

# The Study Group: Further Discussions on Psychological Type

by [Joseph Shaub](#)

Tom (NT Rational)

Tom Nelson has always felt like he was born to be a lawyer. It just comes easy to him-top quarter of his law school class; moot court honors board; a choice offer following the bar exam and steady rise within his firm. He's long been recognized as an "up and comer" and, to be honest, he relishes the role. Practice's long hours never fazed him and, if he admits to a tendency toward irritation in his character, it's usually reserved for the whiners who complain about the workload, lack of meaning or absence of recognition from the partners. Tom's a litigator and he has developed a reputation for ingenuity, self-control, and high competence. Comfortable in his own skin, Tom doesn't indulge in self-doubt.

Frieda (NF Idealist)

Tom's law school friend, Frieda Nolan, has taken a different path from their study group days. Frieda, you see, felt like a fish out of water throughout her three years at Condon Hall. She had applied to law school in the hope of making a difference and she was one of those souls who are shocked and dismayed by the bloodlessness of legal study. If it weren't for her intellectual acuity, she may have drifted away from the law altogether, but she hung in there and did well enough to get an offer from a mid-sized firm representing developers.

When she was hired, the market was hot and she was as busy as she would ever want to be, but she was also more deeply dissatisfied as the years passed. One day she saw an ad in the local bar journal for an estate planning and elder law associate. This piqued her interest and the subsequent interview was quite successful-Frieda has worked in estate planning and counseling older clients for the past ten years and loves her work. Assisting individuals as they struggle with very personal, often challenging, decisions brings her enormous satisfaction.

Jerome (SJ Guardian)

Yet a third friend from the study group, Jerome Stensdahl, had little trouble finding his niche in the practice of law. Jerry never felt as naturally "brilliant" (his word) as Tom and Frieda, but no one could match him for discipline and focus. He had been a business major as an undergrad and he figured that he would either become a CPA or go to law school and study tax. Everyone in the study group prized Jerry's outlines because they were remarkably comprehensive and extremely well organized. Jerry was always the most "conservative" of the group and he had very little patience for any fellow student who didn't take their academic responsibilities seriously.

After graduation and an offer from an excellent business firm in town, Jerry settled into a career that was remarkable for its solidity. He became active in the bar association's business law section and taught tax law as an adjunct instructor at the law school. Shortly after Jerry became partner, he joined the firm's compensation committee, where he made sure that the salary structure in the firm was scrupulously equitable.

Pete (SP Artisan)

The fourth member of this group is Pete Sherman. If not for an incredible lucky break, Pete wouldn't be a lawyer today. Pete applied to law school because he just didn't know what to do after graduation from college. He had loved his undergraduate experience-maybe he had partied a little too much, but he had always ground away at the end of the quarter and done well on his exams. He hated sitting in class, though and this same restlessness followed him in law school.

After passing the bar, Pete couldn't find a job. He had managed to graduate in about the 35th percentile and in the tight market, jobs did not beckon. On top of that, Pete couldn't imagine a legal job that he would have enjoyed. The very thought of sitting in an office or library all day made him shudder. His job search was, to

put it kindly, desultory. Then one day a friend called him and told Pete about a prosecutor position that was opening in a rural county and within a month, he was living in a town of 15,000 and prosecuting cases and loving it. Why? He'll tell you about the constant action. Every day is something different and "there is nothing-nothing like a good cross-examination of a witness."

#### The Four Temperaments

The people who are thumbnail-sketched, above represent the salient characteristics of each of the four temperaments that were described in my April column.

