



Gartner for Legal & Compliance

5 Things the Best General Counsel Do Differently

Introduction

The general counsel (GC) is more important than ever. From playing a central role in coordinating COVID-19 response to providing input on strategic plans, a GC who can set priorities, clarify actions and balance competing interests is vital for a company to execute effectively in today's uncertain environment.

Unfortunately, most GC don't have the impact or influence they should — or desire. Less than half believe they play a significant role in identifying and managing emerging issues, providing CEO support or executing corporate initiatives. And while the majority of GC want to serve as corporate executives, only a fraction actually do so. As a result, most GC fail to have a noticeable impact on business objectives.

So what makes a GC personally effective? Gartner surveyed 97 global GC from large and midsize enterprises to understand the behaviors that drive achievement of personal objectives, executive influence and corporate goals. We found that personally effective GC don't perform a radically different job; they just approach their role differently and make small but critical tweaks to their management behaviors.

Making changes to five key behaviors — related to role, risk governance, client needs, time management and investment — can take a GC from good to great. This report looks at the management behaviors and decisions that make for an effective GC.



Abbott Martin
Vice President
Legal and Compliance Practice
Gartner

What Is Personal Effectiveness?



Personal effectiveness = Performance, influence and impact

A good working definition of personal effectiveness includes the achievement of personal objectives, influence with CxOs and a significant contribution to firm outcomes. Success on these measures at least means you've done your job, can sway decisions when and as necessary, and help the company prosper. Providing high-quality legal service is a basic expectation and does not differentiate GC performance.



Five Behaviors to Cultivate Today

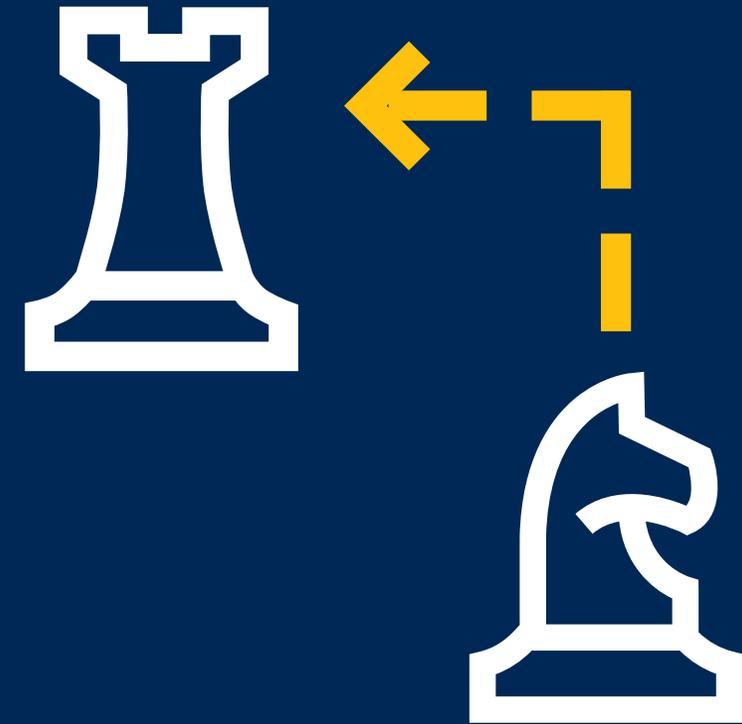
Function	Current Behavior	Effective Behavior	Impact
1. Role	Default to being the lead attorney	Define your executive role: Train executive team and board on your highest-value role	Effective GC spend 48% more time on strategy and 43% more time offering business guidance
2. Risk management	Manage legal risks	Champion enterprise risk governance: Reach consensus on risk appetite and clarify owners of emerging risks	Effective GC are 51% better at executing corporate initiatives and 50% better at identifying emerging risks
3. Client service	Focus on client satisfaction	Set boundaries on client service: Fill strategic needs rather than just please clients	Understanding business partner challenges improves GC performance by 39%
4. Time management	Respond to every priority	Own your “priority-time” cycle: Take control of your time and prioritize high-value activities	Effective GC waste 27 fewer days per year and are interrupted on 38% fewer projects
5. Resource allocation	Stretch available resources	Invest for legal scale: Clarify where the company is headed and secure investment for future work at low cost	78% of personally effective GC make proactive legal investments, compared to 35% of all GC

1. Role

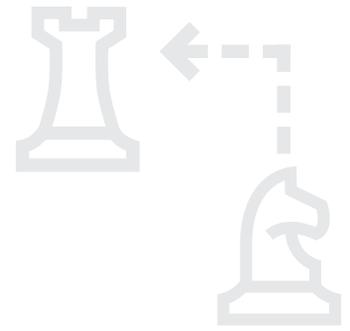
Define yourself as a corporate executive

“Leadership is a series of behaviors rather
than a role for heroes.”

