

# Law Schools



## An Alternative Field Manual For Law Job Hunters

BY VINCENT G. DANZI

Whether they would readily tell it or not, every attorney has their own story to tell about how they landed their first job after law school. For some that experience is the next sequential step in a natural, smooth progression from a summer associate or part-time position during law school to a permanent position with the same firm afterward. For others, it might be an assignment in the Judge Advocate General's Corps. However, for many graduates, it is less of a planned affair, and more of a scramble. As much as graduation is a time of joy and the celebration of academic achievement, for many, the period immediately following graduation is a time of anxiety over the more mundane concerns of finances and of repaying student loans. With acknowledgement to the other more noble reasons law students attend law school and amass the resulting debt, the hope to be gainfully employed afterward is certainly high on the list of ambitions for most law graduates. After all, the practice of law has always been a profession as well as a calling.

We are constantly told that the world is changing and evolving. It is as true as it is obvious, but it is nevertheless important to acknowledge that law graduates today are indeed embarking upon a new landscape as it pertains to the practice of law, and even as it pertains to what it means to have a career in the law. Some of the changes which are today in full bloom sprouted from seeds sown decades ago. Consumer protection statutes and their implementing regulations have transformed various industries as they have grown, evolved, and strengthened over the years. Today there are more attorneys than ever employed in compliance positions with all sorts of companies. However, this is only part of the story of the growth of in-house employment for attorneys. More than ever, companies need and use attorneys in their everyday business functions, as well as in their corporate legal departments. This is an emerging trend<sup>1</sup> that is only gathering momentum,

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and recent law graduates should be aware of it if they do not want to overlook valuable career opportunities that can help them repay those student loans.

At the same time, there are some tried-and-true methods for networking and finding a job as an attorney in any setting which

one absorbs and realizes with time spent in the profession, but which are not emphasized adequately, and are sometimes even eschewed by the "experts." These methods have little to do with emails, the Internet, or other newfangled technologies! Rather these methods are based upon Woody Allen's basic principle

that, "Eighty percent of life is showing up." They work, but require some effort.

As I reflect upon my own experience in looking for a job after law school, I'm reminded of those long fishing piers which one sees on the beach. The piers are oftentimes teeming, but perhaps more commonly so with fishing enthusiasts than with fish. Of course there are many fish in the sea, enough for all those who are fishing, but most of those fish are actually nowhere near the pier, and yet the instinct to use the proven, established, and easy resource of the pier is strong. In the legal job hunt too, the conventional wisdom often seems to return to the "proven" advice of dangling uniformly baited lines into the same small volume of water reachable from the proverbial pier.

**Tip 1:  
From Law School  
To In-house Legal Department:  
The Path Less Chosen**

When I graduated from law school, I contacted law firms for employment. After all, lawyers work at law firms. I naturally thought of my employment as an attorney in the setting in which I had always seen attorneys, from Atticus Finch in a courtroom in "To Kill a Mockingbird," to Arnie Becker in a red convertible on "L.A. Law": three-piece suits, courtrooms, and wood-paneled offices with important-looking books. Attending law school did little to change that image of the practice of law, and by the time I graduated, I still had every intention of beginning my career in a conventional law firm setting. Ultimately, that is not how my law career started. Through a combination of many factors, fortune included, I have worked in-house since graduating from law school. How that happened, though, is actually less important than the vantage point that the experience provided me with.

Although many new attorneys feel the need to gain work experience in a law firm immediately after law school, if that is not you, consider applying for in-house positions, even right out of law school. There are those who would dispute this advice and regard in-house employment for

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## Harness the Skills Of the Introverted Lawyer

BY HEIDI K. BROWN

The introverted lawyer: a paradox? Extroverted, gregarious, argumentative orators personify society's idea of the effective American attorney. This paradigm—reinforced in media and entertainment—pervades legal education and practice. While professors, students, lawyers, and judges with a natural gift-of-gab thrive in an arena ruled by the Socratic question-and-answer method and verbal volley, quiet thinkers and writers can be overlooked. Introverted or otherwise interpersonally reserved (perhaps shy or socially anxious) law students and lawyers often strain to carve a niche in the legal world, though research indicates they offer impactful gifts to the profession, such as active listening, thoughtful analysis, contemplative writing, and natural empathy. As legal education and law practice adjust to changing law school enrollment trends and re-evaluate business models, this is an opportune juncture for the legal community to heed previously unheralded voices.

