

Career Path: Identifying Solutions That Will Work

Law Department Management

Career Development



Banner artwork by GoodStudio / *Shutterstock.com*

Before we consider solutions to problems, we need to evaluate which problems are worth our attention (see Career Path: Identifying Problems Worth Working On). Although we are tempted to pursue problems with quick solutions, we create enduring value by focusing instead on strategic problems. This week, we discuss how to devise effective solutions to our strategic problems.

> I've seen talented, successful managers devise solutions that would unquestionably address a strategic problem, but still fail to make progress.

Just as with identifying problems, proposing solutions is easy. You are not the first person or the only person to come up with any number of solutions to the problems you've identified.

Here's the thing: Strategic problems typically have no easy solutions. They wouldn't be strategic problems otherwise. I've seen talented, successful managers devise solutions that would unquestionably address a strategic problem, but still fail to make progress. Why is this?

Otherwise promising solutions fail for many reasons, most prominently: (1) underestimating historical and cultural factors supporting the status quo, and (2) focusing too much on the benefits without considering the costs. Let's explore both points.

Figure out what caused the problem

Before we can safely dive into problem-solving mode, it is critical to ask how the situation developed

and why. Although some problems develop spontaneously, there are very often explanations behind the things that appear screwed up to us today. It helps to understand how we got here before trying to set a path to a new destination.

fSira Anamwong / *Shutterstock.com*

Change requires effort, and significant change requires extraordinary effort. Because people are creatures of habit, we tend to keep doing what we have been doing, even if we know it's expensive, inefficient, or downright harmful. Ask anyone who has tried to change their eating, exercise, or spending habits. The burden of change today is magnified when the reward is distant in time. The more we must change for a speculative future reward, the harder the challenge.

> Change requires effort, and significant change requires extraordinary effort.

Thus, the first reason potential solutions fail is that we don’t account sufficiently for human stubbornness, which tends to preserve the status quo. The obvious correctness of a solution doesn't help overcome this. In a work setting, successful implementation means you must be willing to either (1) invest extraordinary effort in pushing your solution, or (2) identify and piggyback on existing initiatives and cultural currents underlying the behavior you want to change.

Determine who can help you implement the needed change

Even if you can invest extraordinary effort, you are well-served to spend time understanding your company's culture. Who among your colleagues has a respected voice and will support you? Are there other successful initiatives already underway to which you can add your own initiative?

> ... Even successful projects regularly take twice as long and cost twice as much as planned.

Think of your company as a slow-moving river of molasses. Don't try to push your boat against the flow, or uphill. You may be able to gradually shift the course, but remember you are dealing with incredible momentum.

Now to the second reason solutions fail, which is not sufficiently considering the costs. These costs include the active resistance from those who are disadvantaged by upsetting the status quo and the unintended consequences our solution gives rise to. It is because of these factors that even successful projects regularly take twice as long and cost twice as much as planned.

VadymG / *Shutterstock.com*

Plan ahead for obstacles and how to circumvent what you can

You can forecast likely costs more accurately by conducting pre-mortems. That is, assume your project has failed (or stalled, or taken longer, or cost more, etc.). Now describe all the reasons why. This will help you plan for those obstacles, and perhaps avoid some of them. But mostly it will help you come up with a more realistic assessment of what substantive change behind your initiative will require.

You should be sobered, if not depressed, upon concluding your pre-mortem exercise. Significant change requires extraordinary effort, which comes at the cost of all the other things you cannot pursue. If you are grand in your expectations, be humble at least in your estimate of how quickly you will proceed.

Know the costs of the solution

Recognize that when we push solutions without a clear understanding of costs, we do worse than impede progress. We lose time and waste resources pursuing solutions that are bound to fail, making an eventual effective solution that much harder to implement.

I'll end with an example to illustrate the dynamic. Most people agree human-caused climate change is a serious, global concern. The solutions seem obvious to policymakers: Immediately and drastically cut carbon emissions, while shifting to renewable energy. A short reflection using our new model reveals, however, why the obvious solutions are destined for failure.

- We have not given enough weight to the historical context: particularly that today's first-world economies developed on the back of low-cost energy delivered by fossil fuels. Today's developing economies are naturally interested in their own advancement, which cannot be accomplished cost-effectively with renewables.
- Consumers in many countries have grown accustomed to their current quality of life, which has been fueled by decades of steady or declining energy prices. To achieve net-zero carbon emissions requires immediate cost and real sacrifice for the foreseeable future in return for a very long-term, speculative payoff. Should we assume that most people will suddenly decide to put future generations' interests above their own? I suppose coordinated altruistic behavior by large groups of people is possible, but it goes against all historical precedent.

Climate change may well be the most important project for the world to work on. I predict we won't make great progress until we are considerably more transparent about the costs. Only then will individuals and societies be willing to consider whether the costs are worth the benefit. Importantly, seeing the true extent of the costs will trigger a search for alternative solutions that may be equally effective but easier to implement.

Being transparent about costs is one of the best ways you can improve the quality of your problem-solving. Showing true costs seems risky, but the payoff may be a solution that works. That’s worth taking a risk for.

Be well.

Check out all the benefits you can get
with ACC membership.

Disclaimer: The information in any resource in this website should not be construed as legal advice or as a legal opinion on specific facts, and should not be considered representing the views of its authors, its authors' employers, its sponsors, and/or ACC. These resources are not intended as a definitive statement on the subject addressed. Rather, they are intended to serve as a tool providing practical guidance and references for the busy in-house practitioner and other readers.

James Bellerjeau



Lecturer

University of Zurich

James Bellerjeau is a lecturer in the LLM program of the University of Zürich and for the Europa Institut of the University of Zürich.

Bellerjeau served for two decades as group general counsel for Mettler-Toledo International Inc., an S&P 500 company with its worldwide headquarters in Greifensee, Switzerland. He then led Mettler-Toledo's global Sustainability program for several years through June 2021.

Bellerjeau shares thoughts on how to live a good life at Klugne. You can also follow him on LinkedIn.