



Design Thinking Applied to the Advancement of Women – Sponsorship (Part 2)

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As Shanin Lott described, we challenged ourselves to use design thinking as a way to bring fresh ideas to the goal of advancing women in the legal profession. In this second post in our series, I look at why design thinking can be a valuable process for legal operations. I also share our experiences with using design thinking within our firm, the methodology we use and how we structured the workshop on sponsorship.

Design Thinking and Legal Operations

In recent years, there have been numerous articles about the application of design thinking by law firms, law departments and others, and our firm is no exception. But what is the appeal? Margaret Hagan from the Stanford Law School Legal Design Lab describes the potential as follows:

"The promise of design thinking is that, [by] using this approach, [you] will develop better ways of working, fresh ideas for what products and services you offer, a stronger organizational culture, and a more powerful and lasting relationship with users."^[1]

We became interested in design thinking at Stikeman Elliott in connection with our firm's innovation initiative. This initiative focuses on helping our clients navigate legal issues that have not been addressed before and finding solutions that may not be apparent to others. We are also seeking out fresh ideas and innovative technologies and methods to serve clients better. By using design thinking we can tap into our lawyers' creativity and entrepreneurial mindset as we address these challenges.

Approaching Design Thinking with Lawyers

As we described in our last post, "Design Thinking is a human-centered and collaborative approach to problem solving, using a designed mindset to solve complex problems."^[2] Many aspects of design thinking make it an excellent tool for lawyers, and those working in legal operations:

- Lawyers are comfortable with complexity and multi-faceted problems;
- Most lawyers work in teams, are good communicators and can collaborate;
- Many lawyers are creative and intellectually curious and are keen to use these skills; and
- Lawyers are driven to solve problems.

At the same time, some attributes of the typical lawyer personality and work style can get in the way of creative problem solving:

- The research of Dr. Larry Richard, shows that lawyers have higher urgency scores than the general population meaning that we can be impatient, have a need to get things done and function with a sense of immediacy;^[3]
- Lawyers are results-oriented where the focus is on the solution, creating a tendency to jump to the solutions; and
- Lawyers are usually pressed for time and typically can't devote long periods to workshops.

As an approach, design thinking provides a structured framework to snap us out of our normal approach to problem solving. In particular, the abductive reasoning aspects of design thinking are useful to focus on exploring the problem or issue first.^[4] This focus on the problem and the process of developing empathy for the stakeholders involved is a counterbalance to the natural tendencies of lawyers to jump to one solution without exploring other possibilities that may work better.

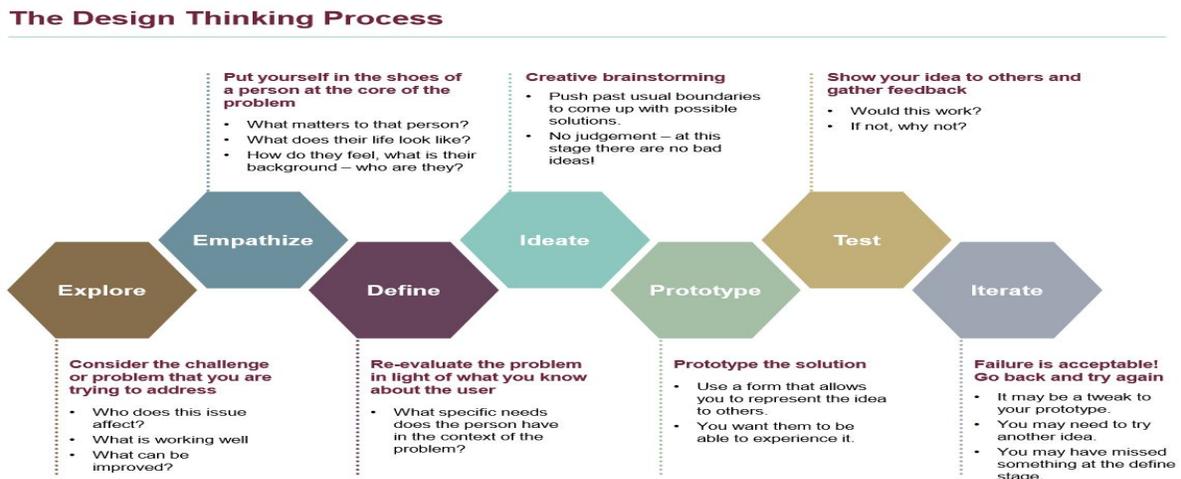
In developing our approach to design thinking at Stikeman Elliott, we have learned from others including the [Future Design School](#) here in Toronto and the [Stanford Law School Legal Design Lab](#) - and there are a number of outstanding resources available for those interested in applying design thinking in their own environment. As discussed below, we have adapted elements of the classic design thinking approach to work in our environment and make the most of our lawyers' time.

