

Episode 90: Summary

Episode name: Decisions Demystified: The Art and Science of Making a Good Strategic Decision

Guest(s): Bernard Hill

What area(s) of law does this episode consider?

Strategic decision making.

Why is this topic relevant?

People are unreliable decision makers. We are sometimes impacted by biases, prioritise the wrong information, and reject information that would otherwise assist us to make a good decision.

A decision making model is a defined method that an individual or team can use to make decisions. A key part of good strategic decision making is first determining what constitutes a "good" decision. This can involve reviewing alignment with organisational goals, potential risks and possible benefits, ethical considerations, and any foreseeable long-term impacts.

As lawyers, our ability to make sound judgments is critical to our success in the profession - even more so for those in leadership roles.

What are the main points?

- The common language of the law is not just about statute and *ratio decidendi*, but also a mode of thinking and discipline.
- The law provides stability and structure, which is beneficial for learning and decision-making.
- A good decision is one that advances you towards where you want to be, which requires knowing your personal and professional goals or "widget".
- Every time you make a decision, you're declaring to the world who you are and making yourself vulnerable.
- Workplace conflict can arise when personal and professional goals do not align.
- Good decision making is a deliberate process of inquiry that helps you reach your desired outcome.
- The outcome of a decision cannot always be predicted due to uncertainty and new situations, but making intentional decisions based on personal and professional goals can lead to satisfaction and success.
- The ability to analyze decisions that did not go well is crucial for learning and improving the decision-making process
- Good leadership involves laying out a path for others to follow based on good or bad decisions made through this deliberate process of inquiry.

What are the practical takeaways?

- People may feel that admitting ignorance or asking for help is a weakness. However, seeking help and admitting mistakes is important in practice.
- Even the smartest jurists can be wrong and those mistakes can be used as a learning opportunity.

- The ability to handle chaos is important in various professions, especially in Bernard's experience in the law and military. It is a skill that can be developed through discipline and through a structured process.
- Bernard's five-step methodology for decision-making:
 - The first step is to step back and surrender to emotions before making a decision.
 - The second step is to define the issue beyond the presenting symptoms.
 - The third step is to assess the information in front of you in a sober fashion.
 - The fourth step is to give a hearing, allowing any person affected by the decision to speak and put their case forward.
 - Finally, the fifth step is checking for bias and examining your own mind objectively before making a decision
- He encourages young lawyers to write down their thoughts and gain perspective by reading outside of the law.

[Show notes](#)

[Bernard's Blog](#)

[Daniel Kahneman, *Thinking, Fast and Slow* \(2011\)](#)