A mindful and formidable introvert movement is underway in this country. Transformative books like Susan Cain's "Quiet: The Power of Introverts in a World That Can't Stop Talking," hit the market in 2012. Other authors like Sophia Dembling, Laurie Helgoe, Jennifer Kahnweiler, Arnie Kozak, and Marti Olsen Laney offer advice on how to navigate the extroverted business world as an introvert. While introversion and our adversarial legal system may seem incompatible at first blush, legal educators and lawyers have begun noting how this personality trait adds undersung value in relationship-building, problem-solving, and promoting legal writing excellence in the profession. In February 2016, the American Bar Association's Young Lawyers Division and the ABA Journal presented a joint webinar addressing the pivotal role that introverts can play in the profession.

Existing legal education and law practice training models undervalue the natural strengths of the introverted law student and lawyer, fostering unnecessary stress and anxiety for these individuals in a profession already fraught with mental health concerns. By increasing self-awareness of the assets they bring to legal problem-solving, and by mindfully approaching interpersonal interactions in the legal context, introverts can amplify their authentic voices and transform the profession.

**Recognizing Introversion As an Asset in Lawyering Can Reduce Anxiety for Quiet Law Students and Lawyers**

Legal education and the profession already propagate excess stress, a trigger for anxiety and

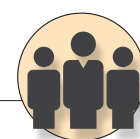
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depression. The ABA reports 113,900 students enrolled in law schools nationwide as of Fall 2015, and 1,315,561 active lawyers as of 2016. According to the Dave Nee Foundation: (1) matriculating law students exhibit a psychological profile reflecting that of the general population, yet after law school, 20-40 percent indicate a psychological dysfunction; (2) depression and anxiety have manifested in 26 percent of attorneys who seek counseling; (3) 19 percent of lawyers struggle with "statistically significant" heightened levels of depression; and (4) lawyers are 3.6 times more likely to suffer from depression than non-lawyers.<sup>1</sup> According to www.lawyerswithdepression.com, an estimated 30,000 to 60,000 American law students combat depression at some stage in their law school tenure.<sup>2</sup>

Statistics indicate that 60 percent of the gifted population is introverted, supporting the inference that introverts comprise a larger percentage of the occupants of our law classrooms and offices than we might assume. However, an inherent conflict exists between the modus operandi of the legal academy and practice and the quiet persona, fueling unnecessary angst within introverted law students and attorneys. Naturally quiet law students can experience marked anxiety in classrooms governed by the Socratic method and in mandatory 1L oral advocacy assignments, yet are reluctant to admit to trepidation, worrying that their reticence makes them unfit to be lawyers. Many professors confess they have little idea how to help these students because, as extroverts or otherwise confident speakers themselves, they cannot relate to the underlying problem. Some educators misguidedly suggest that if a student is not chomping at the bit to debate legal concepts with peers and professors, law school is the wrong educational choice. Other faculty deem the Socratic method a rite of passage or an indispensable litmus test of students' legal aptitude. Similarly, many law offices are managed by extroverted rainmakers who expect associate ranks to leap into intellectual banter, readily contribute during strategy meetings, and jockey to conduct negotiations, depositions, or trials.

In a profession permeated with mental health concerns, an increased awareness in how these dynamics affect introverted students and lawyers, and an open-mindedness to perspective adjustments, could reduce stress in a large percentage of our aspiring and practicing bar. Many introverted law students and attorneys possess the intellectual firepower to engage in rigorous legal dialogue; yet, their innate process of fact-gathering, reading, extracting, synthesizing, organizing, and communicating tracks a different mental path and timeline than those of extroverts. Unfortunately, instead of honoring differences in the ways humans learn, process, and debate complex concepts, we goad introverts into extrover-

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## Easing the Transition From Law Student To Practicing Attorney

BY JACOB M. OKSMAN

After three long years of lectures, late nights at the library and enough coffee to keep the lights on at Starbucks through the next millennium, you're finally a licensed attorney and your start date is right around the corner. But, if you didn't figure it out as a summer associate, the life of a law student is quite different from the life of a practicing attorney. Not only will you be learning how to apply volumes of legal theory to practice, you will be navigating a new work environment, building relationships with new colleagues, perhaps moving to a new city and developing a practice.

The transition from law student to professional attorney can



be challenging and it's no secret that law schools do little to prepare you for practice. Awareness of some of the major differences between life as a law student and life as a practicing attorney will be helpful in making a smooth transition. In addition, you may find it useful to implement some strategies and tips to ease the transition so that you sleep bet-

ter and make a great impression on your boss and clients.