We have used our approach on both legal problems, and on our own internal management and operational challenges. So it was time to apply this methodology to the challenge of the advancement of women and sponsorship.

The Design Thinking Process

In our last post, we described the four core aspects of design thinking – it's empathetic, creative, iterative and accepting of failure. The process of applying those four core principles is outlined in the infographic below. While five stages are typically illustrated, we have found it useful with lawyers to also focus on the concept of exploring the problem as well as the concept of iteration.

Click the image below to download a PDF copy.



Developing the Workshop on Sponsorship

The process described above is what we strive for in the workshops we conduct. However, our workshops are also often subject to two common constraints. The first is that we are usually under tight time requirements. In the case of the Women's Leadership Forum, we only had 90 minutes! The second is that we are often looking to address a topic that has already been narrowed down to a broad problem statement. In this case, we wanted to focus on sponsorship as an element of the advancement of women. Through trial and error we have learned to tweak the process and have attempted to tackle these two constraints in a few ways.

Exploring the problem

In a classic design thinking workshop, the participants themselves will come up with the problem statement. In cases where the problem statement has already been identified, it is tempting to put this to your participants as the starting point. In our experience, participants find it confusing to be presented with a problem statement before they are familiar with the topic and instinctively start coming up with solutions (not what you want!). Exploring the problem is such an important part of the design thinking process that we have discovered it is best to let participants explore the broader topic first before revealing the problem statement.

In the case of the workshop on sponsorship, our problem statement was "how do we increase sponsorship for women lawyers". Before revealing that to the participants, we asked them to spend some time talking about sponsorship generally and considering questions such as:

- Do you think sponsorship exists at your organization?
- Have you experienced sponsorship?
- What is effective sponsorship?

Streamlining to fit a tight time frame

In our workshop for the Women's Leadership Forum, our goal was to both give an overview of design thinking and allow participants to experience all aspects of the process, albeit in a condensed format. This was a challenge given that design thinking workshops can take half a day, a day or even more. Here are some of the tweaks we made to the process to fit our situation:

Pre-defining the problem statement: while this does pose the challenges noted above, having a pre-defined broad problem statement can be a time saver. Participants then apply the problem statement to their particular persona and solve for the needs of that particular person in the context of the problem statement.

Pre-defining the personas: in a classic design thinking workshop, participants will devote considerable time to the empathy stage – imagining someone with the problem and creating a persona with all of her attributes and challenges. A short-cut we have used at Stikeman Elliott is to identify a few real people – clients, alumni, firm members - whom we know to be wrestling with the problem and then start the empathy exercise by putting ourselves in their shoes. For the question of sponsorship, we identified three key stakeholders – management, the potential sponsor and the potential sponsoree. For each of those stakeholders, we developed pre-defined personas – based on real people we know who are trying to address the problem. Participants were then given time to explore their persona and, in particular, identify the needs of their person.

Time-pressure ideation exercise: there are many ideation techniques and exercises you can use in a design thinking workshop but our go-to is an exercise called crazy-eights. It was introduced to us by the

Future Design School and we love it! It is also perfect for tight timelines as it only takes about 6 minutes, it generates lots of ideas, it forces participants to stretch their brains and it is really fun.

Reporting instead of testing: given the timeframe and the large number of participants, we decided to forego a typical testing approach and used reporting instead. My co-presenter Nikki Shaver and I summarized the prototypes and reported back to the group on the more interesting results. We also left the prototypes up around the room so participants could explore the prototypes during lunch.

What design thinking process will work well in your organization?

When we have used design-thinking inside Stikeman Elliott, we have used some of the shortcuts described above. We prefer to have participants define the personas whenever possible as it results in a richer workshop experience. We always include a crazy-eights exercise and we always use a mix of individual and group work. We also like to turn the testing phase into a social event and often break out the beverages and snacks at the same time we review the prototypes.

I can appreciate that some you may question our "needs-must" approach to design thinking and whether it is really effective with the shortcuts I have described. However, we all have to work within the cultures and realities of our organizations and I would rather have a room full of people generating creative ideas than not. By empathizing with our users and then ideating and experimenting to adapt the process to fit their needs we have in fact embraced the essence of design thinking!

In our final post in this series, we will share insights from the Women's Leadership Forum - both from the perspective of sponsorship to advance women in law and from the perspective of design thinking as a process applied to that challenge.

[1] Margaret Hagan, "[Design Thinking and Law: A Perfect Match](#)" (Law Practice Today, January 2014).

[2] Tim Brown, CEO of the celebrated innovation and design firm IDEO, and author of Change by Design

[3] Dr. Larry Richard, "[Herding Cats: The Lawyer Personality Revealed](#)" (LawyerBrain LLC)

[4] Roger Martin, "[What is Design Thinking](#)": excerpt from The Design of Business: Why Design Thinking is the Next Competitive Advantage (Harvard Business Press, 2009).

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