

# Small Talk, Big Results

*Presented by*

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*The practice of law is largely a people business, and creating relationships with potential clients and referral sources in social situations can be essential to practice growth. Sharpening your social skills can prove invaluable in creating a larger and more profitable practice.*

## **A. Importance of social skills, communication skills**

1. Sixty to ninety percent of all failures in the business world are failures in human relations
2. Personality problems – shyness, self-consciousness, timidity – result from excessive focus on yourself, not on the other person
3. Practice growth is enhanced by developing new relationships
4. Social situations
5. Relationship-building with clients
6. Relationship-building with referral sources

## **B. Ethical considerations per ER 7.3**

1. "A lawyer may not solicit professional employment from a prospective client with whom the lawyer has no family or prior professional relationship in person or by telephone, when a motive for the lawyer's doing so is the lawyer's pecuniary gain."
2. ER 7.3 does not preclude:
  - a. Social contacts
  - b. Creating relationships
  - c. Learning about someone's company and challenges
  - d. Showing interest in people

## **C. Attitude, outlook and philosophy**

1. Our primary focus
  - a. On ourselves?
  - b. On others?
2. Everyone wants to feel important
  - a. Everyone wants a compliment
  - b. We are egotists, more interested in ourselves than in anything or anyone else
3. The power of the spoken word
  - a. Creative
  - b. Destructive
4. The power of fear
  - a. Failure
  - b. Rejection

## **Social skills in social settings**

### **D. Preparation**

1. Know why you're going
2. Take your business cards
3. Take your spouse or significant other?

### **E. Arrive with the right attitude**

1. Get there on time
2. "Guests" versus "hosts"
  - a. Guests wait to be introduced
  - b. Hosts introduce themselves to others
  - c. Hosts focus on helping other people have a good time
  - d. Hosts don't look bored
  - e. Hosts don't look at their watch
  - f. Hosts don't complain ... about anything
3. Meet as many people as you can, without looking like you're in a competition

### **F. Post-arrival**

1. Consider whether to eat
2. Pick a good place to stand (traffic areas)

### **G. Don't talk to the same person all night**

1. 10 minutes is usually plenty, even if meeting that person is the reason you're there
2. Look for other prospects
  - a. Someone you know
  - b. Someone you want to know
  - c. Someone who's standing alone
3. How to get rid of someone
  - a. Introduce them to someone else
  - b. Excuse yourself
  - c. Ask them for their business card

## **Social skills in any setting**

### **H. Making a good first impression**

1. The 20-second rule

### **I. Etiquette**

1. Always stand when meeting someone or shaking his or her hand
2. Give a firm, brief handshake

### **J. Making small talk**

1. Smile
2. Stand facing the other person
3. Find a reason to compliment them
4. Be positive
  - a. People judge you by your attitudes, toward your work, your colleagues, your firm, your life

5. Look for things you might have in common
  - a. "How do you know (the host)?"
  - b. "How long have you been a member of (whatever organization is sponsoring the function)?"
  - c. "What kind of work do you do?"
6. Avoid being trite
  - a. "Been there, done that"
  - b. "Don't go there"
7. Ask a lot of questions
  - a. Don't "one-up" them
  - b. Listen to their answers
  - c. Use their answers as a basis for more questions

**K. The power of questions**

1. Questions:
  - a. Lead to quality listening
  - b. Put you in control
  - c. Get people to open up
  - d. Keep conversations going (definitive statements can stop a conversation)
  - e. Stimulate thinking
  - f. Show interest and curiosity
  - g. Lead to information
  - h. Show respect for the other person's opinion, knowledge
  - i. Make the other person feel important
  - j. Make you appear to be a good conversationalist
  - k. Help you find out about the other person
  - l. Help you avoid points of contention
  - m. Help you avoid talking too much

**L. Ask questions effectively**

1. Choose open-ended questions instead of closed-ended (i.e., allow a yes-or-no answer)
2. Keep questions short
3. If you must make a definitive statement with your questions, state it before the question, not after it

