Fostering Feedback Literacy

By Robin Oaks

"Feedback is critical for self-development. Ask someone you trust for feedback. And then accept it as a gift."

- Warren Buffett

Think about a time when you received feedback from someone and see what comes to mind. Did you feel it was a *gift*—or a gut-punch? Was it useful or stressful? How did you react? Now, recall what the person said and what nonverbal messages they sent. What made the interaction memorable?

Feedback essentially is an exchange of information reflecting someone's observations. That sounds simple. Yet, to give and receive feedback effectively requires communication skills, emotional intelligence, self-awareness, and being feedback literate. Feedback literacy involves skills for: 1) seeking feedback, 2) receiving feedback, 3) using feedback, 4) giving feedback, and 5) fostering work cultures of well-being, self-development, growth, engagement, and excellence.

Psychologists studying the personalities of lawyers have found that they tend to have the following traits: perfectionism, risk-avoidant, skeptical, loners, high achievers, and sensitive to criticism. Legal professionals may rely upon their own inner critic and analytic skills to assess what needs improving, which may result in dismissing the importance of feedback as a valuable learning and workplace engagement tool. Also, feedback can trigger emotions, which can be difficult to navigate and feel stressful for the one giving or receiving it.

Early in my legal career, when I was an associate working at a large law firm, feedback about performance generally was given during annual reviews. This was when a partner met in person to discuss whether an associate was measuring up. Nothing specific or meaningful was mentioned during these meetings unless there was a big problem overall that might be impeding advancement.

On occasion, a supervising partner might review my written work product by red-lining what he (there were few female partners at that time) thought needed changing. This feedback seldom was in person or involved a two-way discussion. Positive feedback and ongoing, individualized recognition were rarely expressed by anyone.

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The work environment was not a place where fruitful or frequent feedback occurred. No training was ever offered to partners or associates about how to give or receive feedback. Self-sufficiency, competition, and working harder (not necessarily becoming more empowered) were valued over building supportive connections or collaborative teamwork.

I eventually left that work environment. It wasn't because I thought the work was too difficult or too much. I just didn't like how I *felt* working in that culture. It wasn't until years later, after being trained in leadership, conflict resolution, and organizational psychology skills, that I realized how a lack of feedback literacy can negatively impact employee engagement, well-being, and motivation. In fact, studies show that the top reasons most cited by employees for leaving a job in law are the *lack of*: 1) feedback and fairness, 2) opportunities for growth, and 3) appreciation and recognition.

Factors That Strengthen or Stifle Seeking Feedback

Although the legal cultures in which I worked discouraged seeking feedback, I recognize that my own mindset about being a lawyer, including self-destructive perfectionistic tendencies and my harsh inner critic, prevented me from seeking feedback from others. Most feedback from any supervisor that an associate received was from a do-as-I-tell-you-to-do perspective. The cultural norms clearly communicated a stigma against help-seeking. I had a fixed mindset that perceived feedback as something to be avoided for fear it might reveal some weaknesses or failing on my part.

I remember one time when my supervising attorney gave me feedback about a motion I had drafted. He made comments in writing (rarely did he meet one-on-one) advising me to exclude a key argument I had emphasized. Then, another partner reviewed the motion with the changes I had made based on the first partner's feedback. This second partner then communicated that I needed to emphasize an

argument that was the very one that I had deleted based on my supervisor's remarks. Neither explained nor asked for my perspective about their proposed changes.

They apparently were unaware of the conflicting feedback they were giving. I never even considered at the time asking these busy business leaders to explain for *my* benefit. Considering the cost for employers when employees leave and the many stressors of working in the field of law, I now see that leaders need to learn how to lead, and employees need to know what supports engagement and learning—and seek it out.

I spent a lot of time stressing about how to incorporate what both partners claimed was the "right" way to proceed. I remember that one of the partners had a reputation for being emotionally volatile and treating associates dismissively, if he contacted them at all. How he treated others and his lack of emotional self-regulation contributed to whether I valued or trusted his feedback, and whether it was safe or useful to interact with him. Feedback is definitely relational.