**Your Time Is Not Your Own**

The first thing you may notice as you begin to practice is that your time is no longer your own. As a law student, you have, for the most part, the luxury of setting your schedule and working at

your leisure. Not a morning person? Take the afternoon course with the later exam. Work best during the quiet dawn of the day? Put your reading off until the morning. It's up to you to structure your schedule and set benchmarks for outlines and drafts of articles. Your clients, on the other hand, have hard deadlines set by statute, business decision or pure want. Your preferred schedule, as it should, comes secondary to meeting deadlines. Furthermore, as a new attorney, your work will likely need to be reviewed and revised by senior associates and partners before it's ready to go out, so be prepared for tight deadlines with time built in for reviews and revisions.

The best way to adapt to your new work schedule is to get into a routine. Although you'll often find it difficult to maintain, a structured work-week will help your focus and productivity. Try to arrive and leave your office at the same time every day and dedicate different

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**Law Practice Management Reimagined,**  
BY ANN L. NOWAK AND LYNNE ADAIR KRAMER



## Law Practice Management Reimagined

BY ANN L. NOWAK  
AND LYNNE ADAIR KRAMER

Imagine a law practice management course that encourages students to make mistakes.

Imagine a law practice management manual that helps entrepreneurial lawyers learn how to avoid or cope with disasters that commonly occur in solo and small firm practices.

These are not the usual ways that lawyers learn how to start and manage their own law firms. Traditionally, lawyers with an entrepreneurial spirit just had to muddle through, making mistakes as they progressed. If they were lucky, they didn't commit malpractice or suffer a grievance filed by a client. But they probably lost a lot of time and money while they were learning to do things by trial and error.

Today, more than half the lawyers in the United States own and operate their own firms.<sup>1</sup> But despite this, the change in the delivery of law practice management education has been slow. Finally, there are signs of movement.

A few law schools across the country are now offering law practice management courses that don't merely impart information but that also help students master the skills necessary to open and run a law office. That is, these courses group students in simulated law firms and require them to take on the tasks of setting up and running a small firm. The theory behind this is not only that students will learn competencies but that they will make their mistakes in the safe space of the classroom rather than in the workplace where time lost is money lost—and maybe clients lost and grievances gained.

Students taking this type of class report that their education is exciting and relevant. But although this hands-on kind of skills training makes sense, there has been one main reason why law professors have been reticent to offer these experiential courses: There has been no textbook to support them. The professors would have to devise their own curricula and find relevant readings on the Internet. Compiling a course-load of readings from Internet articles and blogs is not only a great deal of work, but the web links often become inaccessible between the time they appear on the syllabus and the time students try to access the links.

Further, this lack of supporting materials is likely one of the reasons that few CLE presenters attempt to use an experiential model for teaching law practice management.

So how can a lawyer open and operate a law office if he or she has no hands-on training in how to do it? Where is the instruction manual?

As we well know, lawyers have

simply been muddling through the process for decades. We were among them. We can still remember most of the mistakes we made, how frustrated (and sometimes panicked) we were, and the realization that we were losing huge amounts of billable time trying to figure out what to do to run our offices more efficiently. We wished we had someone to mentor us—to anticipate the ways in which we might mess up and guide us away from the potential pitfalls.

After utilizing trial and error, we established and managed successful law practices. Although we eventually gave them up to become law professors, we never forgot the feeling that we wished we'd had someone to mentor us when we started our firms.

This is why we, as professors, embraced the experiential method of teaching—teaching students practice skills by putting them through a dry run of the kinds of tasks they would face in the real world. And here's what we discovered:

Although there were numerous books on the subject of law practice management, none dealt with the material in a manner that would mentor the law student or lawyer wanting to open a law office. What seemed to be needed was an instruction manual written by lawyers who had done this successfully and were willing to serve as mentors to their readers.

After searching far and wide for such a manual, we realized that there was none. And so we decided to write one in the hope that this would spur more law professors to embrace the experiential method of teaching law practice management. We also decided to write one so that lawyers in large or mid-sized firms who were thinking about starting their own practices would not have to make the kinds of mistakes that we did—mistakes that are common among those starting out with their own practices.

### Background

Today, the majority of U.S. law schools offer at least one course in law practice management—albeit mostly traditional ones, but this was not always the case. In the mid-1990s, only about 20 law schools offered a course in law practice management. A 2007 survey showed that only about 60 law schools offered it.<sup>2</sup> By 2014, that number had doubled.<sup>3</sup> A great many bar associations now also offer continuing legal education classes in the field of law practice management, but very few are taught experientially—most likely because there was, until recently, no manual to support them.

