Tips for Young Lawyers: Five Problems and Solutions

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Life can be hard, and so can practicing law. You will be pleased to learn that your professional life might get a little easier in the future. Paradoxically, for many lawyers, stress and troubles decrease over the years as responsibility increases. Maturity often brings a better understanding of what really matters, and experience teaches us how to avoid, or at least survive, calamities. Here are some tips about a few of the more common issues facing all lawyers, including young ones.

Difficult Opposing Counsel

For many lawyers, dealing with untrustworthy or volatile or rude or hostile opposing counsel is one of the greatest sources of professional unhappiness and aggravation. It is a mistake to allow yourself to be run over or pushed around by a bully. It is also a mistake to respond to bad behavior by behaving badly yourself. The best way to deal with a hothead is to remain cool. The best way to deal with an unreasonable lawyer is to keep your own positions reasonable. If the dispute gets before the judge, you want to be on the high ground, not wallowing in the mud with your opponent.

Sometimes friction between lawyers, particularly if both are young, can be eased by getting to know each other a little better. Understanding the stresses on your adversary can enable you to reach accommodations and compromises. Before attaching the other lawyer, ask questions. Ask why she is taking what appears to be a patently obstructive position. Have a healthy curiosity about the problems unique to the plaintiff’s side of the world. Keep an open mind. Do not let your aggravation keep you from reassessing your own position, just in case it is not quite as righteous as you would like to think it is. If you have gone a little too far, don’t be too proud to revise your position and admit that your adversary might have a legitimate gripe— or at least a partly legitimate gripe.

Making an effort to find out about your opponent’s family, background and interests enables you to relate better and gives you something to talk about besides the case. Mixing some personal connection with business interaction tends to produce a more civilized and sometimes even friendly relationship.

Avoid engaging in heated exchanges of correspondence with an angry lawyer, and do not copy the judge with such letters. Talking face-to-face is most likely to solve the problem. Sending inflammatory letters and e-mails, and leaving scalding voice mails, will only escalate the hostility. Moreover, responding in kind is, in a way, a cop-out. It is much too easy to say harsh things from a distance, in front of your computer. It is common for a lawyer to regret sending a vitriolic letter or e-mail. It is rare to hear a lawyer say he wished he had sent the nasty letter or e-mail rather than deleting it after further reflection.

Finally, it is not weakness to cooperate. When presented with the opportunity, work with your opponent, and don’t hesitate to do a favor if appropriate. Do not make your representation of your client personal as to the opposing lawyer. Respect the lawyer’s duty to represent his or her client, and err on the side of being courteous and empathetic, especially when the other lawyer is being difficult. If you remain calm and reasonable and refuse to
be baited, sometimes the other lawyer will decide to accommodate rather than continue to act out.

**Difficult Clients**

Dealing with clients can be tricky for a young lawyer. Remember that your job is to adapt to the client, including any personality quirks. It is not the client’s job to adapt to you. If the client asks you to do something you know you should not do, however, do not do it. Instead, go to your supervising lawyer and alert him or her to the situation. If you receive an irate phone call from a client unhappy about some development in the case, a recent report, or something else, do not make excuses or become defensive. Do more listening than talking. Again, tell your boss. Make every effort to meet the client in person as soon as you can. A healthy attorney-client relationship usually requires a face-to-face encounter.

Once you figure out what the client wants, if it is within your sphere of discretion and can be provided with in the scope of ethical and professional conduct, do it, even if you think it is unnecessary or unreasonable. If a client requires a certain format for reports or billing, for example, satisfy that requirement eagerly, even if you disagree with it or it is an administrative headache. If a client questions a bill, be anxious to discuss it and explain the billing entries, the reason for the time, the value to the defense, etc.

Do not send your adjuster or claims person letters that reflect poorly on that person. If there has been a delay in paying a vendor, or in getting approval for an expert, call your contact first; don’t just fire off an e-mail that, upon review of the file by your contact’s supervisor, will make it look like your contact was not on top of her work.

