

From Courtroom to Conference Room: Leveraging Legal Skills for HR Success with Heather Hansen

00:02.346-00:17.332 Heather Hansen: You're listening to HR Mixtape Your podcast with the perfect mix of practical advice, thought-provoking interviews, and stories that just hit different so that work doesn't have to feel, well, like work. Now, your host, Shari Simpson.

00:17.612-00:27.897 Shari Simpson: Joining me today is Heather Hansen, CEO at Advocate to Win. A keynote speaker, author, and former trial attorney, she teaches leaders how to advocate for themselves and their ideas.

00:31.601-00:49.846 Shari Simpson: Heather, thank you so much for jumping on the podcast with me today. Oh, my gosh, Shari, it's my pleasure to be here. I love the podcast. Oh, I love that. I love to hear that. And it's just it's great that we were finally able to connect. And I love if we could start maybe with you sharing a little bit about your background and how you got where you are today.

00:50.566-02:07.747 Announcer: My goodness. So I went, I got an undergrad degree in psychology and I immediately went to law school and I immediately became an attorney. I started working at the firm that I just left a year ago when I was in law school. So that firm did medical malpractice defense work. So I became a medical malpractice defense attorney and I loved it. And I did it for 20 years and I really used my psychology degree to help the doctors and nurses and techs. that I represented to learn how to testify and speak to juries. And then it just, I stopped loving it the way that I had. It's a lot of conflict, but also I wanted to try new things. I had written a book in 2019 called The Elegant Warrior that had some momentum behind it. And I started doing some speaking. And I started to recognize that the tools that I used in the courtroom and the way that I taught witnesses to testify could be used outside the courtroom to teach people how to ask for whatever they want and get it. And so I started doing speaking. I wrote another book. And so now I do speaking and consulting on these very tools. How do you use stories and evidence and the energy of your body to make the case for your ideas or your team? or a raise, or your potential, or to get your partner to put a pool in the backyard.

02:08.007-02:08.888 Shari Simpson: Whatever it is that you want.

02:08.908-02:09.208 Announcer: I love that.

02:09.368-02:51.898 Shari Simpson: I love that last one. And we'll make sure to throw links to your books in the show notes for anybody who wants to go ahead and grab those. You know, I'm always fascinated when I meet people who didn't start out in the thing that they're doing and hearing about their journey to get there. It's just so unique to hear what inspired you and then for you to make that pivotal moment to say, Hey, I've learned a lot in this profession and I think I can give back in a different way. Um, I love that. How, how is your, how do you pull in some of that psychology and conflict resolution when you're teaching things like advocacy, especially, you know, there's sometimes we're in these high stake corporate environments

where we have to show up in a different way than maybe we're used to. Walk me through that.

02:52.458-04:28.805 Announcer: Yeah, I think, you know, it's interesting. Most lawyers didn't graduate with a psychology degree. That might be changing now, but I think it's the most valuable thing that could have happened for me because it's just the same in the courtroom. The witnesses have to be a little bit more formal, a little bit more prepared for the conflict of cross-examination. And yet they still want to be themselves and they have to be themselves or else they're not going to be effective. And so I talk a lot when I talk about the energy of your body. You know, the C technique is S-E. and it's the energy of your body. I talk a lot, Shari, about the energy of delight. And what I mean by that is you have to, whether it's in your corporate environment where things are high stakes or in the courtroom where things are also high stakes, you have to believe in what you're asking for. Because when you do, you will have that energy of delight, which is so compelling to the people that you're asking. And it doesn't mean, so when, let's get specific about the corporate, atmosphere. If you're asking for a raise or for a resource or for help, it doesn't mean that you have to be all rainbows and butterflies and happy about it. It means that you have to take pleasure in the fact that what you're asking for is going to benefit the team. It's going to benefit the organization. It's going to benefit you, which will then benefit the team and the organization. But you have got to believe yourself. And I think the psychology background and the conflict resolution background has made me very good at recognizing what it takes to build a belief and helping people to do that for themselves and their own brains, and then to build the belief in the other who has to give them what they're asking for.

04:29.795-04:57.489 Shari Simpson: I'm so amazed at the people that I've met in my life who don't know conflict resolution, especially in our profession. And maybe they've taken a class here or there on negotiation, you know, as we deal with unions. But that conflict resolution piece is so important, especially in today's current climate. I think that we've heard a lot around civility and those types of conversations. You have a unique model, though, when it comes to teaching people this, something called the three E's. Could you walk us through that?

04:58.149-05:12.985 Announcer: Oh my gosh, it's actually funny because the three E's are an older version of my work. I now focus on the three C's. If you want to talk about the three E's, we certainly can. But if you want to get me started on those, I'm happy to talk about them and then we can switch over to why I've made this change.