**M. Be a good listener:**

1. Maintain eye contact while the other person is talking
2. Appear deeply interested

**N. When you make a definitive statement:**

1. Don't make it sound like a question ("interrogative paralysis")
2. Be positive, optimistic
3. Use humor with caution
4. Use sarcasm with extreme caution
5. Don't apologize for or devalue what you're about to say

**O. “What do you do?”**

1. Avoid labeling yourself
2. Describe what you *do*, not necessarily what you *are*
3. If you have a specialty area, say so
4. Show pride in being an attorney
5. Mention your firm
6. Don’t be afraid to give free advice
7. Be ready for common questions
8. Avoid “doing business” in a social setting; set up a time to get together later

**P. Remembering names**

1. Listen carefully for their name
2. If you didn’t catch it, ask them to repeat it
3. Repeat their first and last name to yourself
4. Use their name occasionally

**Q. Always ask for the other person’s business card**

1. Respond by giving them yours

**R. Follow-up**

1. Call or send a letter
2. Add them to your mailing or contact list
3. Send them referrals
4. Ask their advice

**Social skills at work**

**S. With clients**

1. “How are we doing?”
  - a. Is there anything you wish we would do differently?
  - b. What could we do better?
  - c. Do we give you as much attention and personal service as you expect?
2. “What changes are going on in your life (or your business)?”
  - a. What’s keeping you awake at night?
  - b. What opportunities do you see?
  - c. What are you hoping to accomplish?

**T. With referral sources**

1. “What can we do to help each other’s practices?”
2. “What kinds of clients do you want to attract?”
3. “What kinds of matters?”
4. “Are you looking to increase your client base?”
5. “Are you looking to upgrade your client base?”
6. “Have you added any areas of expertise?”

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# Warm receptions

*Even you can do well at social events if you have the right attitude and can focus more on others than yourself*

NORM HULCHER

COMPLETE THE FOLLOWING sentence: "I wish that when I was in law school they had taught us about \_\_\_\_\_."

Presumably, your answer is not "the elements of a contract," "ethics," "personal hygiene" or "reusing a syringe." However,



there's a chance that, given the stack of invitations to parties, receptions, meetings, etc., billowing out of your "in" basket, you selected "how to tolerate going to parties where I don't know a soul."

It's a shame if that applies to you, because as an attorney you probably get invited to more cocktail parties, receptions and dinners than the average Joe, and thus you have more chances than most to demonstrate your social prowess.

Since you're an attorney, people often expect you to be pretty sharp, *savoir faire*-wise, but when they find out you're no wittier or more fascinating than they (or, for that matter, a 7-Eleven cashier), they may judge you more harshly than they would some garden-variety dud.

More harmful than what others might think of you, though, is the utter agony of going to a party, believing that you won't find anyone to talk to; that everyone there will be fast friends with everyone else there but you; that you're doomed to spend the evening alone, repeatedly checking the time and eating little ears of corn in utter solitude; and that if you do happen to find a friendly face it will be that of an insurance agent or some other lost soul for whom obnoxious and personal rejection are their *raison d'être*.

Consequently, you arrive with a defeatist attitude – not realizing that just about everyone around you shares your fears – and emotionally unequipped to seize the many potential opportunities that social functions hold for you and your practice.

There's hope. Given a little training, just about anyone with enough brainwave activity to pass the bar exam can become comfortable in social settings. No matter how awkward you feel among strangers, unless you suffer from a serious personality disorder or do a lot of bond work, the following advice should help straighten you out.

## Arrive prepared

There are at least three elements of social preparedness.

*An objective.* This gives you a purpose for showing up, and it should dictate how you will conduct yourself while you're there. If your objective is to meet and make a good impression on at least five people, or to spend quality time with a prospective client or referral source, you should take that into account as you approach the bar. Few things can undermine effective social interplay more decisively than trying to carry on a serious conversation after you've had so much to drink that you can no longer say certain diphthongs or are rendered speechless by a giggling jag. On a related topic, avoid eating and standing at the same time. Few can simultaneously balance a glass, shake hands, talk, eat, and hold a plate full of food without looking like a slob.