There are a number of reasons for the large increase in law practice management courses at law schools since 2007. The main ones are reported to be the entrepreneurial spirit of Millennials, technological advances that make it easy and relatively inexpensive to run solo or small firm, and the down-

sizing of law firms that previously hired new graduates.<sup>4</sup>

Law schools are becoming aware of the need to add skills training in law practice management. To that end, many have started incubators to provide a workplace and mentoring for recent graduates who want to start their own firms. The first incubator was opened in 2007. As of the beginning of this year, there were 40.<sup>5</sup>

But although these incubators are extremely helpful to lawyer-entrepreneurs, they typically do not provide the panoply of tools that is essential for making informed business decisions when

setting up and running one's own law office. For example, when the lawyer leaves the incubator, what types of office arrangements are available and what types of fee arrangements should be considered. This material is available piecemeal in some books and on the Internet. The problem is that it is time consuming to look through the disparate locations to find it.

The bottom line in all of this goes far beyond just a new method of teaching: We, as lawyers, should be thinking of ways to serve as mentors to newer practitioners and students so they won't have to struggle as we did when we started our own firms.

Our Solution

In an effort to save professors and practitioners a great deal of time searching for this material, we decided to compile it in one book—a training manual complete with all the tools a lawyer needs to start a firm. It is called "The Experiential Guide to Law Practice Management: Opening and Operating Your Own Firm" and was published by Carolina Academic Press this past May.

### Our Solution

We included everything we would want if we were starting our own practices now: information about traditional and non-traditional alternatives for setting up practices and dealing with clients and what to do when disasters occur—both natural and personal. We even included a wide variety of helpful forms for the startup lawyer: a business plan, an operating agreement, a table of contents of an employee manual, non-engagement letters, intake sheets for a variety of practice areas, a consultation sheet, engagement letters and retainer agreements for a variety of practice areas, limited scope agreements, a credit card authorization, conference scheduling and rescheduling, disengagement letters, and a grievance packet with a sample complaint, background questionnaire, and response.

In this course, students set up a simulated small-firm practice. As part of this experience, they are required to:

- find an office space
- name a firm with multiple part-

ners, most of whom have definite opinions on whose name should go first

- determine the division of responsibility of partners, most of whom disagree about what constitutes a fair division

- determine the division of profits among partners, with the finders, minders, and grinders all disagreeing about which activity is more valuable

- prepare a budget and business plan
- select, install, and use office management

- devise traditional and non-traditional marketing strategies



refer me all of the divorce and family law matters that came their way. LAK

We used the following textbox to illustrate what we called "off-duty marketing"—ways of marketing your practice when you weren't intending to market it.

*I have been lucky enough to get a substantial amount of legal work from medical professionals who treat me. I'll admit that it was a little strange at first to have someone peering into one of my body cavities ask me what kind of law I practice and then try to hire me. When I say "body cavities," I mean all of them. The first time it happened, my instinct told me to mention only the real estate and contracts part of my practice. Although I was a general practitioner, I focused on contracts, real estate, and bankruptcy. I was pretty sure that the doctor wasn't interested in declaring bankruptcy, so I didn't mention that part. The doctor perked up when I mentioned real estate and asked to hire me for the sale of a house. After several of my doctors asked to hire me for house sales, office leases, and other similar matters, I learned to respond to inquiries from my additional doctors by saying, "I do a lot of real estate and contract work, especially for doctors," because by then it had become true. Saying that I did this work for other doctors turned out to be a good marketing technique. The truth is that I have never quite gotten over being hired by a potential client while that person is looking up my nose or into my mouth or into elsewhere. ALN*

### Secret Weapon: Teacher's Manual

The real key to making a course or a CLE based on this book experiential is the teacher's manual. We designed it as a "course in a box"—everything a law professor or CLE instructor would need to teach this course in a dynamic, engaging, and memorable manner. That is, the manual mentors professors and CLE instructors so they serve as mentors in the experiential course. The manual includes not only detailed instructions for thought-provoking simulations and guided written reflections, but also includes long lists of questions to provoke in-depth discussions. Additionally, it includes suggested grading rubrics and assessments.

We tested these materials on our own students as well as on practicing lawyers from the United States and other countries. Our students told us enthusiastically that this was one of the most enjoyable and useful classes they had taken in law school. The lawyers said that the materials were very helpful and thought-provoking.

But, as with almost any innovation, there is a potential downside. And that is that teaching a course like this takes a great deal of energy on the part of the professor. It's

much easier to just lecture your students than to mentor them. But the payoff from this type of course is enormous and well-worth the extra effort in teaching.

It should also be noted that we have heard that some students (not ours) think simulations in law school courses are more like playing house than learning. We have not received any negative feedback from students about our simulations. We believe that is because we tell the students the goals of the simulations before we start them and because we explain that the simulations in which they will be engaging are similar to the activities in which they will be engaging when they establish and run their own practices. That always gets their attention and interest.