05:13.146-05:16.950 Shari Simpson: Yeah, I would love that. I would hear to love to hear where you came from and where you're at now.

05:17.825-08:52.469 Announcer: So I think one of the E's and the thing that I talk about most, I think, is empathy. And empathy is an interesting topic. I could talk about this for the full time of this podcast because there's two forms of empathy. And I don't think that people always recognize this. I actually have a TEDx talk on this.

There is and Daniel Goleman is the person at Harvard. who's sort of the father of empathy. He's written the most about it. And he points out that there's these two forms of empathy. There's cognitive empathy and there's affective or emotional empathy. And we tend to think about empathy as feeling what other people feel. That's the emotional or affective type of empathy. But it's the ability to see what others see, which is the cognitive empathy, that's actually most important in my work and has now turned into what I call the three Cs, which are compassion, curiosity, and credibility. And that compassion piece is taking empathy and putting it into action. The reason this is so important, Shari, is because think about my cases. If I feel what the doctor or the nurse feels in the courtroom, I'm going to feel anxious, nervous, afraid, mad, sad, and none of those are going to make me more effective at my job. So I don't need to feel what they feel in order to serve them well, but I do need to see what they see. For example, I will often talk to opposing counsel. I have good relationships with opposing counsel. When they see that, it might make them feel weird. Like, why is she buddies with the other attorney? So I will talk to them about that ahead of time. in order to make sure that I see what they see and that I speak to it. And this is really important when it comes to conflict resolution. Because most of the time in conflict, the enemy is not the other person. The enemy is confusion. And so you want to get over that confusion. One of my favorite ways to deal with conflict is with questions. asking the other person, what is it that they see? How do they see the world? What am I missing? Because that's going to allow me to speak to them in a way that's going to hopefully slay that idea of confusion. And so the empathy piece is one that has carried over, but I think in compassion is taking that empathy and putting it into action, actually doing something about it. It's not enough for me to see that my doctor may be or nurse may be freaked out that I'm speaking to opposing counsel, but to also put it into action and say, this is why I speak to them. This is what we're talking about. This doesn't mean that I'm not going to be fighting for you when the time comes, if that's necessary. So that's that compassion piece. Curiosity is imperative in conflict. You have got to be curious about the other side and what they're experiencing and what they're seeing and how they're seeing the world and how they are interpreting it. And you have to be curious about yourself and feeling, because we are, as human beings, we are animals. When we are in conflict, the emotions happen and you have to be curious about what am I feeling? What is the belief that's leading to that feeling? What could I be believing instead? What can I do to change my body's reaction? And we can talk about jinshin, which is a Japanese art of acupressure that really helps in conflict situations. Let me just put a star there. So you have to get curious about it. And then the credibility piece is really building that belief so that even in conflict, you can believe in yourself and that you have your own back. and the other side that can believe that even if you disagree, you have a certain foundation of trust and belief that's not going to go away. There is so much to unpack there.

08:53.450-10:18.005 Shari Simpson: I love a couple of things. I want to highlight a few things because I think there's a few nuggets that I think have been really helpful for me in my career as I've grown and understood more about relationship dynamics. I like that as you were talking about compassion, you kind of separated it from what I'd like to call the warm and fuzzies. Empathy, compassion, like we don't have to teach managers to emote differently, potentially. We have to teach them, like you said, how to deep dive into that cognitive piece of it and really have some understanding of somebody's situation. And that comes with the curiosity that you mentioned. You know, so many times throughout my career, I've gone into that defense mode instead of being like, huh, why do you think that? Why do you think that's the best? option to approach this? Why do you think that's the best way to handle this employee? And having made that transition in my own life, I've learned so much more about just how people think that I'm like, oh, I would have never considered it that way. I've never thought of it from that angle. And it's changed my ability to be a good business partner because I can give different recommendations now that I have this good sense of that. And then, you know, just the credibility piece. That's something that I think HR people often lean into that they have to come as this perfectly formed person. And I'm sure you've experienced that in your career. How have you kind of helped them understand the dynamic of credibility a little bit deeper than just I have to show up perfect and have all the answers?