Meg Wheatley
Author, Educator and Management Consultant



Define yourself as a corporate executive



What's happening

For most GC, there is a gap between aspiration and reality. They want to operate as corporate executives, but the majority of GC act as lead attorneys, providing tactical and legal guidance. Only a fraction behave as corporate executives.

What you can do

It is easy to default to legal work when that is what others expect. Take stock of your role and have intentional conversations with the CEO and board about where and how your role can provide the highest value.

Why it works



GC often get bogged down in day-to-day legal opinions and tactical work. And most CEOs, executive teams and boards will consider and use their GC as a supplier of legal information unless explicitly “trained” to think about them differently.

As a starting point, GC should think about the role they occupy and have a direct conversation with the CEO about long-term corporate needs. By directly clarifying their role, GC will be able to elevate their contribution.

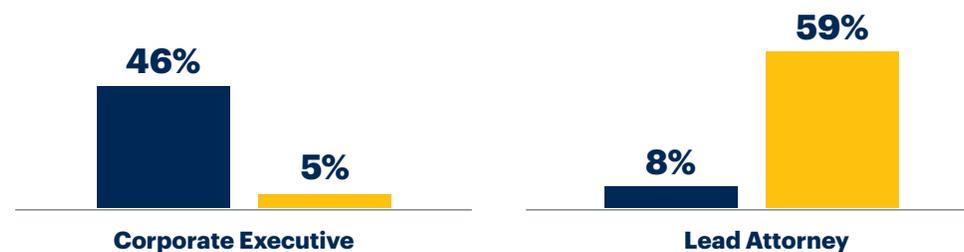
Improve board performance and inform corporate strategy

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Actual vs. ideal role

% of GC performing each role

■ Ideal ■ Actual



n = 97

Source: Gartner General Counsel Personal Effectiveness Diagnostic

2. Risk management

Champion enterprise risk governance

“Effective risk management is about shared visibility and clear accountability. Without an acknowledged owner, you can’t confidently manage a risk.”

Matt Shinkman
Vice President
Audit and Risk Practice
Gartner



Champion enterprise risk governance



What's happening

Today's GC face more complex corporate risks — with less clarity about what risks to take, who owns a particular risk and if the company should tackle it at the enterprise level or at the regional or jurisdiction level.

What you can do

As GC, you are often the best positioned to ensure that new risks have governance frameworks with clear owners and accountability. This doesn't imply owning a particular risk, but it does suggest spearheading and ensuring efficient governance of emerging issues.

Why it works



Gartner research shows that project execution and risk management improve when (1) there is consensus on appropriate risk-taking and (2) clear accountability for risks. The GC therefore has a role to play in proactively ensuring governance of the company's risk exposures — whether legal or not.

Attributes of corporate risk today

- New risks arrive faster than ever
- Risks have become more cross-functional and interdependent
- New technologies and digitization increase risks across all products and processes
- New technologies and operating models upend existing controls and governance



Improve third-party risk outcomes across the C-suite

[Download e-book](#)

3. Client service

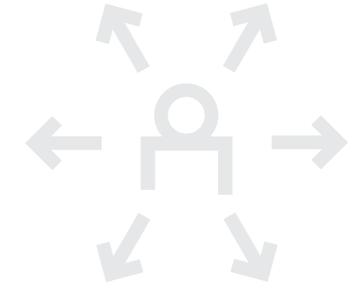
Set boundaries on client service

“Delighting customers may create ‘feel good’ moments, but doing so has low impact on loyalty or repeat business.”

Nick Toman
Distinguished VP, Research
Sales and Customer Service Practice
Gartner



Set boundaries on client service



What's happening

Most GC believe success requires pleasing business clients. But pleasing clients comes at the expense of personal effectiveness and may even undermine relationships.

What you can do

Focus on understanding and addressing clients' most significant needs and challenges instead of trying to "please" in every interaction.

