

Gender Differences in Communication Can Affect Client and Other Relationships

By Linda A. Hazelton

Why is face-to-face marketing so difficult? Why do female staff members sometimes have a difficult time getting their point across to groups composed largely of male attorneys? Why are there so many jokes which reflect poorly on attorneys? The answer, or at least a partial one, to these and other questions comes from an examination of the differences in male and female communication styles.

Dr. Deborah Tannen, a linguist, wrote a fascinating and eye-opening book: *You Just Don't Understand: Women and Men in Conversation*. Published by William Morrow & Co., Inc., in 1990, the book became a best seller and communications classic.

Here's how Dr. Tannen's work relates to client development and client relationships.

First, the two styles of communication are very, very different. But neither style is to be considered superior, nor should women try to change their style to a male style, or vice versa. Instead, when communication problems are encountered, we should think about these style differences and what they mean.

The male communication style is largely concerned with status and hierarchy. The female style values a development of community. Thus, men, when making statements will say things like "turn to . . ., do this now . . ., this is why," women will instead say things like "let's turn now to," . . . "perhaps this could be the case," . . . "could it be that," and so on. In intra-firm meetings and communications, the impact is that men can be seen as dominating, arrogant, and inflexible. Women are sometimes perceived as wishy-washy and lacking conviction. A new wrinkle appears in that many female lawyers have adapted their communication styles to sound more like the male style, and this "shape-shifting" is occasionally jarring.

These same perceptions are often carried through to dealings with clients, when the attorney is already cast in a position of authority and power. Female clients, when dealing with male attorneys, can develop a perception that they are not being listened to and are being ordered around. Since the ranks of in-house counsel are swelling with women, perhaps these style differences merit some attention. The reverse style mismatch occurs when females—and associates in particular—are communicating with male partners or male clients.

Women—at least when off duty—build community and rapport by voicing their random thoughts. In relationships among friends, women will often recount the minutia of the day's events, even to the extent of having conversations along the lines of, "he said . . . and then I said . . . and then he said." These conversational patterns are learned in early childhood and are difficult to change. When female staff or female clients behave in this way which is quite natural for them, their communication is often misperceived by male attorneys. The differences between styles in this case can be thought of as *report talk* versus *rapport talk*.

Men tend to save their utterances for a factual statement about an activity. Even among the closest men friends, the tendency is not to discuss problems because of men's concerns with the issue of status and hierarchy. Men, when faced with a problem of a male friend, will tend to deny the problem or make little of it, as a way of preserving the status of the troubled one. This creates problems when male attorneys, when hearing of a female client's problems jump immediately to the solution of the problem or downplay its seriousness. In this situation, men need to be concerned with establishing empathy before proceeding to the suggestion of a solution. For example, if a bereaved widow meets with a real estate attorney to discuss the sale of part of the estate, it would be appropriate for the male attorney to listen to his client's concerns and feelings, and in fact draw them out through gentle questions, before reassuring her that a solution exists. Conversely, when female attorneys are meeting with male clients, they should consider conforming the amount of rapport-building talk they do to the amount desired by the client. When faced with male clients, women attorneys will also need to voice their statements in positive, decisive terms, and downplay their usual style of building community through merely suggesting the course to be taken.

The female style often includes considerable use of personal anecdotes and analogies when explaining or presenting ideas. Men perceive this way of explaining as less powerful than simply stating the facts or quoting authorities, referring to logical arguments, or citing statistical data. When men use the methods they prefer, they are sometimes perceived as cold and dry in the eyes of women.

In our culture, women are perceived and joked about as talking too often and for too long. In educational studies where tape recorders were sent into homes and work places to run around the clock for a month, and where the conversations of men and women in all relationships and in all age groups has been observed, the findings showed that not only did *women talk less often*, but that *their turns did not last as long*. Also, whenever men and women began speaking at the same time, the *female speaker deferred to the male speaker* not 80% of the time, not 90% of the time, but *100% of the time*.

When faced with the issue of interruption, women must be mindful of the audience and the role of the interrupter. A female attorney may or may not wish to continue on when a male client attempts to interrupt. Ways to deflect such interruption include simply raising your voice and continuing, holding up one finger, and saying something like "would you mind if I finished completing my thought . . ." All attorneys should use caution and diplomacy when interrupting a client, particularly a client (of either gender) who is speaking with emotion.

An additional challenge is presented by women's style of inflecting their voice at the end of every phrase, almost as if to ask a question. Early studies concluded that this showed that women did not have confidence in their statements and were asking for approval as they raised their voices and eyebrows. Current wisdom seems to suggest that this is not so much the case, but rather the female style is more participative. Raising the voice at the end of a phrase or statement signals the listener that they are to jump in with something along the lines of: "ah ha . . ., I see . . ., okay . . ., go on . . ." When women make presentations to men, however, this invitational inflection may be misperceived as signaling that the women's turn is over and the male turn may begin.

Not only do women have a more participative communication style, but they also seek participation in decision making, further evidence of the value that community holds for them. When women consult before making a decision, however, they may not actually be asking for advice, but simply showing courtesy to the one consulted and attempting to build rapport through the facade of shared decision making. Female attorneys dealing with male clients might, then, be better off making statements about the alternatives considered and the conclusions formed and presenting them matter-of-factly. Building consensus is, of course, important for both men and women; but it seems that women place perhaps too much importance on giving the impression of consulting before arriving at a decision rather than presenting a series of alternatives with a clearly defined first choice. All attorneys, but especially male attorneys, could go a long way toward building better relations with clients by including them in the decision-making process through setting out a series of possibilities for discussion.

Recent surveys have shown that clients not only want results, but they want to be made to feel that attorneys care about them and their problems. They want evidence of this caring in the form of promptly returned phone calls, information about the course of the matter at all stages, and fair and understandable bills. But perhaps even more important, they want to believe they are dealing with attorneys who are client-driven, client-centered, rather than arrogant and presumptive.

Much of the frustration in attorney/client relations is due to communications which go awry. If we were conversing with someone for whom English was not a native language, we would make allowances for communication difficulties and try hard to understand what was being said. While the differences in gender speak are not so great as to require a translator, we need to be aware that style differences can create major problems, unless there is a conscious attempt to listen and hear pro-actively and deliver messages in an understandable format.

“Know thyself” and “To thine own self be true” and other maxims aside, it is important to take into account audience preferences whenever we attempt any kind of communication, whether written or spoken, and no matter what size the group. Gender considerations are simply one more step in planning your communication.

Published in *The Texas Lawyer*, April 2003