICE MAY ADD MEANING AND VALUE

My law firm has a boutique trusts and estates practice. Several years ago, we started seeking data on family pain points related to estate planning. We learned that clients felt a disconnect between the planning process and the implementation of the plan. Estate planning lawyers provide incapacity planning, but the client may be left to his or her own devices when an incapacity occurs. We also learned that even when a client has family members willing to help, sometimes the family members are inundated with their own life issues or simply don't know how to navigate the system.

We started to brainstorm about whether and how we could provide related services to fill gaps for clients between the developing

of legal documents and using them. We concluded that there were a variety of ways within our core services and values that we could help connect the dots between our legal work and the application of the legal efforts.

In the estate planning area, we added concierge services by implementing various digital solutions. We added care coordination and care management services. In our business practice, we developed a model that serves entrepreneurs that encompasses some of the nonlegal

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aspects of starting a business. In some cases, we are simply providing information and creating connections. In other areas, where there are gaps in the service between forming a business and successfully operating, we have added additional services.

The fundamental shift we have made in evaluating services is to start with the question “What will help people?” We have found that two things happen when we ask that question: We can identify a service model that is client-centered. We are also able to engage lawyers and employees differently because instead of drafting documents, they are helping people.

## ENGAGEMENT

Engagement is one of those terms that is often used but rarely really implemented. Positive engagement will have members of the law firm functioning at their best. A law firm functioning at its best will have satisfied clients.

Engagement can be developed in a variety of ways. One method is to have and model core values. Our firm’s core values are included on our website and business cards. We thought our members were modeling our core values but when we did a consulting survey, we found there was a huge disconnect between what we thought we modeled and how our actions were being perceived.

We want to attract and retain both clients and employees who align with our core values. After getting the results from the consulting survey, we decided to do two things. We asked our employees to provide honest input on what they thought of our core values, how they could be improved and whether we were living up to them. We asked clients to give us feedback on whether we were delivering our services in line with our core values.

Based on the feedback we received, we then made changes. One change was as simple as to personally acknowledge each person in the office each day (not by email). Other changes were more difficult

and are still works in progress. To track our progress, we do more regular feedback sessions with employees and follow up more consistently with clients.

In a business that measures our value in 0.1 increments of time, taking the time to focus on engagement doesn’t come naturally. But there is a huge payoff to taking time to focus on it.

## CREATE A FOCUS ON PHYSICAL AND MENTAL HEALTH

I don’t think there is any better way to show that you care for clients and employees other than creating a culture that focuses on physical and mental health. Such a culture results in less stress and clearer focus. Those with clearer focus are more productive and more able to be positive.

Our firm has long offered support for gym memberships, weight loss programs, counseling and other types of assistance. Over the past few years, we have added firm level activities related to wellness. We help employees attend wellness conferences. We sponsor 5Ks and other activities. We make coaching available to those who need it and connect employees who need counseling to professional help. We connect with organizations dedicated to well-being.

## DEVELOP A CULTURE OF VALUE THAT IS UNRELATED TO DOCUMENT DRAFTING

I continue to hear lawyers identify themselves as “document drafters.” Even lawyers who spend substantial amounts of time drafting documents are not document drafters; they are professionals who use their experience in a legal area to assist a client in achieving the client’s objectives. An estate planning attorney is not a “trust drafter” (although the document is an important part of the role), but someone who uses his or her experience in dealing with the issues of family, death, money and taxes to design a plan for a client that will effectuate the client’s testamentary intent.

Discussions about what the documents should be and what provisions should be included in them are more important than the documents themselves.

I recently found LinkedIn profiles such as: “Liz Jones, Lawyer at Doe Law Firm,” “Matt Ford, Lawyer at Smokey Stanley LLC” or “John Ellison, Corporate Lawyer.” These headings do not distinguish the lawyer or reflect the value that the lawyer can deliver. By contrast, I love the profile of one of my good friends in my practice area. His profile reads: “Trusted Estate Planner, Fiduciary Consultant and Protector Against Elder Financial Abuse.” This lawyer has thought about how he adds value to clients and has reflected that value in his messaging. Lawyers who think about themselves differently are more likely to be engaged, positive lawyers who connect with clients with a sense of value as to the services they provide.

## WHY A FLOURISHING LAW FIRM MATTERS NOW MORE THAN EVER

The ABA has encouraged states to innovate in their ethical rules. Arizona authorized nonlawyer ownership of law firms in 2021; other states are considering various innovations. Some believe that nonlawyers will target commodity services first. I think it is more likely that nonlawyers will go after the high-end services.

A flourishing law firm consists of satisfied clients, employees with a sense of well-being and lawyers who value what they do. A law firm that is flourishing will be ready to observe and respond to legal trends. **LP**



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