10:18.365-12:43.407 Announcer: Oh my gosh, perfection is not the basis of credibility. And in fact, it's quite the opposite. So in my work, I have what I call the belief triangle, because there's different types of belief, right? You need people. So the belief triangle, one side of the triangle is people need to believe you. When you make a promise, you keep it. When you set an expectation, you meet it. And when you can't, you own it. And that's where that perfection piece comes in. The ability to own a mistake or to say, I don't know the answer, but I'll get it, is a huge credibility boost. So faking like you're perfect and you know all the answers actually makes you lose credibility in those situations where you don't. So the first side of that belief triangle is people have to believe you. The second side of it is they have to believe in you. And this is where we get that imposter syndrome and often this faking of perfectionism. But believe in you just simply means that you have to collect and create evidence that you can do the thing that you want to do. And sometimes that means you do need more education or training or experience and you go out there and get it. You create evidence by doing the things that you want to have credibility around. But you also need to be able to look at your past and say, you know, I may not have done this exact thing. I waitressed for many, many years, Shari. And I will tell you that there's so many things about waitressing that I brought to my job as a trial attorney. You know, the ability to manage many things at once, the ability to manage difficult personalities in the kitchen. All of these things were transferable that I could use it as evidence that I could believe in myself and other people could believe in me. But you

have to sort of play with the evidence to make that piece work. And then the most important piece is the foundation of that triangle. And it's the piece that people forget most often. And it's that they have to believe that you can help them. And so for others, it's really, it gets back to that cognitive empathy. What do they need? What is their problem? What do they care about? And also, when you're doing this credibility triangle for yourself, it's knowing that you have your own back, that what you need is important, and that you will take care of your needs. And if you have to disappoint someone, it's not gonna be yourself. And so this triangle applies to our outer jury, the people around us who give us our wins, but also our inner jury, the part of us that decides what to believe. And it's a consistent thing every day, trying to work on all three sides.

12:44.747-13:02.412 Shari Simpson: Well, and it leads into my next question, because I wanted to talk about the concept of advocacy. You know, you mentioned asking for a salary raise or going into a meeting, maybe asking for more headcount. How have you helped leaders understand how to advocate better for the things that they need personally in their career and they need for their teams?

13:03.152-15:17.090 Announcer: So I describe advocating as knowing what you want, asking for it out loud and with delight and mastering the art of the ask. And so people have challenges with each of these parts. Sometimes people know, I just talked to someone yesterday who was in HR. We're going to be working together to do some projects for her team. And she was saying, you know, I feel complacent. I feel like I'm having this like two to three year slump in this position, which is a different position. She had she had moved up the ladder. And she said, I know that I want something different, but I don't know what. Well, that's not helpful to anybody, because, you know, if she goes to her leaders and she's like, I'm not happy, I'm complacent, but I don't know what I want. It doesn't work. And so you've got to know what you want and you've got to be willing to be wrong, right? You can say that you're not a tree. You can say that you want something and if that's not exactly the thing, you can then move on to something else and iterate and take these little tiny steps. So knowing what you want is a big part of advocating. The next big part is asking out loud and with delight. One of the things that I see happen all the time is that people, and this often happens with women, but it's everyone, they think they've asked because they've given. Well, I used to do this when I was a young lawyer. Well, I volunteer for all these things and I do this pro bono work and I go to all these client meetings and I bill more hours than anyone else. Of course, I want to raise. Of course, I want to be a partner. But I never actually asked for it until I was so resentful, so frustrated, so angry that I did ask for it with resentment, frustration and anger, which is not a very effective energy to actually get what you want. And so the next part of advocating is really believing that what you're asking for is going to be of service to you and to others. And then asking before you get to resentment or frustration or confusion or anger. And then the last part is mastering the art of the ask. And that's knowing your jury.

And I put that in quotations. It's seeing things from the perspective of the people that you are asking. What do they like? What are they afraid of? What do they want? What's their biggest fear? What's their immediate problem? And how does your ask serve them? And then when you put those together, you will become a very effective advocate. Wow. 15:17.250-15:50.371 Shari Simpson: I just I'm hearing you talk about this and thinking about being in the courtroom and bringing all of that knowledge. And I'm assuming as a trial lawyer, you do not go into that situation with a plan of how you're going to handle defeat. obviously going with a winning mindset. That being said, I'm sure, well, I guess I don't know. I'm gonna assume you haven't won every single trial you've ever tried. How did you wrap around these concepts to when you met the triangle, you go in, you have this great presentation, you're confident, and you still don't get the thing that you want?

