



Why lawyers make great designers.

No, really.

Design thinking is all about better understanding how to identify and meet your clients' needs. There has been a lot of discussion about the incredible value that design thinking can bring and forward-thinking firms around the world are reaping the benefits of adopting this approach.

In an increasingly competitive market, subject to multiple pressures from evermore demanding clients, advancements in technology, and more businesses offering legal services, law firms have to do something to make them stand out from the crowd. However, while that need has been well-documented, the idea of bringing in new ways of working feels difficult, with many believing that methods like empathic research, lateral thinking and rapid prototyping, are the domain of 'creative' industries - not necessarily the legal sector.

Nevertheless, our experience working with some of the world's leading law firms tells us otherwise - lawyers make fantastic designers. They don't expect to, but they do.

Busting common myths

At Treehouse Innovation, we help law firms use design thinking to transform their cultures and become true learning organisations. What we've seen time and again is that, often

contrary to their own initial scepticism, lawyers make excellent designers. Those doubts exist because of a few common myths about what 'design' is.

For one, people think design is all about aesthetics. However, design isn't always about creating beautiful products or environments. First and foremost, design is about creative problem solving, which lawyers do every day.

Lawyers can also be put off as they assume that they can only excel in areas covered by their legal training. Having been through such rigorous learning and development to get to where they are, it's understandable that lawyers think they'll need to become experts in design thinking before they can apply it. But that's not the case. This is a practice you can and should learn whilst applying it.

When lawyers realise that design thinking comes with a clear, structured framework, it puts them back in their comfort

“It’s increasingly important for lawyers to be familiar with Design Thinking. At a minimum this is so they can speak the same language as their clients, many of whom are using Design Thinking at senior levels, but even more importantly because so many of the elements of Design Thinking are helpful in enhancing client relationships as well as developing innovative solutions to new client challenges” Julia E. Robinson is Senior Manager of Professional Development and Training at Ropes & Gray

zone. Understanding that there are clear steps to follow gives lawyers confidence that they can definitely succeed in this domain.

A lot of people assume that ‘designers’ and lawyers have entirely different identities. This is due to the fact that many people misunderstand what design is, so they often have a misguided view of what a ‘designer’ looks like. They imagine a particular type of work space and personal style, and if it doesn’t match up with theirs, they assume they couldn’t do the same work. But there is no *one* way that a designer looks. The only thing they’re guaranteed to have in common is their endless commitment to only creating products, services or solutions informed by what their customers care about.

And lastly, lawyers assume they won’t be good at design thinking because they don’t think of themselves as “creative”.

Before they understand that design thinking follows a set process, people assume that it’s all about wide open, blue sky creativity. What’s more, because lawyers’ jobs are typically about precision, detail and quick analysis to generate answers and eliminate risk for their clients, many assume they won’t be good at design because they don’t think of themselves as creative.

Lawyers have to work creatively everyday - and quickly - to help clients solve problems. And once they start working within the structure of design thinking, and are shown how to use those skills to generate new ideas, they discover just how much potential they have to succeed with it. They learn to get creative in their thinking, and with who they involve in solving a problem. The value of bringing multidisciplinary, cross functional, practice and sector teams together to find solutions for clients, is immeasurable.

Virtually every group of lawyers we’ve worked with has proven these myths to be just that, and come to understand how well-suited they are to design.

At each stage of the design thinking process, we see lawyers’ inherent skills, abilities and instincts, set them up to become amazing creative problem solvers who can spot real opportunities to deliver what their clients really want - often before they’ve realised it themselves.

Building empathy

Design thinking is human-centred, which means it’s all about developing a deep understanding of your customers, their wants, motivations, feelings, and pain points.

A lot has been written about how empathy is the key to great legal services. It’s something that everybody in every sector needs to get better at - whether you’re a lawyer, product designer, game developer, or wherever your specialism lies. It’s tough for everyone because building true empathy means learning how to see past our own assumptions about what’s important, our personal experiences, and our biases.

The good news for lawyers is that this isn’t news to them. They’ve been told from the word go that having empathy with their clients is essential. The ability to build trust and empathy is the cornerstone of industry gurus like ‘David Maister’ and is at the heart of training programmes - especially as Associates progress towards Partner.

Another thing that puts them a step ahead is that they already have regular contact with their clients and know a huge amount about them. This means they don’t need to create opportunities to speak to the people they serve, but instead to learn how to get more from those interactions.

In many industries, the person designing a service isn’t the one having everyday conversations with the customer, but lawyers do both. As speaking to clients is such a core part of their job, they’re perfectly placed to use what design thinking teaches them about how to ask different questions and truly listen to the answers to spot opportunities to broaden their offer to clients.

Generating new ideas

As mentioned earlier, lawyers often assume they won’t be good at design because they don’t consider themselves to be creative. This means they often come into ideation sessions without much confidence that they will be able to contribute anything of value.