*The right attitude.* The "right attitude" allows you to shift your emphasis from making sure *you* have a good time to making sure *other* people have a good time. This includes acting as a surrogate host, welcoming new arrivals and rescuing grateful loners. The right attitude also includes making

consistent eye contact, smiling, laughing, slapping people on the back, punching people (preferably male people) in the arm and not waiting to be introduced. Don't get carried away with your Goodtime Charlie persona, however. Unbreakable eye contact can be a little disconcerting (if not downright eerie), as can a permanent smile, especially when the setting or discussion calls for a more somber mien. The same is true, only more so, if you laugh constantly. Other "don'ts" include giving high fives, screaming, and heaving your cocktail glass against the wall.

*Small talk.* Making small talk isn't a problem for some people, especially those in the sales, auction and hair care fields. But for many, a perceived incapacity for idle chitchat is enough to make them stay in the corner – or, for that matter, in the car – alone for the entire evening.

## Vanquishing the "small talk" demon

A good opening line is crucial, and after years of trial-and-error I've found the following to be generally effective:

"Hi" (or its close cousins, "Hello," "How's it goin'?" and "How you doin'?" but not "Whassuuup?").

After you've successfully executed this slick come-on, and assuming the other party responds more or less in kind, extend your hand and say:

"I'm (*say your name*)."

So far, so good. But what do you say next? Try this: Find something about them that warrants a compliment.

"Boy, that's a good-looking tie you have on there." (This line is a personal favorite but is of declining applicability in an era when, alas, even at a nice social function one is more likely to encounter someone wearing a baseball cap backwards than sporting proper neckwear.)

If a compliment isn't forthcoming, formulate some standard questions that might get another person to talk about him- or herself and, thus, virtually guarantee that he or she will come away marveling at what a greater conversationalist you are. You have a lot of leeway in your questions, but avoid being too trite ("Hot enough for ya?"), personal ("Don't you ever see a dentist?") or negative ("What do you think tastes worse: that Swedish meatball or a road apple?"). Also, steer clear of such words and phrases as "multicultural," "proactive," "education funding" (unless that's what you're gathered to discuss), "anything-challenged" or "been there, done that." And, of course, be ever vigilant against the excessive or inappropriate use of the words "totally" and "actually."

Try to find common ground between the two of you:

- "How long have you been involved with the Painful Rectal Itch Foundation (or whatever organization is sponsoring the event)?"
- "How do you know the host/the guest of honor/my wife?"
- "What do you do for a living?"

That last question is key, and so is your reaction to the answer. Regardless of his or her line of work, nod approvingly and murmur something that suggests that you are mightily impressed. Then ask some more questions. (Avoid asking, "Are you joking?", "Is there any money in that?" or "Is that legal?")

#### **"What do you do?"**

At some point, the other person should grow weary of your questions and ask what you do. That's your opening; don't blow it.

There are right and wrong ways to describe your work. Wrong ways include:

- "Oh ... I'm a lawyer." (This meek response suggests the unspoken footnote "... but I'd rather be working at Denny's.")

- "I'm a commercial litigator." (Upon hearing this, most people – even some attorneys – tend to get uneasy.)
- "My mission in life is to keep the divorce rate on the rise, and I love it! Especially when I prevent fathers from visiting their children."

This is your chance to strike a blow for the legal profession and, more important, your practice. Just complete this sentence: "I help (*fill in the blank*)."

- "I help people protect their money from the IRS."
- "I help landowners make the best use of their property."
- "I help business owners settle disputes with other companies."
- "I help injured people put their lives back together again." (Delivering this line so as not to induce gagging by either party to the conversation may require practice.)

You're in a helping profession, and you should project that to everyone who will listen to you. A little thought can mean the difference between people assuming you're a vicious bloodsucker and believing you're the second coming of Gandhi.

If you're bent on telling people what you are instead of what you do, don't just say "I'm a lawyer" (unless that really works well for you). At least say, "I'm a (*type of law*) lawyer" or "I'm a lawyer with (*firm name*)."

#### **Location**

If you want to meet lots of people, you need to be where the people are. At most parties, there are three such places: the entrance, the buffet table and the bar. (Actually, there's a fourth, but if you lurk there, people will suspect that you have a perversion or dysentery, and either way they will seek to avoid shaking your hand.)