We also have heard complaints from students in other subject areas where professors assigned written reflections. Those students thought that reflections were a waste of time. We, however, have not received any complaints about the reflections in our course. We believe that this is because we tell the students the goal of the reflection exercises before they begin, which includes figuring out why they did what they did in a simulation and how they might want to do things differently in practice.

Also, unlike the reflections in other courses, ours are not open-ended "write what you learned from this exercise" assignments. Rather, our reflections contain numerous specific questions to guide the students to consider ramifications, underlying issues, and motivations. Additionally, our instructions remind students that they will be rewarded for creative thought—for thinking deeply and broadly—and not just writing what they think they need to say to get a good grade. Once they realize that this course is not about memorizing rules and doctrine, but about giving them a dry run at opening a law office so they will make their mistakes in the classroom and not in their own practices, they eagerly buy into the new method.

The bottom line in all of this goes far beyond just a new method of teaching: We, as lawyers, should be thinking of ways to serve as mentors to newer practitioners and students so they won't have to struggle as we did when we started our own firms. We need to be philanthropic with our time. The future of our profession depends on it.

1. Meredith Miller, "Designing a Solo and Small Practice Curriculum," 83 UMKC L. REV. 949 (2015).

2. Debra Moss Curtis, "Teaching Law Office Management: Why Law Students Need to Know the Business of Being a Lawyer," 71 ALB. L. REV. 206 (2008).

3. We conducted a review of law school catalogues that were posted on the Web.

4. See Miller, supra note 1.

5. Fred Rooney, "Incubator Development at Home and Abroad: Anecdotal Stories from the Trenches," 1 J. EXPERIENTIAL LEARNING 185, 188 (2016).

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## Alternative

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an attorney as a sort of ending to a legal career rather than as a beginning point.<sup>2</sup> To such critics, time spent working outside of a law firm leads to underdevelopment or atrophy of valuable attorney skills. Law firms, the logic goes, provide the apprenticeship necessary for a lawyer to learn his or her trade. I can appreciate that logic, though my own experience has informed me that law firms are not all the same and many do not offer any more of an “apprenticeship” experience than does a company’s legal department. In my own case, I have found that managing the legal affairs of a company provides a different, but nevertheless valuable perspective on the practice of law. In-house attorneys experience the practice of law both as the trusted legal advisor to their employers, and also as a client when dealing with their outside law firms. A company can always hire an outside business law firm to draw up a detailed securities offering for the company’s next stock sale, or hire an employment law firm to update the company’s employment contracts with the latest terminology, but the experience of managing the legal affairs of a particular type of business over years is not something that can be easily acquired with a retainer agreement. You may not build a book of business working in-house, but you may develop a following based upon your specific knowledge that will make you valuable to employers nonetheless. A company can tout its executive leadership, including its in-house counsel, but it cannot do the same with its outside counsel, impressive though they may be. In short, the in-house career path is a different one, with its own career trajectories.

When I was a recent law graduate, I had the misconception that one had to have practiced for a

number of years in a law firm setting before one would be seen as useful to a company as an attorney. I did not understand that law school provides training that is valuable to employers right “out of the box”. I actually only realized this by a genuine “accident” of history: The real estate bubble and mortgage meltdown of the 2000s is still causing aftershocks today, but it was also the time when many of my attorney colleagues and I entered the title insurance industry. All those mortgages needed to be insured and closed, of course, and that process, as is common in other industries, benefits from, and sometimes requires, the skills of an attorney. At its core, law school equips one with a logical methodology for analyzing issues, and today it is not just law firms which find that discipline valuable. Legal compliance and privacy are increasingly key concerns for many businesses, so it should come as little surprise that those portions of in-house legal departments are expanding, particularly in the financial services sectors. However in-house opportunities also exist in the core business functions of many companies and not just in the emerging compliance and privacy niche fields. Insurance companies in general, and title insurance companies in particular, produce a product that is essentially a legal contract, and many attorneys are employed in the provision of that product.

### Tip 2: In-house Positions: Going Beyond the Legal Department

The legal department of a company is usually merely an expense item on a company’s profit and loss statement. It is in the operational and sales origination divisions of companies where the corporate strategy is developed and where the leaders of the company are usually found because this is where the company’s revenue is generated. Stepping outside of the strict legal

services silo and into operational and sales roles can yield opportunities to develop your career that might not seem apparent to a recent law graduate. Pursuing this route requires boldness because you are departing from the path well-trodden for an attorney, but it also allows you to recast your contribution to an organization as an attorney as more than merely an expense item. In particular, attorneys who work for businesses which solicit other attorneys as clients can often smoothly transition to sales roles within those companies, just as many attorneys eventually move into a sales role within a law firm setting as well.