Why it works

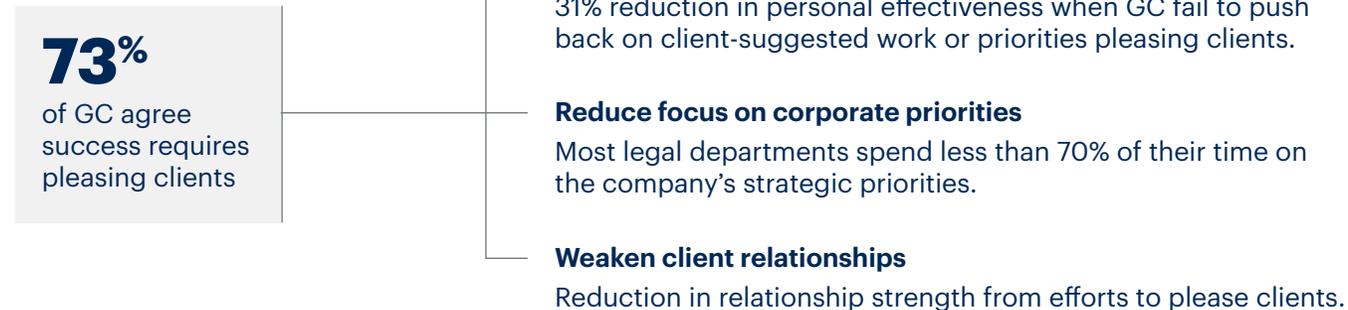


Gartner research shows that the ROI of meeting customer expectations and making their interactions effortless is much higher than "delighting" customers. And this makes sense. Business partners don't want pleasant support so much as they seek partners who deliver business outcomes. For GC, this means making it easy to achieve agreed-upon client priorities instead of adopting a resource-intensive strategy to meet all client requests.

Transform your service, delivery and sourcing models to build enterprise capacity

[Watch webinar](#)

A focus on pleasing clients can ...



n = 97 general counsel
Source: 2019 General Counsel Personal Effectiveness Diagnostic

4. Time management

Own your priority-time cycle

“Time is a scarce resource. How effectively executives use time goes a long way toward dictating their professional impact.”

Brian Kropp
Distinguished VP, Research
HR Practice
Gartner



Own your priority-time cycle



What's happening

GC spend up to a third of the year on work that they should not own or do. The majority of GC have their planned work interrupted more than half the time.

What you can do

Simple behaviors can make a dramatic difference in time management. For example, simply stating your priorities reduces interruptions and empowers staff. Telling staff when they don't need your approval reinforces your priorities and enables development.

Why it works



It is easy to lose control of your calendar. Personally effective GC use behavioral nudges — announcing their personal priorities, zero-basing their schedules, building in flexibility and auditing their time — to ensure they rapidly rebalance time toward strategic priorities. Collectively, these actions can save almost a month of working time per year.

GC time is hijacked and misallocated

54% → **70%**

Over half of GC report their planned work gets interrupted at least 70% of the time by an urgent issue.

19% + **25%**

Of GC time, 19% is wasted on work where they weren't needed and 25% on work they should have delegated.

Source: Gartner General Counsel Personal Effectiveness Diagnostic

Teach smart risk taking to help in-house counsel be strategic business enablers

[Download guide](#)

5. Resource allocation

Invest for legal scale

“The best companies and the best leaders make investments in long-term corporate capabilities. This is particularly hard, but particularly important, in periods of heightened uncertainty.”

Tim Raiswell
VP Analyst
Finance Practice
Gartner



Invest for legal scale



What's happening

Underinvesting in legal department capacity results in increased long-term cost as a percentage of revenue. The majority of GC say legal costs have stayed the same or increased over a two-year period even as legal speed has stagnated or declined.

What you can do

Ask for what you need, whether it is more resources to meet future legal department needs or investments to minimize the company's total legal costs.

Why it works



Legal expenses tend to increase in times of uncertainty and emergency. Investing in legal capacity — based on corporate need — allows departments to handle inevitable contingencies without undue reliance on outside counsel.