If you station yourself about ten feet inside the entrance, far enough from the door that people won't hand you their coats, you can greet them while they're still dazed and trying to

get their bearings. You can play the role of host, making them feel welcome and looking like a big shot.

There are minor drawbacks to the other high traffic areas. If you stand near the bar all night, people may assume – correctly in many cases – that you have a drinking problem. If you stand near the buffet, people who want to shake your hand can't unless they balance their plate of chicken wings on top of their cocktail glass. That makes for brief conversations and frequent trips to the bathroom to wash the ranch dressing and grease off of your hands.

#### **Other rules**

*Nametags.* Print your first and last name legibly in large letters. Put the nametag on the right side of your chest; this makes it easy for people to read your name while they're shaking your hand.

*Business cards.* Take enough to get you through the night, but not so many that they cause your pocket to bulge or sag. If you strike up a conversation with someone to whom you want to give your card, ask for theirs first, then give them yours. After the party, write down the date and event on the back of their card; that information will come in handy in making follow-up contact.

*Working the room.* There is no ideal number of people to meet at a function. Spend enough time with someone to get acquainted and make a good impression, then move on.

*Getting trapped.* Occasionally you will meet some waif who has decided that you are going to be his or her new best friend. If pawning them off on – I mean, introducing them to – someone else doesn't work, and if they don't fall for the old "I have to use the restroom" or "I'm going to freshen my drink" lines, getting away from such people can be difficult and may require guile and deceit.

For example, you might glance over their shoulder at an imaginary acquaintance, smile brightly, raise your glass in salute, and the next time your captor takes a breath, say, "There's a person over there who I've

been trading phone calls with for a week, and I'd better go say hello. It's been a pleasure meeting you." Shake hands, and then take off. There's a fair possibility that they will try to tag along. In this case, I recommend that you get about a three-step lead on them, stop abruptly, wheel around, point sternly at the spot on the floor where they're standing, and say, in a sharp voice, "Stay!" If you have a rolled-up newspaper, use it. I have never seen this fail.

*Listening.* If you ask a lot of questions, listen to the answers. They are stepping stones to more questions, which are essential to getting other people to talk about themselves and, in the process, convincing themselves that you are a great American. Remember, I said "stepping stones," not "opportunities to one-up the other person." If they inform you that they drive a '95 Neon, it's far better to respond with "I've heard good things about those cars" than "I just got a new Lexus."

*Names.* Remembering someone's name in the short run requires no magic. It does require concentration.

When they say their name, make sure you understand it before you go any further. If you don't catch it the first time, ask them to repeat it. It doesn't hurt to say it out loud. After you've gotten their name, use it. Call them by name. Introduce them to other people (a great way to get rid of them). And if you forget it, ask them again.

#### **Mind your manners**

Etiquette, like grammar and appropriate attire, just ain't what it used to be, and savvy socialites know that some of the rules have changed:

*Making introductions.* When introducing people to each other, mention the more important person's name first, e.g., "Mr. President, I'd like you to meet my cable TV installer, Eldon Fuchs." Gender and age are no longer the primary factors in who gets mentioned first.

*Standing vs. sitting.* My sixth grade Sunday school teacher used the following mnemonic device to teach us etiquette: "What is it that a man does while standing, a woman does while sitting, and a dog does on three legs?" The answer, of course, is, "Shake

hands." This still holds true to a degree. All able-bodied men must be on their feet when being introduced. Women, on the other hand, now have the option. In a business setting, though, it's probably better for members of either sex to stand.

*Shaking hands.* In the old days, a man was supposed to shake a woman's hand only when she offered it to him. Today, the sexes are on more or less equal footing, handshaking-wise, and if a man doesn't extend his hand to a woman when they are introduced, she'll likely remember that when she becomes his boss.

#### **Afterward**

Follow-up is everything. After you meet someone with client or referral source potential, keep in touch. Drop them a note. Add them to your mailing list. Invite them to lunch. Send them a Strip-O-Gram. Whatever works. That's the payoff that makes going to a social event more worthwhile than channel surfing.

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