Now as a solo legal practitioner, and after years of studying what creates healthy work environments of engagement, meaning, and well-being, I recognize the value of seeking feedback from clients and from those with whom I interact through my work. Feedback conversations are a way to build strong relationship bonds and understand what everyone needs to work together successfully. I still have perfectionist tendencies and sometimes my loud inner critic interprets outer events harshly, but now I encourage open conversations to create opportunities for understanding and learning what others may need from me. How to ask for feedback, react to it, and use it are necessary skills for professional development, self-awareness, and cultivating lasting relationships of mutual trust.

Giving Effective Feedback

We all have unconscious biases when assessing the work and actions of others. Biases can cloud judgment. Perceptions are not necessarily facts. As Anaïs Nin is quoted as saying, "We don't see things as they are, but as we are." Fundamental attribution error is a term in psychology that refers to our tendency to overemphasize personality or dispositional factors (like character or traits) and underestimate situational or external factors (like context or circumstances) when drawing conclusions about other people's behavior. This can cause us to make incomplete or quick judgments about *someone*—rather than viewing the *situation* objectively.

Studies have shown that feedback given to women (whether positive or negative) is less clear and more vague than that given to men. Men are more often provided with specific feedback that tells them what they're doing well and what they need to do to advance. Research regarding motivation confirms that employees want (even more than monetary bonuses) to have supportive supervisors, fair treatment, and be empowered to grow professionally.

Meaningful feedback and professional growth are a form of reward. They support our needs for competence (accomplishments and knowing how to succeed), relatedness (supportive relationships and collaborative connections), and autonomy (authenticity and self-efficacy). Stress increases and motivation decreases when people feel their effort outweighs the rewards.

The term "quiet quitting" refers to employees who do minimal work to get by because helplessness, confusion, and a lack of meaningful relating have contributed to disengagement. When attorneys feel an effort-reward imbalance at work, it can lead to chronic stress, mental and physical health issues, and burnout. Pause as you're reading this to consider what feels rewarding about the legal work you do. The following are some tips to guide you when giving feedback to make it rewarding for everyone involved.

> Positive feedback energizes and motivates.... Studies have shown employees can handle higher workloads when meaningful, individualized recognition and frequent positive feedback are given.

Friendly and Factual

A mutually beneficial feedback discussion should occur in person, in private, and with ample time to allow for discussion. Find ways to communicate that your intent for providing specific feedback is to support learning, understanding and accountability, and striving for excellence. Consider practicing some mindfulness and breathwork technique before you begin any feedback discussion, especially if you feel tense or are unsure how the receiver will react. This way your demeanor will signal calm, not fight and flight - or freeze. Knowing what can help self-regulate our nervous system allows us to co-regulate others, and respond effectively - instead of being reactive.

Encourage a discussion by asking questions to determine whether what you're saying is understood. Pause frequently to invite and allow input, as needed. Ask if the other person has more to share that would further your understanding and what they need from you that would be supportive. Asking frequent open-ended questions as you explain the "facts" helps to lessen the chances that what you say will be perceived as accusatory or blaming.

Keep your feedback clear and concise (instead of vague and complex). Small packets of information are less stressful to hear and will be processed more easily. Be factual and focused. Use "I" statements about what you perceived, observed, or heard. Refrain from making assumptions about intent. Give specific steps for moving forward. This helps ensure that your message will not be perceived as personal but situational, and mostly future-focused, instead of emphasizing past events or work that can't be changed. Keep in mind the other person's skills, interests and strengths—and what matters to them.

Frequent and Fair

Frequent feedback opportunities, such as creating ongoing meetings one-on-one to talk about work, are important for creating a culture of feedback literacy built on trust and support. Waiting until weeks or months after events or work assignments to raise concerns may feel like a surprise attack. Delaying is more likely to be interpreted as unfair.

Treating people in a courteous, genuine, and respectful manner affects whether the feedback you give will be viewed as valued and valid. Be sure to plan ahead what you'll say. Do your due diligence so you can explain how you came to your opinion about what happened or needs to improve. To support understanding, state the reason *why* you are providing feedback, *who* may be impacted, and *what* specific actions you can suggest that might help.