Legal department performance efficiency has stagnated

Legal cost over past two years

Change in cost as a percentage of revenue



Legal speed over past two years

Change in speed



n = 97
Source: Gartner

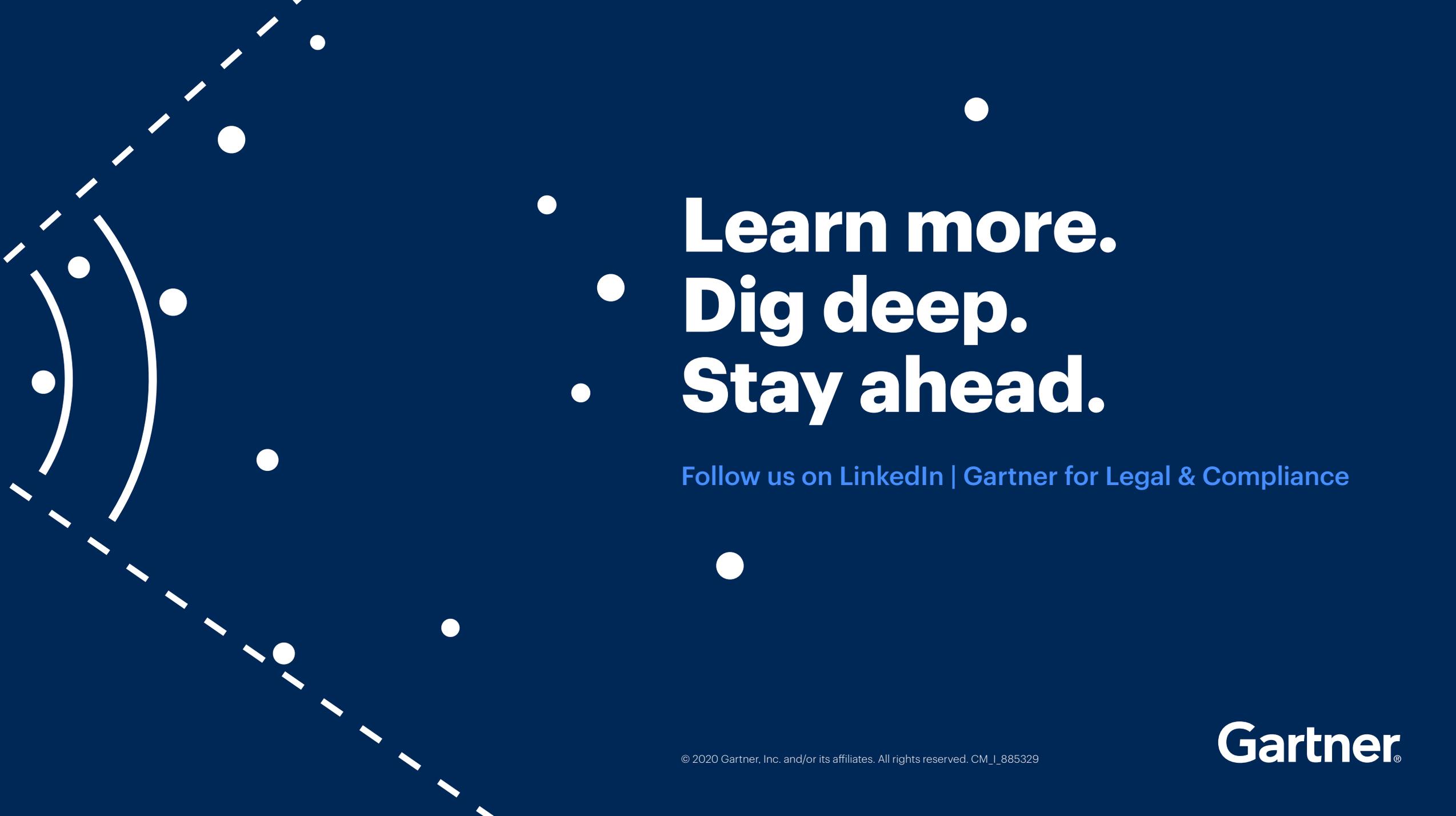
Boost productivity through legal technology investments

[Download process map](#)

The GC Today and Tomorrow

Gartner research shows that in periods of heightened uncertainty, the most successful organizations gain long-term competitive advantage by taking risks and speeding change where others are stuck on decision making. In these times, the GC has a special role to play clarifying uncertainty and reducing organizational complexity. Personally effective GC maintain focus on corporate priorities through five key behaviors. Adopting these behaviors not only increases GC impact on firm performance, but can more permanently elevate their stature within the organization.

Current Behavior	Effective Behavior
Default to being the lead attorney	Define your executive role
Manage legal risks	Champion enterprise risk governance
Focus on client satisfaction	Set boundaries on client service
Respond to every priority	Own your priority-time cycle
Stretch available resources	Invest for legal scale



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