Lesson 17: Deciding

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DECIDING
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Every problem is an opportunity in disguise.
— JOHN ADAMS

Because making decisions is a part of life and leadership, a decision-making doctrine is indispensable. Below are principles from my own doctrine, which has been developed over decades of making decisions, evaluating the results, and learning from others.

CHOOSE THE RIGHT LENS.

Choose the right lens or perspective. As a law school dean, my touchstone is to make decisions that advance my school’s best interest. Stated differently, I shouldn’t advance my own interests, or the interests of any person or group, over the school’s overall interest.

TIMING MATTERS.

People sometimes invoke “emergency” to prod you to act quickly. Avoid “catastrophization” (the tendency to blow things out of proportion) and separate real deadlines from false ones. Few deadlines are immovable. Consequently, even if someone presents you with a “hard” deadline, if you’ve not been given a reasonable time to decide, explore an extension.
But when true emergencies occur, be prepared to respond. Ensure you have appropriate policies and procedures in place, review them regularly, and train rigorously by holding table tops, simulations, or drills. Determine what information – such as contact information and key documents – you will need when the emergency strikes and make that information available in advance to those who will need it.

**DEVELOP A STRONG PROCESS.**

Even when your choices range from “bad” to “worse,” a strong decision-making process can help you reach the best result. Identify the specific problem or question that needs to be resolved. Failing to refine the issue can result in a decision that doesn’t address the real problem.

Establish and rank criteria. Criteria might include legal and regulatory compliance, financial costs, return on investment, ability to implement, timing, employee morale, and reputational impact. Decide how you will use criteria to evaluate alternatives and define “success.”

Gather relevant data and information. Research similar situations that might have occurred in the past. Also, consider situations that don’t initially seem on point, but might impact how you evaluate the issue.

Decision-making usually isn’t a solo act. Build diverse teams with people who have different perspectives. Don’t rely on people who agree with any idea you present. Engage the introverts. Silence the leader so others can share more freely, and de-incentivize information silos and hoarding.

**ANTICIPATE.**

Before deciding, always anticipate the consequences. What are the possible outcomes, and why? If we are missing a piece of information, how might that gap impact the outcome? If we change a fact, how might that shift affect the decision?

To help visualize the anticipation concept, consider the movie *Searching for Bobby Fischer*, in which the chess grandmaster instructs his young prodigy, who is partial to speed chess, “Don’t move until you figure it out in your head.” When the student objects, saying he can’t figure it out unless he actually moves the pieces, the grandmaster – in dramatic fashion – sweeps the board clear. Later, in a championship match, the student repeats to himself, “Don’t move until you see it.” The teacher’s advice wasn’t to be
indecisive, but to anticipate the various moves, and implications of those moves, before actually moving.

An effective “anticipation” exercise is what I’ve dubbed “The Rule of 10.” Just days after I became associate dean at Stetson Law, a student rushed into my office. She had a job interview the next day and needed a transcript. But her account was on hold. Attempting to help, I lifted the hold for one day so the student could get her transcript for the interview. Word quickly spread about this policy deviation, and I ended up with a line of students outside my door seeking a similar accommodation. The better answer to the student would have been, “Let me check on the situation and review our policy, and I’ll be back in touch with you as quickly as possible. What’s the best way to reach you between now and 4:00 p.m.?” That response would have given me time to consider the Rule of 10.

The Rule is simple: If you are going to grant someone’s request, you must be prepared to do the same for the next 10 people who seek the same thing. If you’re not, don’t grant the request but instead consider other alternatives.

RESIST “DELEGATING UP.”

Leaders are often skilled problem solvers. But leaders must be careful not to make decisions that others should be making. When someone below – or next to – you on the organizational chart asks you to decide, first consider whether you or the other person is the correct decision-maker. If the other person should make the decision, empower them to do so.

If you’re not the leader, resist the temptation to delegate up. If you’re not sure it’s your decision to make, ask. And if you’re not comfortable deciding outright, present your supervisor with a recommendation, or with options accompanied by pros and cons.

ACTUALLY DECIDE.

At the right point, decide. Along the way, I’ve worked with people who – for a variety of reasons including fear of criticism or deciding incorrectly, procrastination, perfectionism, or disorganization – routinely avoid deciding.

Use your process. Have confidence in your judgment. Understand that few decisions are perfect. But also understand that most decisions aren’t irreversible and can be modified or retracted if the consequences weren’t what you expected.
That being said, inaction can be a decision. Indeed, sometimes, you shouldn’t act; it’s not the right time, you’re not the correct decision-maker, or you simply don’t have the right information or tools to act. But learn to recognize when inaction is a deliberate decision as opposed to an avoidance technique.

**COMMUNICATE.**

Selecting when and how to communicate the decision can influence success. When sharing the decision, explain not just the who, what, when, and where, but also the how and why.

Explaining why you made a particular decision will help others understand, accept, and hopefully embrace it. Conversely, omitting your rationale can increase the chance that more people will question your motives. Also, making your “how” — the decision-making process — transparent will increase the odds of people accepting, or at least respecting, your decision.

When you cannot share the how or why — such as when the attorney-client privilege applies or because key information is private — explain why you can’t share. Not only will most people appreciate that effort, but sharing why you can’t share more can help build trust and confidence.

**BE ACCOUNTABLE.**

If a decision was not as good as you had hoped, acknowledge that. Then try again. We often make the greatest progress after a failure.

**DON’T RESIST CHANGING COURSE.**

Few business decisions are irreversible. If you decide and the consequences aren’t acceptable, change course. When you need to change a decision, return to the lens principle: Don’t focus on whether you might be embarrassed by having to retract or modify a decision. Instead, focus on the best interests of your organization or client. Then, evaluate both the result and the process before issuing the new decision.

**SEEK OPPORTUNITY.**

Progress is really a series of decisions. Decisions, made one by one, can transform organizations or projects. One of my favorite sayings is “Every
problem is an opportunity in disguise.” If you focus on the opportunity instead of the challenge, even difficult decisions can become gratifying to make.

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