15:51.141-18:27.270 Announcer: Yeah, and it's very hard. In my first book, I talk about the fact that rejection causes physical pain. And if you take Tylenol before you get rejected, the pain is less. There's research that shows that that's true. And so it's never fun. It's never, you know, I can count my losses on one hand, but I will remember them forever. But I will say that the key to not allowing them to stop you from advocating again or from hurting your belief and that belief triangle and your credibility with yourself is reframing them. And sometimes that takes a little bit of time, but I've been able to reframe each one of my losses. I remember one time someone else helped me to reframe my loss. It was my first loss and it was a big loss. My cases were worth a lot of money. And so this was a million dollar verdict for the other side. And I was embarrassed, and it was in the paper. I was mortified. It's very public, my job. You know, your losses are very public. And I sort of crawled into my office and closed the door and didn't want anyone to see me. And an attorney for another firm who did similar work called me. And he said, I saw the verdict in the paper. And I was like, yeah. And he said, just remember, if you're not losing, you're not trying. And that is something that really has stuck with me because it's true. You know, we settle more cases than we try. And so you can go through your your career as a trial attorney, not trying a lot of cases to verdict. And that's not why I became a trial attorney. I want to serve my clients, but I also wanted to try cases. And it also applies outside of the courtroom. Right. If you're not losing, then you're not trying. And life is for the trying, because the trying another reframe that I often use with my clients is this is where the growth happens. You know, I think that we're here for earth school and we're here to learn. And you don't learn as much from your successes as you do from those failures. And so those reframes and I would often also tell myself a new story. I remember one time what happened in the courtroom got complicated, but I lost. And I put that in quotes because it wasn't a definitive loss. But the patient on the other side, the person on the other side had a young child and she got a nice sum of money. And so I told myself the story that she was going to use the

money for a better education for her son, and maybe he would go on to do big things. And I didn't know. But that reframe, Shari, helped me to live with it and move on from it and not perseverate and let it bring me down and make me think that it was the worst thing possible. I do think that a big part of the ability to get through this life is the ability to change your perspective and to be imaginative and curious about it. What else could it be? What else could it be? What else could it be?

18:27.670-19:00.049 Shari Simpson: Until you find something that feels better. We end up in so many situations in our lives where we tell ourselves stories. You brought that up a couple of times and that's something that came across. that phrase, my radar, only about five years ago. And the amount of times now that I use it when I'm coaching people or even talking to my spouse, like, OK, I hear you. It sounds like the story you might be telling yourself is this. Yeah, it sounds like the story I'm telling myself is this and how I reacted to what you had to say. What a great tool to be able to just reframe your environment.

19:00.649-20:11.114 Announcer: It's one of the biggest gifts of being a trial attorney, because remember, In the courtroom, there's two sides. Sometimes there's a lot of people on the defense side, but there's two sides, right? And we have the exact same data. Now, with that data, we turn it into different evidence and we tell different stories, completely different stories. And when each witness gets up and swears to tell the truth, they're telling their truth, their story. And so one of the things that I often do is say, what's another story? There's an exercise that I use, the victim-villain-victor exercise. So if someone is telling me the story that they are the victim, I will ask them, tell me this story as if you are the villain. Tell me this story as if you are the victor, the hero of the story. And just that it is a neuron that you need to fire in your brain. But the more that you do it, the more you start to recognize, well, this story isn't serving me. What's one that does? And then you have to believe it. That's the next piece. If it's a fairy tale, then your emotions aren't going to respond to it. So then you have to collect and create evidence to support the new story. But that's also possible when you recognize that evidence is just the way that you play with data.

20:11.814-20:35.027 Shari Simpson: Heather, as we wrap up our conversation, I'd love for us to end with you sharing about the leaders that you've worked with. And you made the comment of like the two sides of the table having all the same data, all the same information. Often leaders receive the same training in an organization, the same opportunities, the same everything. What sets the leaders apart that succeed?

20:35.587-21:41.097 Announcer: You know, there's so much great data about leaders and we know that leaders are better at making decisions. They make decisions more quickly and they tend to make decisions more effectively. You know, Jeff Bezos talks about the two door decisions versus one door. And if it's a decision that you can come back from,

it's fine to make them quickly. I think that the leaders that do well tell themselves the story that this is a decision that I can come back from, that I have the team around me and the knowledge to make these decisions. They tell themselves positive stories. Leaders tend to be, good leaders tend to be optimists, not delusional, but optimistic. They see the positive. And when things happen, they're able to overcome it. And that is true. We're all leaders. You're leading your family. You're leading your life. If you can start to recognize that there's another story that will make you feel better, maybe get towards that feeling of delight and great pleasure, you are going to be more effective at telling that story to yourself, which is going to change your energy and change the way that your team responds to you. And then you're going to be able to carry that on throughout your team.

21:41.117-21:52.206 Shari Simpson: Heather, just having this short conversation, I feel more inspired. I can't wait to dive into your book. So thanks for sharing those details and jumping on the podcast with me today. Thank you so much for having me.

21:54.870-22:04.754 Heather Hansen: I hope you enjoyed today's episode. You can find show notes and links at thehrmixtape.com Come back often, and please subscribe, rate, and review.