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CHALLENGES AND OPPORTUNITIES FOR NEW LAWYERS

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These are challenging times to be a lawyer. They may even be transformational times. Recent upheavals in financial, industrial and real estate markets have many lawyers (and clients) not only cutting back, but also fundamentally re-thinking their business models and the ways in which legal services are provided. Until very recently, hardly a day passed without news of law firm layoffs, deferred start dates, or canceled summer programs. In-house lawyers face substantial budget cuts at the very time their departments must navigate a broader range of legal and organizational challenges. And many government and public interest employers are dealing with hiring freezes and other cutbacks that push already-strained resources to the limit.

Today's challenges may or may not lead to a fundamental re-structuring of the legal market. At the very least, they raise profound questions, including how and by whom legal services should be delivered in the future and what a transitioning market for law graduates portends for

legal education. The profession's dialogue around these issues is only just beginning and no doubt will continue for some time. But these broader questions must be put aside in favor of a more modest goal for this short essay. We hope to provide attorneys who are newer to the profession with advice that will prove useful and timeless – relevant regardless of how the legal market develops.

Underpinning our thoughts here is the recognition of law – whatever its intellectual, strategic, and professional dimensions – is a relationship business. The very nature of legal practice requires strong inter-personal relationships with clients, colleagues in the workplace, and the wider legal community. The ability to develop and manage these relationships is an essential aspect of early professional development and critical to long-term success as a lawyer. So we'll focus there.

Our first suggestion involves mentoring – finding someone with whom you can talk freely about your professional development and career aspirations. Your first job will not be your last, and you may change your substantive area or type of practice (large firm, small firm, government, non-profit, etc.) several times during your career. Besides being helpful in charting your occupational health, mentors are also invaluable sounding boards when

an environment, for whatever reason, becomes politically charged. Having someone who can help you navigate difficult personalities and teach you to communicate bad news accurately but in a positive way is priceless. Sometimes just a simple turn of phrase makes all the difference in how you are perceived, and someone who has “been there before” can provide useful guidance.

The ideal mentor is someone with enough substantive expertise and professional wisdom to help you navigate the early days of legal practice but with whom (and this is important) you can establish a general rapport. You may need more than one mentor – for example, a mid-level associate to help with the “nuts and bolts” of legal practice and a senior lawyer or partner with a broader perspective on a particular practice setting or overall trends in the profession. This may or may not be someone that you work with directly. Whatever the setting, the important thing is to seek out such relationships and actively cultivate them. And in the spirit of giving what you wish to receive, endeavor to mentor others when you can (e.g., summer associates, law students at your alma mater, etc.).

Finding a mentor can be challenging if you were not born into a family of lawyers or came late to the realization that law is the path you wish to take. It is even more so if you are still seeking employment or if your employer does not provide mentoring opportunities (though most do – formally or informally). Hence our second point: Create your own opportunities and network.

Balancing networking time with training, client service, and professional development can be tricky. If you already are practicing, senior lawyers sometimes will discourage you from networking. In some ways, you can't blame them. Employers invest heavily in training young lawyers and lose that investment when associates leave after a short tenure. Some view networking as a euphemism for “looking for the next job” or “chatting with friends from law school”. The underlying point is valid: If you are being

trained and paid by someone else, you are obligated to use your best efforts on their behalf. But network anyway – the additional time required is worth it. At the end of the day, you alone will bear the downside of the failure to build strong relationships into your professional life alongside your legal skills.

This is true even if you plan for a career with a single firm or employer. Although your early focus must be on training and becoming the best lawyer you can be, you still need to network to be truly successful – both within your organization and outside of it. Technical excellence unquestionably is a necessary predicate of success. But it is not sufficient. Few promotions to partnership or senior leadership roles are available for lawyers without a solid cohort of professional relationships. Rather, it is the combination of strong relationships with expertise and experience that creates your professional identity, generates clients and opportunities for you and your employer, and helps to ensure your long-term success.

It is easy to say “Go forth and network.” It’s harder to do in practice, so we have a few suggestions to get you started. Chief among these is that you volunteer your time and skills with organizations whose work interests you, whether or not that work relates directly to your full-time job. Whether or not you are currently employed, this is a great way to meet lawyers in your community who are doing what you want to do. But take an active stance – contribution is far superior to participation. Rather than simply attending

events, look for opportunities to serve on committees, help to organize panels and events, etc.

You also can contribute to the greater good through pro bono work or community service. You have worked hard to become a lawyer and have many valuable skills, which you can use (really!) to make the world a better place. Most lawyers who do so find that the rewards of using their unique talents to help others far outweigh the investment of the time and energy required.

This brings us to our final point: Establish a solid relationship with yourself and engage in ongoing assessment of your legal career. Whether it be at home early on a Sunday morning, while you are out of town on business, or spending an hour alone on a park bench with a legal pad at lunchtime, it is important to periodically take time from your busy schedule to ask yourself some fundamental questions. Some of these include: What are you spending most of your work life doing? Is that the best use of your time and talents? How do you feel about the people you work with? If you could change something about your working life, what would that be? How would the person closest to you describe your professional satisfaction? Would you balance the demands of your work and personal life differently if given the chance? And the mother of all existential legal queries: Are you happy?

You may or may not have “good” answers to these questions. The answers that you do have may change over time. None of this should discourage you. What matters is valuing yourself enough to regularly ask the questions and honestly

re-assess where you are and where you are going. The process has its own value, and often only time reveals what you were “meant” to do.

Very few law graduates end up in the job they envisioned when they entered law school. This is neither surprising nor cause for alarm. Studying law is a different enterprise from practicing law. (Whether this should be the case is a question for another day.) You may dislike business law courses while in school and envision yourself as a constitutional lawyer but discover later that you like making deals more than First Amendment litigation. Only the lucky few find the optimal fit early on. Most spend years sorting out the right position, discovering their professional identity through what management expert David Maister calls “stumbling upwards”. Like Justice Stewart and pornography, we know the right job when we see it. Ultimately, we appreciate it all the more because of the journey we took to find it.

No one doubts that the current market presents challenges. But challenges inevitably create opportunity. For every report of layoffs, there is another about lawyers using this time to examine critically what they like and dislike about their practice and finding new paths for themselves. You too will find your way. We hope your path will be easier with a good mentor, solid networking, and an honest ongoing dialogue with yourself about your career direction. ■

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