Insights: Publications

6 Key Takeaways | Beyond Legal Expertise: Tools for Navigating High-Stakes Conversations

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Kilpatrick's **Colleen Bear** and **Brodie Erwin** joined other thought leaders at the firm's annual In-House Counsel Summit in Raleigh to discuss **"Beyond Legal Expertise: Tools for Navigating High-Stakes Conversations."** High-stakes conversations are where legal judgment, business acumen, and interpersonal skill converge. The core message is simple: trust and psychological safety make productive conflict possible; productive conflict improves decisions; and repeatable conversation tools turn high-pressure moments into forward progress.

Key takeaways from the discussion include:

1. **Make it safe first**

- **How:** Name a shared goal and mutual respect at the start of tough conversations; contrast what you intended with what you didn't to clear up misunderstandings.
- **Why it helps:** Lowers defensiveness, encourages collaboration, speeds alignment, and keeps dialogue productive.
- **Try this:** "We both want a solution that protects the deal and the company. If it sounded like I was dismissing your concern, that's not my intent—my goal is to surface risks early."

2. **Build trust daily**

- **How:** Be predictable—do what you say, when you say; listen 80/20; ask what matters most to them.
- **Why it helps:** Faster buy-in, fewer escalations, stronger influence over time.
- **Try this:** Start with "What's your biggest worry about this project?" and mirror back what you heard.

3. **Debate ideas, not people**

- **How:** Set ground rules, invite minority views, tie arguments to client interests and decision criteria.
- **Why it helps:** Better, more informed, decisions without collateral damage to important relationships.
- **Try this:** Rotate a "devil's advocate" and close with, "Once we decide, we all row in the same direction."

4. **Lead with emotional intelligence**

- **How:** Regulate your own reactions; paraphrase to demonstrate understanding; validate concerns before advocating solutions.
- **Why it helps:** Defuses tension, keeps negotiations moving, and builds credibility.
- **Try this:** "I hear that timeline risk is the sticking point. Let's explore options that protect it."

5. **Shift from "no, because…" to "yes, if…"**

- **How:** Offer conditions, safeguards, and alternatives that advance business goals while managing risk.
- **Why it** helps: Positions Legal as a problem-solver and accelerates decision-making.
- **Try this:** "Yes, if we cap liability at X and add Y oversight; otherwise, the exposure is too high."

6. **Close the loop**

- **How:** Translate dialogue into decisions—name owners, timelines, and follow-ups; send a brief recap.
- **Why it helps**: Drives accountability, prevents rework, and keeps team moving forward toward their goals.
- **Try this:** "Decision: proceed with Option B. Owner: Alex. Timeline: Friday. Follow-up: risk review next Tuesday."

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