Some examples of industries where attorneys can develop beyond the traditional corporate legal department include: insurance, title insurance, 1031 exchange accommodation companies, real estate developers, escrow companies, mortgage lenders, commercial defeasance services, investment firms, property management companies, and many others. In these industries, attorneys can contribute positively to the bottom line of a business, and that is very compelling to any employer.

### Tip 3: Get Local and Personal

Local bar associations are excellent sources of leads for attorney jobs of all types, though predominantly those in the traditional law firm environment. Yet they are underutilized as such by recent law graduates. I suspect that many young attorneys shy away from volunteer opportunities at their local bar associations at least partially because they feel they need more legal experience before doing so. That assumption is understandable but incorrect.

Your local bar association and the many organizations which interact with it often need help with basic tasks, and would welcome

the volunteer involvement of a new attorney, even one with minimal legal experience. Providing volunteer work is actually one of the safest ways to accumulate experience because there are usually mentors ready to help you in these groups. There are also associations and sub-groups of bar associations which are specifically geared to attorneys with interests in particular causes. Your devotion and enthusiasm for a cause may be identified and appreciated by a potential employer who is also part of that group. Meeting other professionals who share your priorities is a great way to create and foster that personal connection which so often wins the day with recruitment.

Another great benefit of involvement in local bar associations is that they often have a job board where their members can post jobs they are looking to fill, at little or no cost. These job boards often contain job listings not found online for the simple reasons that online job advertisements cost money and they are not locally focused. Sometimes courts even sponsor special programs for training attorneys in work that there is a local shortage of qualified attorneys to facilitate, as with court-sponsored training programs for foreclosure actions. Those sorts of opportunities will rarely make their way onto an online job posting site, but they are precisely the sort of opportunities you will hear about from a local judge presiding over a morning meeting at a bar association.

Volunteering your time is not a painless or effortless exercise. However, it is one of those basic and practical things that a new attorney can definitely do to increase his or her networking success, and which will frequently yield positive results. It is not easy making my monthly 7:30 a.m. morning meetings at my local bar association before I start a full day of work. However, while my initial involvement was motivated by a desire to further my career, my continued participation demonstrates

my ongoing commitment to my local community. These pursuits might seem altruistic, but a cursory review of the biographies of the key leaders at many law firm and company websites will confirm that employers tout their employees’ contributions to the local community. Adding that dynamic to your resume will make you more valuable to an employer, both in theory as a future productive worker, and in immediate practice as a marketing talking point.

### Tip 4: Create a Well-Formatted Physical Resume

It might sound quaint to some, but there are good business reasons why the retailer JC Penney brought back their physical product catalogs after experimenting with Internet-only promotions for five years.<sup>3</sup> Print media works. It shows effort, your respect for the position, and it allows you to convey a sense of style and professionalism not possible with an exclusively electronic presentation. Most importantly, a physical resume is real and tangible, unlike the emails which are so easy to spam an interviewer with. As someone who has had to sift through responses to online job postings before, I can vouch for the downside of online applications: They are so easy to submit—far too easy actually—that qualified applicants must be filtered from dozens or hundreds of unqualified applicants, both of which are equally as instantly banished with a capricious click of the mouse by a weary interviewer.

I think these aspects of job solicitations have been underplayed of late in favor of adapting to a perceived “new reality” of job searching online. It is ironic, though, that the conventional advice regarding the most important marketing you will ever do as an individual—your job hunt—is to restrict your promotional efforts

to posting your qualifications electronically on online databases of identically-presented candidates. In your personal life though, you are reminded constantly that those who are really serious about selling something do not restrict themselves in such ways. Your mailbox is full of examples. Having ballpoint pens made up with your name on them is probably going too far for a job seeker’s purposes, but there is nothing quite like a textured, heavy-bond paper resume.

### Conclusion

While that first post-law school job search can be a daunting challenge, it is not as great a challenge as that which you have already bested: that of graduating law school itself. Take heart that while there are more attorneys today looking for jobs every year, there is also more need for attorneys today than ever before, and that trend will continue.

Years from now you will have your own story to tell about how you landed your first law job, and how your career started. Indeed there are jobs out there, but it may take some creativity and boldness to find them. However, by using the tips above, the recent law graduate can help to maximize their chances of success by leveraging what they do have: flexibility, time, and motivation, and minimizing the importance of what they do not yet have, but will have soon enough: legal experience.

