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## Advice to Young Lawyers/Law Students

As November rolls along, I find myself reflecting on what has been my first year as an attorney. One thing I have prided myself on in life has been the ability to learn from the mistakes of others without having to make those same mistakes myself. That certainly is not to say that I have never made a mistake. Only a fool or narcissist would believe such tripe. Nevertheless, I believe that I have found myself able to avoid some pitfalls due to this ability. In accordance with this ability, I have decided to provide some advice that I have crafted from personal experience and counsel from more seasoned attorneys. Take my advice as you see fit.

### Find Your Niche

It goes without saying that the best way to get a date is to be the only option for the dance. However, it is certainly one thing to say that you must carve out a niche and an entirely different thing to do so. Everywhere you look, someone is providing this exact same piece of advice. They will all tell you that the key is to find a necessary function that is not being served, and they are 100% accurate. But, here is where I depart from the norm. When trying to find your specialty consider that having a broad understanding of as many areas of the law as possible provides you a unique opportunity to have that niche.

While in law school, I was more than well aware that the legal market had become a perilous journey without a clear path to set upon. As a result, I plotted out the courses that I sought to take based upon two basic criteria. (1) How difficult is this material to teach myself if I should need to know it? (2) Have I already developed a basic understanding of this area of law? This allowed me to develop an understanding of the intricate overlap of the law throughout seemingly disjunct practice areas.

As a law clerk and after graduation, I have been able to use that approach to create my niche. My niche has been as an attorney who has not just been pigeonholed into knowing one specific area of law. I have been able to take from a wide array of legal areas and use those tools to problem solve in a way that many attorneys are not so able. It is the classic problem that you choose your problem based upon the specialist you choose. If you have lower back pain and speak to an oncologist you will find that your problem is cancer. If you take the same problem and go to a chiropractor you will discover that your back has not been properly aligned. Go to a podiatrist and you will learn that it all stems from bad arch support. It is my experience that the same problem exists with lawyers who have focused their practice. Each problem is boiled down to that lawyer's specialty, often leading to oversights that are visible to attorneys with a broader feel for the law.

Another angle I have taken to make myself stand out is to try to constantly keep up to date on the law. I do this in a few ways. I get newsletters such as the ones from JD Supra and Justia's verdicts email. I also follow attorneys on LinkedIn and Twitter who post major updates in the law. But, most importantly, I make time every week to go through each civil Indiana appellate decision that week. This has helped me win cases. Mark my words; if you do this, you will see discernable benefits. You will also find that other attorneys will be seeking out your opinion because of it.

In spite of this advice, at some point you must avoid the danger of becoming a jack-of-all-trades and master of none. Which takes me to my next point.

## **Find a Mentor**

I cannot stress enough; you absolutely must FIND A MENTOR. This is not something that should wait until after graduation either. Going through law school and into practice I had two fantastic mentors. The first was Hamilton County Chief Deputy Prosecutor Andre Miksha. The second was Eric Pavlack. One was a trial attorney in the truest sense that worked in the criminal world. The other was an

attorney that worked on high profile class action cases. Two very different perspectives but both have been immeasurably valuable.

A mentor relationship is not something that you can force. The best way to create such a relationship is to constantly be on the lookout for someone who you can respect. This respect needs to be able to transcend mere respect as an attorney, but must also extend into respect for the individual as well. It is vitally important that you learn from someone who has found a way to succeed both professionally and personally.

Regardless of whether you find a person that you consider to be a mentor, never feel afraid to pick up a phone and call a friend. If you are uncertain about something, seek out help. Join a bar association with a list serve or call an old classmate. Whatever you do, do not sit in ignorance for fear to appear a fool by not knowing an answer. We are all born ignorant, but, in order to succeed, we must choose to overcome that ignorance. If you do not know something, then seek out help and find out.

