

Lighten Up! How Lawyers Can Enhance Their Communication Skills ... with Stand-Up Comedy

BY NINA KAUFMAN, ESQ.

Being afraid to tell a joke is no laughing matter.

We didn't come into this world to be stifled, repressed, and unheard. Actually, for many of us, we were drawn to the law for precisely the opposite reason. We wanted to be a mouthpiece, an advocate, a voice for change. Yet, many lawyers may say, "Dealing with clients isn't a time for frivolity." Or, "comedy in the courtroom isn't kosher."

Not so! There's always a place for humor—used appropriately. Fear of the funny says less about the actual seriousness of the situation and more about an attorney's fear of expressing his or her fullest personality--essentially, being yourself in business. Somewhere along the line, our personalities got squelched and we lost our sense of humor. And that's a great loss. It's time we lightened up.

Nobody Likes a Wet Blanket

Our legal work entails breaking bad/sad/hard news. Problem-solving. And communicating. With *human beings*. We deal with *people* every day. Not robots or faceless institutions. The "client" may be a Fortune 1000 corporation, but on the other end of the phone is a frantic EVP who fears that a major lawsuit on her watch could cost her her job. The "client" may be a not-for-profit organization, but you're talking to an employee concerned about financial mismanagement. Or, the "client" could be a small start-up, whose founders need investment capital advice. However you look at it, they're people. They're only human (as are we all).

So sometimes, it's up to us to help them past their mistakes, their foibles, their small-mindedness, their fears, their humanness. We ease their pain by offering practical solutions (problem-solving) and emotional hand-holding (communicating). To have happy clients, you have to provide both.

Humor Makes the Difference

Every day, our law practice gives us opportunities to enhance our communication skills—both speaking and listening. For example, we may be:

- Speaking to a client
- Giving an educational presentation to prospects
- Delivering a CLE seminar

- Attending an ABA conference
- Listening to a TED.com talk on how to fix a broken legal system
- Negotiating with an adversary
- Discussing business strategy with your law partner

Did you make an impact? Did someone have an effect on you? We know when the experience is painful—like root canal without anesthesia. The monotone Board report that drones on interminably. The colorless speaker who buries her head in her notes for 17 minutes, ignoring the painful silence of boredom that ripples through the room. The pedantic CLE lectures. (We've all suffered through these).

Rather, think about the encounters that have struck you like a breath of fresh air. You feel uplifted. You feel you've learned something. And--imagine this!--you actually *enjoyed* yourself. You delighted in the stories and analogies. What made the difference? Humor.

“So, A Lawyer Walks Into A Bar”

Let's be clear: integrating humor into the way you communicate does not involve delivering Borscht-Belt one-liners. It's not about joke-telling. It's about *educating*. Humor helps you see what you didn't see before, to make mental connections and enjoy the learning process.

My humor journey started by necessity. Not long out of law school, I started my own law practice. (Frankly, you could have filled a thimble with what I knew about running a law firm). I had to exert authority in my firm. I had to attract clients. So I turned to that time-honored tactic for showcasing expertise and building a reputation: public speaking. I wasn't half bad ... but I was stiff. Boring. And business law topics can be like sleeping pills to the entrepreneurs I wanted to work with. By the time I got past, “There are four main forms of business organization in the State of New York,” the audience was snoring like a herd of buffalo. What could I do to keep them awake and engaged? What could be my “hook,” my “unique selling proposition”?

I found mine in performing stand-up comedy.

Stand-up comedy is like Extreme Public Speaking. It's not for everyone. It takes a certain intensity (insanity) to pursue it. But it's not just a bizarre hobby; stand-up comedy has actually strengthened my business and communication skills. Here's how:

1. **“Teflon” skin.** Stand-up comedy's greatest gift to me was a tough(er) skin. When you do stand-up, you're on stage, totally exposed, before a potentially hostile audience. They *dare* you to make them laugh. Sometimes, it's all you can do *not* to run through your routine at breakneck speed, just to get off that stage as quickly as possible. Comedy is an exercise in irony: when you desperately want the audience to laugh, they don't; and when you don't try so hard, they do. Like other areas of life, when you seek outside validation you often don't get it; and when you get it, you don't need it. In short, when you're not afraid of being rejected by others, you exude calm and confidence. Even in the face of total disaster, such as the excruciating silence that follows a flat joke. Or the important business presentation where your attendees are all dozing after lunch. The key is to cultivate a sense of detachment, so that the outcome doesn't affect your sense of self. It's very Zen. Creativity expands when you're not afraid

of getting shot down. And if you do get heckled or run into snags, you gently flow to the next issue. I saw this principle in action when I was serving on the board of a local not-for-profit organization. A very popular Board president made a proposal that I felt was ill-conceived and potentially financially disastrous for the organization. Without the burden of worrying whether I had the approval of my fellow Board members, I felt totally comfortable opposing the proposal and at ease presenting the case. And surprise of surprises, the rest of the Board ultimately agreed with me.