And whilst that isn’t true, these muted expectations of their performance actually act as a major benefit.

We work with a lot of typically ‘creative’ industries - including film, television, gaming and more. People working in those fields often have very high expectations about how good they will be at design thinking, as they assume their creative skills will shine through. But expecting yourself to excel at something can be a barrier to success. It can stop you from relaxing into the process, and make you self-critical and competitive.

When those expectations aren’t there - which they aren’t when we work with lawyers - people are set free to do exactly what design requires you to do, which is to loosen up, have fun, and try new things without fear of failure.

Success doesn’t lie in having some inherent creativity. It lies in our ability to put our fear of judgment aside, step out of our comfort zone, and use what we’ve learnt about our customers to generate something new.



Nobody is expected to come into a brainstorming session and just magically come up with a host of transformational ideas. We use structured tools to help set people free from status quo thinking and use what they know about their clients to get creative. Lawyers are great at finding connections between different pieces of information and drawing conclusions - they do it every day - so this environment really plays to their strengths.

Testing new solutions

Building rough and ready prototypes of your ideas is a critical part of design thinking, and another area around which there’s a fair level of misunderstanding.

We’re not talking about building a model of a car or a house - prototyping is about creating a simple visualisation

of your idea, so that your clients can quickly understand what it is, and give feedback on it.

Within legal services this might mean a simple storyboard, sketch or process flow diagram to demonstrate how a new service or approach would look and feel to clients. By finding out what’s great about an idea and what needs to change before we’ve invested in it, we create prototypes to save time and money.

It’s a big adjustment to move from believing that everything we show our clients should be perfect, to leaning into the inherent imperfection of prototypes. Lawyers can struggle with this particularly, as they often believe that their experience and position in their firm means they should just *know* the answer. But that’s not a helpful mindset.

When lawyers do embrace prototyping, and let themselves and their firm be vulnerable by showing clients an early-stage idea, the impact can be monumental.

We’ve worked with law firms who have brought their clients in to test new service delivery models, new pricing approaches, and other solutions, and the response has been overwhelmingly positive.

So, as unnatural as prototyping might feel for lawyers, the possibilities that can come from doing it are endless. By making the most of their close connections to their clients to get fast feedback on their ideas, lawyers can help to broaden their relationships and open up new opportunities to work together.

Become a great designer and an even better lawyer

When firms bring design thinking to the heart of their business, it leads to numerous positive changes in the way lawyers work with one another and with their clients.

Firstly, lawyers get better at framing challenges from the perspective of their client, rather than the firm. When problems arise, lawyers who have adopted design thinking will instinctively make decisions and suggestions based

“Design thinking is a great approach not just to help law firms develop products, but to always keep the client front and centre” *Mark Smith is Director of Strategic Markets at LexisNexis*



on what their customers care about. By doing that, they automatically provide a better service, and are perfectly placed to spot opportunities to broaden their offer to clients.

They also change the way they ask questions. Using design thinking helps people remain open and curious at all times. It stops them simply asking questions in order to find a quick solution, and instead teaches them how to uncover the underlying causes and motivations behind problems, and dig deeper to figure out what could make the biggest difference.

When this becomes a natural part of everyday work, so too does uncovering clients' deeper, unmet needs and with that higher level opportunities for the firm to provide support.

Learning to think beyond their practice area

Another major benefit of adopting design thinking. When lawyers are more open to exploring challenges in partnership with clients, it helps them surface new kinds of needs which might require engagement with the firm's other practice areas, offices and jurisdictions, opening up cross-selling opportunities.

Lawyers who become designers think more creatively about how they can mobilise the firm's existing talent, who they might not work with every day, to meet their clients' needs. Their sense of what's possible broadens, which makes them an invaluable asset to the firm and their clients. Lawyers who use design thinking also become great advocates for diversity and inclusion, as they automatically seek a broad range of views

and experience to help tackle challenges. When design thinking is part of a law firm's culture, you see less time being spent on work that clients won't value, and more consideration being given to how the firm can give them what they really need. There are fewer PowerPoint decks and spreadsheets, and more rough sketches, cross-team collaboration, assumption testing, and open conversations with the people they serve.

Although they might not think it, lawyers have everything they need to achieve incredible things with design thinking. When firms embrace it, innovation stops being something that's explored in standalone projects, and becomes a natural part of the day-to-day running of the business.

When that happens, firms become more client-centred, innovative, creative, and agile, and better placed to spot opportunities to deliver above and beyond their clients' expectations.

“Two years ago when DLA Piper started our radical change initiative, the message from our co-CEO, Simon, was that we needed to go back 100 years to go forward. What he meant by that is that we need to get back into the position of being the first port of call for our clients: the trusted advisor that can help you sort any of your challenges, questions or opportunities. We have developed DLA Design to bring back that mindset - to enable us to go deeper into what our clients need and desire and then co-creating those solutions with them”

Jana Blount is Change Maker at DLA Piper



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