Although you may intend your feedback to be beneficial, it is often unnerving for someone to hear about how their actions and work are perceived. When emotions rise, this interferes with cerebral cortex functioning, which affects how much information can be processed and analyzed rationally. Refrain from starting a feedback conversation with a few positive comments and then launching into a laundry list of problems and what's wrong, adding possibly a few complimentary comments in closing. This common approach often is felt as deceptive and likely will raise defenses, resulting in the receiver losing focus, or dismissing as unfair whatever is being shared.

Consider the 80/20 rule when giving feedback, especially if you suspect it will be perceived as negative. This means that the discussion should focus twenty percent on outlining concretely any issues of concern or what needs improving. Eighty percent should include positive feedback, including specific steps and suggestions about what can be done moving forward.

Feedback also should include opportunities for follow-up to demonstrate your interest and expectations that growth involves mutual accountability and support. It's useful to emphasize how actions have (or had) a specific impact on others or relate to achieving specific goals. This is why when expressing positive feedback to others, instead of simply saying, "Great job" or "You're amazing," tell someone specifically how their actions impacted you (or others, including clients) by helping you to learn and grow, and benefiting *your* life. Positive feedback is more motivating and rewarding when it states specifically how actions or work impacted others in a valuable and meaningful way.

Positive Feedback and Presence Fuel Feedback Literacy

Frequent recognition, expressing gratitude, and positive comments about people's effort create strong relationships that are foundational for feedback literacy. Positive feedback energizes and motivates. Accountability and transparency are modeled by leaders who solicit feedback from others and demonstrate by their actions that they support professional development and fostering well-being. Studies have shown employees can handle higher workloads when meaningful, individualized recognition and frequent positive feedback are given.

One simple communication skill called "Active Constructive Response (ACR)" is a Positive Psychology technique that has been studied and shown to strengthen personal and professional relationship bonds. ACR is one of four styles of communication researched to be ways people respond when someone shares good news. The other types of responses often weaken, or possibly destroy, relation-

ship bonds. An active, constructive style response involves showing genuine enthusiasm, curiosity, care, and presence when others share something positive that happened to them. Strong relationship bonds impact whether feedback discussions will be perceived as fair, valuable, and trusted—instead of distressing and detrimental.

I've summarized the four response styles in the box and created names for each, providing examples to illustrate. Next time someone (at work or in your personal life) shares good news with you, be aware of how you respond. Depending on your communication skills and typical response style, you may be either building or breaking relationship bonds.

If you want to know how your communications impact others, seek FEEDBACK from someone you trust and ask what they perceive your typical response style is when they share good news. Mindfully listen to their response - and accept it as a *gift* for your professional growth. ■

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ACR: One Practice for Building a Strong Feedback Culture of Trust

The Four Response Styles

How do you typically respond when someone shares good news with you?

ACTIVE CONSTRUCTIVE*: Gives full focus and attention, enthusiastic support through words and non-verbal communication (voice, eye contact), questioning with curiosity and genuine interest. (e.g., "That's wonderful to hear! When did it happen? How are you reacting to all of this?")

**Most beneficial response pattern for building relationship bonds of trust, safety, and support.*

PASSIVE CONSTRUCTIVE: Responds with low energy, cryptic remarks, multitasks while responding. (e.g., "Good for you." [Looks at computer, minimal engagement…])

ACTIVE DESTRUCTIVE: Undermines, raises doubts, negative analysis. (e.g., "Maybe the promotion is good, but can you really handle the workload considering you want better work-life balance?")

PASSIVE DESTRUCTIVE: Gives little or no response, ignores or refocuses on self, appearing uninterested and minimally present. (e.g., [Silence] "Guess what happened to me today…").

	CONSTRUCTIVE	DESTRUCTIVE
ACTIVE	*High Energy Engager* Enthusiastic, Supportive, Curious "That's wonderful!! Tell me more…"	*Doubting Downer* Negative, Downplays, Analyzer "Is it really good news, considering…?"
PASSIVE	*Low Energy Lackluster* Understated, Minimal Engagement "That's nice." [looking at phone; then moves on]	*Dismissive Distancer* Ignores or Shifts Topic, Disinterested "Did you hear about MY win today?"