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1. Blake Edwards, “Ingram Micro GC: In-House Law Departments to Keep Growing,” June 8, 2015, Bloomberg Law, <https://bol.bna.com/ingram-micro-gc-in-house-law-departments-to-keep-growing/>.

2. Harrison Barnes, “Why Going In-House Is Often the Worst Decision a Good Attorney Can Ever Make,” <http://www.bcgsearch.com/article/900045115/Why-Going-In-House-is-Often-the-Worst-Decision-a-Good-Attorney-Can-Ever-Make/>.

3. Mike Ryan, “Print Is Dead? J.C. Penney Catalog Crunches the Data, Returns to Print,” <http://www.business2community.com/consumer-marketing/print-is-dead-jc-penney-catalog-crunches-the-data-returns-to-print-01289952#JEyDB8YeQwR7XuC99>.

## Transition

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segments of your day to certain recurring tasks. Of course there will be some flexibility and not every matter will be a rush, so, if you can, save some of the heavy lifting for your peak performance hours.

### The Billable Hour

In addition to ceding control of your schedule to your clients, you’ll have to account for every moment you are working on their behalf. Because every matter presents a unique set of facts, it is nearly impossible to accurately predict the cost to your client. As such, you are expected to track the time it takes to complete their work. Expect your client to review your time carefully to ensure that they are getting the most bang for their buck. Tracking your time can be a difficult habit to pick up because, frankly, nobody ever cared what you were doing every tenth of an hour before. It would have been nice to bill someone for the endless hours of studying in law school, but take comfort in the fact that the knowledge you acquired is baked into your hourly rate.

The best way to keep track of your time is to track your hours as you complete each task. You’ll have a hard time remembering what you worked on earlier in the day, let alone last week. If you can’t access your billing software, write it down. It helps to designate a yellow-pad or calendar for keeping time in case you don’t have a moment to formally write it up.

### Efficiency

It is important to note that as a practicing attorney you are not given carte blanche over the time you spend on each matter. As a law student, you’re encouraged to spend extended time examining every aspect of a legal issue. You’re not accounting to anyone for your time, so you can let your intellectual curiosity run wild. However, in practice, you have to work within a time estimate and the client’s budget. Accordingly, you’ll have to learn to work efficiently and put (some) of your intellectual curiosity on hold. Some clients and firms are okay with budgeting extra time for a junior attorney to get up to speed on an issue, but most clients are paying for attorneys who are already knowledgeable in the law relevant to their matter, so expect some push-back from the client when you exceed time estimates.

Working efficiently is one of the most challenging parts of early legal practice. Many of your projects will involve tasks completely new to you in areas of the law where you may have little experience. Expect a learning curve but take every opportunity to improve from one project to the next. Your law school notes and outlines may provide a good starting point. In addition, seek the advice of seasoned attorneys in your area who

can point you to a great treatise that will cut your research time in half or to a book of forms that are easily adaptable to your practice. Finally, keep your notes, research and drafts from each project to jog your memory when the same type of project comes up again.

### Your Audience

To date, you’ve produced memos, briefs, exams and articles for law professors and, sometimes, your peers. Although most legal analysis follows the same format (see IRAC), in an academic setting, there is a focus on the philosophy

It is nearly impossible to anticipate all the legal issues that will arise in an engagement, so expect to **delve into new areas outside your comfort zone.**

underpinning legal principles. While it is important to understand the reason and consequences of a particular law, oftentimes you don’t have the time or leeway to ponder such grandiose questions. Clients expect pointed and practical advice so the bulk of your legal analysis will focus on solving the issues at hand. Furthermore, in law school, your work is limited to the legal universe defined by the professor (or the course description). Legal practice is never neat or well defined. You may have, for example, tax, environmental and intellectual property issues embedded in your contract dispute. It is nearly impossible to anticipate all the legal issues that will arise in an engagement, so expect to delve into new areas outside your comfort zone.

Listen to your client, take notes and ask questions. Your work will not address your client’s concerns and meet the needs of their engagement unless you fully understand their position and expectations. Also, discussing the matter with your partner or senior associate and asking follow up questions will help you focus your tasks and avoid unnecessary legal frolics. Don’t be afraid to ask for help because it may get the job done better and faster. Finally, sharpen your research skills. Take additional research tutorials, explore the software and learn the shortcuts. Get familiar with the treatises and periodicals in your area so you know where to turn when something new comes up.

