

PUBLICATION

Common Ground

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For this issue's "Common Ground" column, Nashville Labor & Employment associate Denmark J. Grant spoke with Eric L. Pruitt, a Financial Services shareholder in the Birmingham office, about how he finds common ground with his clients.

DG: People may have meaningful commonalities that are not immediately apparent. Can you reflect on an experience with someone with whom you learned you had more in common than initially appeared? If so, how did that influence your relationship to them?

EP: Over what is now several decades of practicing law, I have had many experiences where I may have initially thought I had little in common with someone – whether it was an internal colleague, an opposing counsel or a client – that turned into a stronger and longer-lasting relationship than I originally expected. For example, there are many people I work with who are different than me, but over a period of time and shared experiences (and usually several great meals together!), we connected over not just work, but over things like children, sports teams and random television shows, books or movies. Several of these people are no longer just co-workers or clients, but true friends and I enjoy each time that I get to connect with them on a personal or professional basis.

DG: That raises an interesting point. People may not initially think of themselves as having much in common, and to some degree they may be right, but shared experiences can create commonality that can form the basis of a connection. As a whole, I tend to find that people have much more in common than their surface-level dissimilarities suggest.

Talk to us about some of your experiences in finding common ground with a client, which is an important element in building rapport. For example, have you ever encountered a client that you felt was very different from you? If so, how did those differences impact your working relationship, and how did you cross that gulf?

EP: Finding common ground can be difficult, and sometimes it does not happen no matter how much effort you put into it. I still recall hitting a wall with a client contact a few years ago. I tried to connect on many levels, but I could not seem to gain her trust, no matter how hard or fast I worked on the project or attempted to find personal common ground. I changed course and connected her to two of our other lawyers, and that was the right decision – I stayed involved, but took a role in the background, and the other lawyers took the lead in the matter and the client relationship. Sometimes we have to recognize different options may work best for everyone involved and be creative in finding solutions.

DG: That's a great point. It's important to know when it's appropriate to bow out and have someone else take the lead, as opposed to forcing something that (for whatever reason) simply isn't gelling. In my experience, I can think of a few examples where a disconnect occurred between a lawyer and client that had less to do with a lack of common ground per se, and more to do with different communication styles. For example, I can recall observing a few interactions between a lawyer and his client where I sensed that the client found the lawyer's responses to his questions to be long-winded. Naturally, from the standpoint of the lawyer, the goal is to give the appropriate amount of information, but it is also important for lawyers to be attentive to their clients'

preferences and be mindful of how to communicate with them most effectively. Sometimes, that can come down to something as simple as appreciating the fact that what works for one person may not work for another. It's important for all of us to remain flexible.

Let's broaden the scope of the conversation a little bit. In your experiences, have you identified any overarching commonalities among the lawyers who practice in your area of the law? If so, have you found that those commonalities help or hinder client service?

EP: Most of the clients I work with are in the financial services industry, and my contacts are very diverse. They are not all lawyers, and that makes my job more enjoyable! I spend a lot of my professional time working on either commercial loan closings or commercial loan default recovery. Over time you find yourself running into some of the same people on multiple matters. The lawyers on the other side of the transaction or matter have varied backgrounds, and I have learned a lot from lawyers I have worked with who were in solo practice.

DG: That's not dissimilar to my experience. As an L&E lawyer, I have found the practitioners in this area of the law tend to be fairly diverse in background and temperament. I think that's a good thing. Diversity of personality and style gives clients more options to work with and creates a more dynamic atmosphere in which to practice law. Lawyers of the other side practice in large corporate law firms, and other times they are small, rural, solo practitioners. It runs the gamut. You find the same diversity among the clients, who are not limited to any one industry. As you reflect upon your experiences, can you identify factors that you think best facilitate client service, regardless of a client's background or personal experience?

EP: Communication is often the most important factor in delivering excellent service. I very much value feedback and want to learn how I can deliver better service and add value for our clients.

DG: I agree one hundred percent. The specifics of the communication can vary based on the client's experience and sophistication. But there is no doubt that effective communication is of paramount importance.

Denmark and Eric's discussion demonstrates the importance of communication and self-reflection when trying to find common ground with others. Having open and honest dialogues,, not being afraid to try new techniques and knowing when to ask for help are highly effective ways to create trusting and lasting bonds. When trying to find common ground with others, remember it cannot be accomplished without authentic communication.