### **There is No Substitute for Hard Work**

Despite what is often said of Machiavelli – e.g. “it is better to be feared than loved” – the most important concept to draw from *The Prince* is this: in order to succeed you must have both opportunity and virtù. A person can have one or the other but cannot succeed without both. The meaning of virtù depends upon your translation and the context. It can mean wisdom, talent, skill, virtue, et cetera. I have always found the concept best understood as epitomizing the ideal qualities of a person in a given scenario. From this, I have extracted a motto that I think works no matter who you are. “Do everything right and hope that opportunity presents itself.” You have absolutely no control on whether opportunity should arise, but you do have control to determine whether you will be prepared should it appear.

Continuing in this vein, my single best piece of advice is to always look for ways to be efficient, but never mistake a shortcut for efficiency. Marcus Tullius Cicero taught this in the context of expedience and honor. His position was that nothing is truly expedient if it is not moral and honorable. This is true in the modern practice of law as well. Something is not efficient if it is merely a half-hearted effort. I cannot tell you how many times I have received briefs from opposing counsel that are riddled with obvious typos – let alone grammatical errors. Such typos would be easily captured had the author ever taken the time to proof read his/her work. This hurts the author’s reputation not only with me but also with the judge who has to read it. Though a half-hearted effort may well have

gotten the task off of the attorney's desk, this effort is observed and will follow the attorney. The same is especially true when it comes to responding to discovery requests. It is commonplace for an attorney, despising to be bogged down by lengthy discovery requests, to take every chance to put in as little effort as possible to answer those requests. This results in prolonged battles between attorneys trying to get full answers and, in the long run, adds much more time and stress than simply answering the requests fully the first time.

A good quote to keep in mind is from then Texas Tech head football coach Mike Leach in the middle of an infamous diatribe after a loss to rival Texas A&M. Coach Leach, himself a law school alumnus, said, "Everybody wanted to win the football game but nobody wanted to play the football game . . . that defies every level of work ethic that exists[.]" If you want to be a good lawyer, you need to do everything it takes to become a good lawyer.

## **Know Thyself**

Inscribed in the Temple of Apollo at Delphi was one simple command – "Know Thyself." You will hear scores of people, such as myself, try and give you advice. It is good to listen to that advice, but do not try to become someone that you are not. You must take that advice and shape it to fit you. It is very easy in this profession to lose yourself and to lose your identity as an individual. We live in a world where you are constantly working as a unit with others. This is true regardless of whether you are a solo practitioner, law student, or an associate in a major law firm thrown to the wolves in search of an answer to a complex issue seemingly without any guidance. As a result, there will constantly be pressures to mold you into something that you are not. Whatever you do, do not let yourself be molded into something or someone that you no longer recognize when you look into a mirror. Be yourself and build your skills around who you are. And, most importantly . . .

## **Take Pride in Your Work**

Earlier, I discussed the views of Marcus Tullius Cicero. Cicero is a man from whom I have found much guidance professionally and personally. Cicero was, among many other things, a lawyer. He was an advocate in a time in which lawyers were not paid. It was the notion of civic duty that led him and others like him to represent clients. Cicero took great pride in this service. We are part of the most noble of professions. Though the nobility and, indeed, the professionalism, of our world have often been tarnished, it is still the most noble of professions. We alone stand in guard of the rights of man. Whether that right be freedom from wrongful

imprisonment, freedom from crushing and overbearing debt, or the freedom to exist in a world where the rights of the individual are not subjugated to the rights of the powerful and wealthy, we stand in protection of those rights. It may not seem like that when you do the day-to-day grind. Nevertheless, you must endeavor to remember that behind every case is a person for whom you are their only lifeline.

Joltin' Joe DiMaggio famously answered the question of why he plays so hard, "Because there is always some kid who may be seeing me for the first time. I owe him my best." Regardless of whether you spend every day in a courtroom or in the office, put in your best. In most every single case upon which you work, it will be more than just a day job for the client. The case represents a vitally important determination. Never lose sight of that simple fact. Show your clients the respect and attention that you would want shown to you. Do this and it will pay dividends.

My last bit of advice from what I have learned so far is this: Justice may only be found when man respects law and when law respects man. Keep that in mind and continue to strive for justice. You will not always find it, but failure is not defeat, it is a stumbling block so long as you get back up.

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