2. **“Riffing”.** Preparation is always crucial. But comedy, like business, can’t always be scripted. Your ability to win over an audience, whether of merry-makers or venture capitalists, often hinges on your ability to think on your feet. How well do you handle the curve-ball from the bank loan officer? The heckler at the back of the comedy club? The hypothetical during a job interview? Judges will readily interrupt your painstakingly prepared advocacy speech to ask their own questions, move you to the heart of the matter, or just be ornery for its own sake. Training your mind to be creative in the spur of the moment takes discipline and practice, but it can be done. Comedy teaches you to move nimbly through distractions so that you can respond, regain control, and return to your main point.

3. **Timing.** Step on the essential pause before delivering a punch line, and you ruin your joke. Fail to pause after you’ve delivered the punch line, and your nervousness shines through. Neither endears you to the audience. When your pacing flows smoothly, both in comedy and in business, you reveal your confidence in what you’ve said. Timing is also important in the sense of “keeping to time”. As a comedy beginner, I was often limited to a 5-minute routine. Exceed the limit, and I’m history. A red stage light will blink furiously; the MC will rise to the stage; and I will not be invited back to perform again. The same applies in business and in normal conversation. Hog the time, fail to listen, and you will not be appreciated. Judges will have no problem telling you to sit down and shut up—which doesn’t help your client’s cause. On the other hand, rush a client through a legalese-filled explanation of why a particular strategy is in his/her best interest, and you won’t likely have a happy customer. Clients need *time* to digest what we’re saying and, perhaps, to translate it into their own language so that they understand. “Timing is everything,” noted Ecclesiastes. When it comes to stand-up comedy—and communication in general—there is a time to be quiet and a time to speak up. The art is in achieving the right balance.

4. **Keeping it tight.** Words count. Comedy forces you to focus. Unless you’re a celebrity with your own comedy show, most audiences lose patience if you prattle on without “getting to the funny.” “Filler” words cost you time and dull the impact of your punch line. You learn very quickly to cut the fat, choose the right word, and eliminate the crutches or “fillers”, such as “uh”, “er”, “I mean”, “I’m like” “and”, “so”, and “ya know”. Clarity is key—in all messages. Plus, you gain listeners’ attention and respect through the substance of what you say. I’ll never forget the CLE seminar on securities law issues I attended as a young lawyer. One of the panelists was a securities litigator who had appeared before the United States Supreme Court—the highest court in the land! I haven’t the slightest recollection of what he said—but I do recall that he said “um” 164 times in a 15 minute period. (I got so distracted that I started counting). I kept wondering, “Is he this bad in front of the Supreme Court?” He got my attention, but for all the wrong reasons. With fillers, you appear hesitant, indecisive, and inarticulate. Not a winning combination under any circumstances.

5. **Perspective.** Few situations are so dire that some humor can't be wrung from it. Having a mindset of "would this make a good comedy routine?" I stay focused on the silver lining (the zippy one-liner) instead of the cloud (the situation that inspired it). No presentation is so abysmal, no client so difficult, no judge so appalling, that it can't serve as grist for the comedy mill. When an adversary's bombastic approach whipped me into a screaming frenzy, I'd stop to wonder, "How can he become the butt of my next comedy act?" If living well is the best revenge, mocking someone in stand-up is second best. A humor-seeking disposition has a positive effect on others, too. Customers, colleagues, and friends generally prefer to be with those who can laugh instead of kvetch. And, like riffing, it helps you focus on creative outcomes rather than dwelling on the problem.

Finally, there's the "person-ability" factor—the ability to communicate like a person and not like a machine. As lawyers, we're in the business of solving problems for *people*. Clients have needs above and beyond the legal services they request. As Leo McGinneva famously noted, "People don't want to buy quarter-inch drill bits; they want quarter-inch holes." Sure, clients want you to defend their interests against an uncaring corporation, or document a transaction. But at heart, they want to feel listened to. They want to feel protected. They come to you when facing situations outside their comfort zone. Yes, they come to you for resolution ... but also for a feeling of protection and solace. A little laughter, a story about a similar client, can go a long way to easing their tension. And in the process, perhaps yours as well.

BIOGRAPHY:

Nina Kaufman Esq.'s "creative type-A" business clients have happily paid her invoices for over 15 years. She attributes this to a healthy blend of expertise and "edutainment," as you can see from her www.AskTheBusinesslawyer.com website. An award-winning business attorney and Entrepreneur Magazine online contributor, Nina performed stand-up comedy for over five years, though promising her mother she wouldn't give up her day job. For a free copy of her special report, *The Drip: 10 Ways Your Small Business Model Can Drain Your Bottom Line, Erode Your Take-Home Pay, and Sap Your Sanity*, sign up at www.NYCTrustedLegalAdvisor.com.