Tom typifies the features of the "Rational" NT temperament; Frieda suggests the NF "Idealist;" Jerome would comfortably fall into the SJ "Guardian" description and Pete tends toward the SP "Artisan" style. Certainly there are variations in each of these themes, but each holds a kernel-an essence that may resonate for each of us in a manner the other three don't.<sup>1</sup>

Larry Richards found that 41.3% of the lawyers in his ABA study could best be described as the impersonal, ingenious, competent technician of the NT Rational temperament, while 35% of the respondents fell into the conservative, detailed, very responsible ST Guardian category. Bear in mind that in a completely random distribution, these two would each comprise 25% of the total. The inspiring, harmonizing searcher for meaning (which, by the way describes 50.24% of the ministers and priests in the occupational registry of the MBTI's publisher) makes up only 14.7% of the attorneys sampled. The ultimate experience the moment, easy-going person who is great at responding to immediate needs, but hates being forced to sit and theorize, comprises only 9.1% of the ABA group.

What happens to these latter temperaments in the legal environment? For one thing, research has suggested that law school is so uncongenial to the NF personality that they represent, far and away, the highest percentage of dropouts.<sup>2</sup> Does the impersonality and highly competitive nature of legal education starve the profession of those who strive for personal meaning in the work they do? Consider-if you are drawn to the NT or SJ temperamental descriptions, what is your comfort with those who answer the question, "Can it be done?" with their own question, "Is it right?" Are you prone to dismiss this comment as naive, off the point, or an inappropriate effort to impose personal morality where it doesn't belong?

I recall in my early therapy training, we were required to participate in a "process group," with a master therapist (and delightful man) raised in Ghana named Ali Abu-Bekr. In our first evening, Ali asked each of us a wonderful question, "If you were going to hide here (during our weeks together) how would you do it?" Some of us, Ali observed, hide by withdrawing into as close an approximation of invisibility as we can muster. Others, he noted, hide behind words or intellectualization or dramatization. How do we keep those close to us (at home or in the office) from seeing who we really are in our unguarded moments?

We lawyers resort handily to our incredible intellects to be sure, but I would propose that we have a set of profession-tempered methods for hiding. Cynicism is a popular one. Judgment is another. These are both the blessings and curses of the "Rationale" and "Guardian" approaches to our world.

Lawyers, today, provide the clear-eyed analysis and responsible foundation without which business must operate. Yet, in the past fifteen years the proliferation of articles in the legal literature that deeply question the moral (rather than "ethical" or "professionally responsible") nature of the work we are sometimes called to do, suggest a profession-wide disease with our choices and our course.<sup>3</sup> The discussion on these matters needs to be joined by all facets of our community, which in turn ought to, somehow, find a home within our profession. n

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1. Perhaps the best, and most popular, treatment of temperament is found in psychologist David Keirsey's book, *Please Understand Me II*, published in 1998. In its 350 pages, Keirsey deftly explains how the preference combinations that were described in my earlier piece, combine and result, very naturally, in the temperamental styles described here.
2. Miller, *Personality Differences and Student Survival in Law School*, 19 *J. Legal Education* 460 (1963)
3. Konstant, P., *Sacred Cows or Cash Cows: The Abuse of Rhetoric in Justifying Some Current Norms of Transactional Lawyering*, 36 *Wake Forest L.Rev.*, 49 (2001); Bok, S., *Can Lawyers Be Trusted?*, 138 *U.Pa. L. Rev.* 913 (1990); Luban, D., *Contrived Ignorance*, 87 *Geo. L. J.* 957 (1999); Shaffer, T., *Jews, Christians, Lawyers, and Money*, 25 *Vermont L. Rev.* 451 (2001); Mixon, J. and Schuwerk, R., *The Personal Dimension of Professional Responsibility*, 58 *Law and Cont. Prob.* 87 (1995); Langevoort, D. *Where Were the Lawyers? A Behavioral Inquiry Into Lawyers' Responsibility for Clients' Fraud*, 46 *Vanderbilt L.Rev.* 75 (1993); *Ethics in Practice: Lawyers' Roles, Responsibilities and Regulation* (Rhode, D. ed.), Oxford U. Press (2000); *The Moral Compass of the American Lawyer: Truth, Justice, Power and Greed*, Zitrin, R. & Langford, C., Ballantine Pub. (1999) workshops for lawyers on lawyers and psychological type. He can be reached at (206) 587-0417 or jashaub@aol.com.