Perhaps most important of all, make it your business to understand the requirements and tensions in your client’s life. Again, ask questions. The more you learn about eh client’s situation, the more able you are to make the client’s life easier, and that is what will cause the client to appreciate the younger lawyer’s work on the file.

**Error and Omissions**

Everybody makes mistakes. Young lawyers tend to make more than older lawyers. Usually the consequences of a mistake made by a younger lawyer are not quite as dire as the younger lawyer imagines, but sometimes the impact is indeed catastrophic. Regardless, if you make a mistake, as soon as you realize it, admit it. If you discover it before your supervising lawyer does, tell the supervising lawyer about it immediately. Do not make excuses, blame your staff or gloss over the significance of the problem you created. Everyone knows that acknowledging an error directly is the best approach. Viscerally, however, there is an urge to conceal or avoid or escape a mistake. Do not submit to that urge. Instead, face up to it and have suggestions for fixing or mitigating the mistake.

It is fine to act like the mistake upset you—it should—but do not pout, withdraw or complain about the stress you are under. Try to focus on how the error happened, and what to change about your actions that will guarantee there won’t be a repeat. You may find out that in the end you are being evaluated more for how you
responded to the mistake than you are for having made the mistake in the first place.

**Balancing Work and Home**

Maintaining an appropriate balance between your work life and home life can be particularly hard. The truth is that clients do not want a well-rounded lawyer any more than you want a well-rounded brain surgeon. Most clients want a lawyer who is a workaholic and will be totally devoted to the client’s cause, even at the expenses of the lawyer’s family and social life. Law firms want young lawyers who are passionate about the job and hard workers, not PTA leaders.

So, how much dedication is necessary, and, when conflicts occur, what is the right choice? Sacrifices are inevitable in the practice of law. In many instances when there is a conflict between work and home, it is the work that gets the priority. In return, the practice of law can be financially, intellectually and emotionally rewarding. Sometimes, however, family obligations are non-negotiable (health crises or critical parenting events, for example.)

Problems arise when a lawyer’s behavior shifts from intermittent sacrifices on the home front to a pattern of prioritizing work over home. There is a difference between a hard worker and a workaholic. There is a difference between a lawyer dedicated to his profession and his client and a chronically neglectful husband, wife or parent.

Many times an out-of-balance lawyer does not even realize it. There is a desensitizing effect of becoming a work drone. Fortunately, some older lawyers who recognize the signs and symptoms will often counsel the young lawyer. Being told by someone you respect that you appear to be neglecting your family should be an eye opener. If it happens to you, pay attention.

There is not getting around the fact that this job will sometimes interfere with your home life. If you are called on by your work obligations to miss a holiday or reschedule a vacation, that is part of the trade-off. It should be the exception, however, not the rule.

**Job Dissatisfaction**

Many young lawyers have an unrealistic and somewhat naïve idea of life as a lawyer. They sometimes expect too much in terms of excitement and compensation, particularly early in their professional careers. Be patient. Satisfaction with the job tends to increase over time, as the lawyer gains more responsibility and confidence.

Sometimes a lawyer will start his career in a niche that he is not suited for. One of the nice things about the legal profession is that there are many types of law to practice, and if one type does not fit, there are others to try. However, while it is a mistake to abandon a particular type of practice too quickly, before giving it a chance, it is also a mistake to continue in a line of practice that makes you miserable when you can move to a different specialty that has the potential to make you happy, or at least satisfied. Regardless of your niche, long hours and stress are part of the price for being paid well and having responsibility that matters.
In the practice of law, trust, clients and success must be earned, and it takes time-years, decades. There will always be other who seem to have it better than you- more acclaim, more money. There are probably plenty who have less than you too. In the end, however, your level of satisfaction and enjoyment is determined more by your own attitude and effort than external factors. Appreciate what you have, work hard to be excellent and take pride in your profession and in Yousef. The demands can be severe at times, but few jobs provide as much intellectual stimulation and variety as law practice.
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