

A Lawyer's Guide to Candor

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Summary

- ❑ Candor is a skill, not a personality trait. It can be learned.
- ❑ Four predictable patterns derail candor at work. Each has a specific fix.
- ❑ Well-delivered candor doesn't damage relationships. It builds them.



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The Thriving Lawyer Column

You know the moment: A colleague or client presents a flawed strategy. A partner

makes a decision that will cost the client. An associate is heading toward a career misstep. You see it clearly. And then you try to be nice about it, and the message arrives unrecognizable. Or you say nothing, persuading yourself that it's not your business or that this moment is not right.

You are not alone. Lawyers across practice areas, seniority levels, and firm size report struggles with delivering candor. Common struggles include fear of retaliation, worry about damaging relationships, and uncertainty about whether speaking up will make any difference.

Consider what we are choosing when we choose “nice.” The word arrives in English from the Latin *nescius*—literally “not-knowing”—and traveled through Old French as “foolish, careless, weak, simple.” That is the company's “nice” keeps.

No one wants to be known as that kind of “nice” lawyer.

Instead, lawyers who master the art of candor are trusted advisors and sought after. In addition to being excellent technical lawyers, they minimize the drama and stress experienced by others while opening the door even wider to productive discussion and creative solutions. While some may appear to be naturally skilled in this regard, candor is not a personality trait. It is a skill. And like any skill, it can be learned, practiced, and refined until it becomes second nature.

Let's review what causes many of us to back away from speaking candidly and how to overcome the reluctance.

Fear of Damaging the Relationship

The most common fear is damage to the relationship. More concretely, this manifests as the fear of being perceived as confrontational, of crushing someone's enthusiasm, or of triggering defensiveness or hurt. These concerns are real. But it is not candor that damages relationships. It is poorly delivered candor. Four tools make candor both possible and effective:

- 1 Framing is everything.** Opening with “You did this wrong” triggers defensiveness. Frame the same feedback around a shared goal—

professional development, sharper communication, better client service—and the words land differently. The framing softens the sting, reinforces a mutual goal, and signals that you care about the person and the relationship.

- 2 Use neutral language.** With specificity, describe observable behavior or work product rather than negative quality, character, or intention. The shift dramatically changes how a message lands. “This brief has three sections where the argument is not supported by the cited authority” kicks off a different conversation than “this work is sloppy.” The truth conveyed is the same. The effect on the relationship is entirely different.
- 3 Listen.** How you listen matters just as much as the words you choose. When the person you are speaking with feels genuinely heard before they receive difficult-to-hear feedback, their defenses lower. This is not manipulation. It is respect in action.
- 4 Use coaching questions to surface problems collaboratively.** A well-timed question is candor delivered in a form the other person can use. “What do you see as the biggest risk with this approach?” invites insight rather than delivering judgment, which is particularly powerful with more junior colleagues, in mentoring, and anywhere the relationship matters as much as the message.



Fear That Speaking up Won't Matter

Another common struggle is the conviction that speaking up is pointless. We

rationalize that the colleague is too stubborn, the decision is already made, or no one will listen. This is not an analysis. It is fear, dressed up as pragmatism.

The solution is the cost-of-silence test. Ask yourself: What will happen in six months, or a year, if I say nothing? Then ask the harder question: What is the realistic downside of speaking up? Most lawyers, when making this assessment with objectivity and honesty, discover that the relative cost favors speaking up. The true cost of silence, which includes eroded trust, unresolved problems, disappointment, and resentment that quietly accumulate, is often far higher than the cost of a difficult message delivered well.

The other question worth asking yourself is: Am I justifying approval-seeking conflict avoidance as wisdom? Maintaining harmony at the cost of truth dampens growth and impedes outcomes. Naming the fear loosens its grip. Thus, being candid with yourself about reluctance to speak up is where candor with others starts.

Fear of the Difficult Receiver

Some situations are difficult not because of what needs to be said, but because of who needs to hear it. The reactive partner, the colleague who takes everything personally, and the bully top the list of difficult receivers. A difficult receiver is a delivery design problem, not a reason to stay silent. The question is how to design the conversation so that defensiveness is less likely to derail it.

Front-loading with language that acknowledges the other person's perspective, before delivering the difficult message, reduces reactivity. For example: "I know you've put a lot of thought into this approach, and I want to share a concern before we move forward." You have not softened the message; you have made it receivable. You can also open with coaching questions about benefits and concerns, increasing the likelihood that the receiver arrives at the message on their own.

It is also worth distinguishing between situations that call for direct candor, situations that call for indirect influence, and situations that call for involvement of others. Rely on the cost-of-silence test to assess whether the message is worth

delivering. If it is, utilize framing, neutral language, listening skills, and coaching skills to craft your candor.

Fear of Real Consequences

Sometimes the fear is rational. Retaliation and damage to relationships do happen. Thus, your reluctance to speak up could be a reasonable reaction to your reading of the environment. The solution is not necessarily to remain silent. The solution is to carefully calibrate your response with an objective assessment of the circumstances. Ask yourself: "What is the actual likelihood of a bad outcome, and what can I do to recover if it happens?" Lawyers who are trusted advisors are not necessarily fearless. They are, however, thoughtful, strategic, and prepared. They also have developed a recovery mindset that makes speaking up feel survivable, even when potentially costly.

Calibration, in practice, looks like three questions asked in sequence:

- ❑ First, what is the most likely outcome—not the worst case, but the most likely? We tend to anchor on catastrophe and call it realism.
- ❑ Second, who can I consult before I act? A trusted mentor, an outside coach, or a colleague with line of sight to the dynamic can pressure-test your read of the situation.
- ❑ Third, what is my plan if the worst happens? Lawyers who can answer that third question speak up at rates higher than those who cannot because the unknown has been converted into something concrete and controllable.

Calibration also means being honest with yourself about what silence costs over time. The lawyer who consistently stays quiet in the face of unethical behavior, poor strategy, or professional mistreatment does not protect their career. They erode it, and their integrity with it.

Conclusion

Candor is almost never derailed by what happens in the middle of a hard conversation. It is derailed before the conversation starts, in the moment when we talk ourselves out of having it. A first sentence—specific, neutral, grounded in fact, and cloaked in a positive framing—is often all you need to initiate the conversation. Listen and ask coaching questions.

Candor delivered, consistently and skillfully, is one of the most powerful skills a lawyer has. The colleagues people trust most are not the ones who never say anything difficult. They are the ones from whom hard truths feel like gifts.

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