

# LAW SOCIETY JOURNAL

PUBLISHED BY THE LAW SOCIETY OF NEW SOUTH WALES  
VOL 37 NO. 7 AUGUST 1999 RRP \$10 ACN 000 000 699

- Keeping judges independent
- Motor Accidents Compensation Act 1999
- Lawyering amid tensions in paradise
- Equity and the defaulting mortgagor
- The open and shut 'bat case'



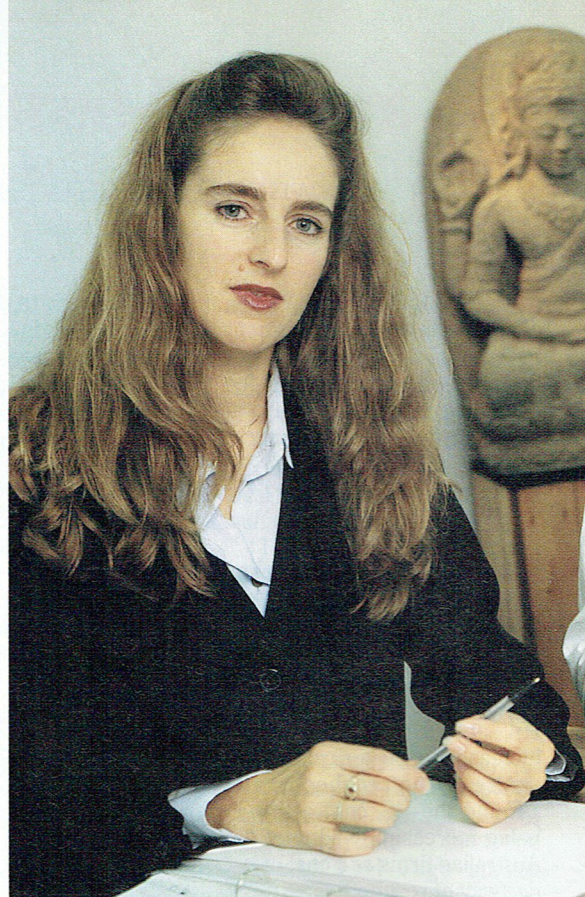
## Best Practice

FIRST TEN FIRMS  
MAKE THE STANDARD



# Finding the power in passion

Peter James is a sole practitioner and principal of James Solicitors. He has a staff of seven and practises mainly in commercial litigation. He is a member of Best Practice Lawyers; Quality in Law and an international associate member of the American Bar Association. He delivers legal education lectures and his firm has succeeded in being certified as a Quality endorsed business. While reading American Bar Association journals he realised that the inevitable next step in developing his practice would be to market the firm through a series of public speaking engagements. To be more effective at that he felt he needed a performance coach.



**M**ELISSA BRUCE established her performance consultancy in 1997 after working for 10 years in mainstream theatre. As a director, she helped actors search within themselves to play someone else. Now she specialises in helping clients to present the best of who they actually are.

## Peter

"Melissa helps me to focus on the here and now. She enables me to locate my inner motivations and emotions that essentially drive me to do what I do. I am getting back in touch with what motivated me to study law in the first place.

Originally I wanted to understand how the legal and social system worked in order to help people. But you lose sight of that after several years of practising law. Your idealism gets overgrown by the constant pressures of updating your practice; getting new clients; meeting the requirements of the QIL assessment.

There is a level of exhaustion from all that. And as you develop your skills your awareness of the accompanying risks becomes more acute. You become aware of the dangers –

professional negligence claims; complaints to Professional Standards and so on. The more knowledge you have the more fearful you become. And this is very counterproductive.

I needed to regain my sense of who I am and what I care about. I care about people. I don't care about money but I care about success. There is no satisfaction in losing. If you care about your clients you have to win. It's true that winners are grinners. If anyone loses a case they will under-

**"It's putting yourself out on a limb in a passionate, powerful and focused way. I could feel the energy building up as I went through the presentation."**

stand that expression. To see a client walk away disillusioned with the whole process is not a good feeling. Ultimately, you get the blame even if it's undeserved.

My sessions with Melissa give me time to focus. I bounce ideas off her and we develop my ideas about goals and objectives. We have been through

role playing where I get to express four different aspects of my personality – the exuberant child, the negative side, the carer and the adult. The news-reader sequence, for example, was the expression of the carer personality.

It's confronting because we are dealing with something which comes from within. It's an inward process, not something imposed from outside. Men in particular find it hard to do that. They rarely bare their souls even to their best friends.

Melissa doesn't push me. She helps to dissipate my fears while challenging me to look inwards more. I was looking at my life in terms of duty. I was acting more out of that sense of duty rather than on caring. It was a difficult thing to admit.

My focus now is on doing what I love. I take the energy from that and channel it into

what I do. That's the difference.

I gave presentations to three potential clients last week. It's the same thrill as winning. It's putting yourself out on a limb in a passionate, powerful and focused way. I could feel the energy building up as I went through the presentation. They were probably not picking up on what I was saying. They were picking up on my energy. When you connect your passion to your personal vision you connect with others.

But if what you do loses its meaning, that connection is not happening.

Lawyers work too hard. That's unhealthy, not only physically but psychologically. If you stay in general practice there are real risks you'll work yourself into the ground. There is a polarisation happening within the profession. Smaller firms are being consumed by larger firms or otherwise splintering into sole practices. But there are lots of opportunities for two-partner firms who specialise in a particular area.

For me it's been liberating to get outside the paradigm. I don't intend to be a lawyer forever. It has a use-by date. There are other things in life such as environmentalism and philosophy. I believe in reinventing





**With the help of performance coach Melissa Bruce, Peter James steps outside his normal role of sole practitioner and tries on the persona of news reader.** PHOTO: PATRICK BYRNE

connecting with that inner motivation, he has been able to make certain changes.

I use a variety of methods. It depends on the individual and what they want or need. The work can include technical information, discussion, role play, rehearsal, physical and vocal exercises, speech-writing, techniques to deal with nerves. The key is authenticity. The performance is best when the client is not hiding behind someone else's speech or manner of delivery, but confident in their own.

The role play was useful for Peter because it enabled him to recognise that he was giving himself conflicting messages. That conflict was blocking him from moving forward. The role play helped him to see where the conflict was. We chose various aspects of his persona to do that and found a conflict between rebellion and a sense of duty. There is a delicate balance between what he has to do and what he wants to do.

For Peter, the breakthrough came with the discovery that he can be passionate about things and that it's safe to express that passion in a calm but powerful way.

Australians have traditionally been self-deprecating, tall-poppy choppers. It's time we took pride in our own achievements and the achievements of others. Self-confidence is a most precious possession. Everyone needs it to accomplish what they want to do.

Our society imposes rigid conformities on people. If someone does not stay in a particular field for ever they are sometimes regarded as a failure. Whereas I think people should reassess their goals every so often in order to maintain their aliveness and check that the service they are providing is still relevant to who they have become.

I work with a lot of successful, middle-aged professionals who are fed up with their current position and are seeking support to reinvent themselves. □

myself every 10 or 15 years.

#### **Melissa**

"My work is about helping people to fulfill their inner objectives. With Peter, it is about helping him to express and reassess why he is doing what he is doing.

He wants to become a more confident public speaker. So I spent the first session mainly listening for any obstacles which might be in the way of his objective.

Peter is already confident. At first I thought, why would he need performance coaching? But as our work continued I realised that where Peter cares the most he is most afraid to express that feeling of caring. So he can have a tendency to sound apathetic. Together we came up with a slogan to address this obstacle. It was "dare to care".

Peter is a very successful litigation lawyer. But he was approaching his work from a sense of duty. As a result he was starting to ask himself, "Why am I here?"

That is a very good question, as it happens because it has enabled him to address why he wanted to do law in the first place. In rediscovering and

**LISTEN WITHOUT PREJUDICE**

**Morgan & Banks**  
**LEGAL RECRUITERS**

**FIRST WE LISTEN,  
THEN WE ADVISE**

Whatever your thoughts on career opportunities, salary expectations or change of focus we are happy to talk to you in confidence.

**Contact our legal team:**  
Christine Britten-Jones LLB,  
Jason Johnson, BEC LLB(Hons) LLM, or  
Gary Mackney BA(Hons) MLPS on  
(02) 9256 0333 or via email to  
[apply@morganbanks.com.au](mailto:apply@morganbanks.com.au).