### Bespoke Work Product

As a law student, you probably learned quickly that subjectivity plays a large role in the legal profession. Your work for each class is reviewed by a different professor with a different expertise. Each professor has a preferred format, writing style and their own set of expectations. It can be frustrating when you analyzed the right statutes and cases but your grade was lower than you anticipated. Perhaps the professor didn’t buy your argument, couldn’t follow

the organization of your contract or thought you didn’t develop a line of reasoning. In this respect, law school provides good practice for real world situations. Expect to have to tailor your work for your clients and superiors. You may have proudly produced a perfectly cited and well-argued brief, but the partner for whom you prepared the work may have argued before that judge before and know that she is particularly sympathetic to a certain line of reasoning or certain terminology. Or perhaps the partner prefers single spacing and analogies made in the first-person and you’re a third-person analogy

double-spacing kind of attorney. Everyone expects bespoke work product.

The best way to avoid preparing work that will not be well received is to ask your partner or client how they like their work presented. Ask for an example of work they found acceptable and talk to other attorneys who have prepared work for them for tips. Nevertheless, you should expect a learning curve and accept that early on in the relationship, you will have to adjust to their preferred style and approach. Try not to take critiques of your work personally and resolve to improve with every assignment.

### Collaboration

With only one exam or paper gauging your understanding of an area of law, submitting your work to the grading black-box is daunting. In most circumstances, your study group isn’t taking the exam with you and you produce work on your own with little guidance. The good news is, however, as a practicing attorney generally the work product is the result of a collaborative effort. Your work will get quick, detailed and ongoing feedback from the client and your superiors. This constant feedback and collaboration helps focus your efforts and tends to increase the likelihood that the final work product meets the needs of the client.

Keep in mind that you can learn quite a bit from your colleagues so check your ego at the door and learn to work with others. Get to know your colleagues and learn their strengths and weaknesses. When your skills compliment your colleagues’, the work product will be that much better. Also, practice critiquing the work of others and make an effort to review the final work product to understand how your work was incorporated.

### Extracurricular Activities

Law school is a self-contained environment that revolves around legal education. Beyond coursework, law schools endeavor to provide you with the opportunity

to explore and engage in various legal initiatives and interests. It’s quite easy to sign-up for a new club or committee and become involved. There are professors and clinic leaders you can turn to for advice and guidance. Pursuing legal avenues of interest outside the office is much more challenging in practice. Unfortunately, the real estate law club does not meet outside the conference room and your colleagues are probably too busy to run law clubs out of their office.

Following your passion and feeding your intellectual curiosity will keep your enthusiasm for the law vibrant. Explore your state and local bar associations (and the American Bar Association) and their various committees to find other attorneys who practice and share ideas in areas that pique your interest. If a committee does not exist, start your own and invite others to join. Subscribe to periodicals, blogs and listservs that provide updates and insights in your area of interest. If you’d like to become more knowledgeable in an area, speak to attorneys already practicing in that area and get up to speed on your own. Go to non-legal industry meetings or conferences and learn how their business works (these are your prospective clients). Finally, take part in pro bono opportunities whenever you can because there is nothing more satisfying than using your education and skill to help those in need.

### Work-Life Balance

Law school is an enjoyable experience, especially after the first year. Law schools provide you with countless convenient opportunities to socialize and have fun. There are middle-school like dances, happy hours, recreational sport leagues, food tours around town and a plethora of interest groups. Making new friends and exploring a new city are some of the best parts of law school. Striking work-life balance after law school is a challenge and should not be aspirational. Between demanding clients, picking up dry cleaning and ordering your favorite Szechuan, who has time for a concert, dinner with old friends or your favorite hobby?


Recognize that a well-balanced personal and professional life will ultimately make you a happier and more effective attorney. There will be times when you are overwhelmed and you’ll have to skip a social gathering, but set boundaries and make time for the activities outside work that you find enjoyable. Working with a charity, taking a class and joining a club are great ways to incorporate recurrent activities into your schedule. When you’re sick, don’t be afraid to use your sick days and be sure to use your vacation. Most importantly, eat right, exercise, socialize and meditate (or attend your house of worship). Remember that you are part of a family and community and your time away from work will help you manage stress and cleanse your intellectual palate.

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# Introverted

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sion. Extroverts quip to hesitant introverts, “Fake it ‘til you make it,” “Act as if,” “Just be prepared and practice, and you’ll be fine,” “Being nervous just means you care,” “Everyone gets jitters.” The gist of this well-meaning but flawed advice is “put on your Nikes, get over it, and just do it.” By perpetuating a learning and training environment in which we pressure introverted law students and lawyers to fake extroversion, we do many intelligent and hard-working individuals—and the profession—a disservice. Renowned introversion author, Cain, acknowledges, “the bias against quiet can cause deep psychic pain.”<sup>3</sup>

What if, instead of strong-arming introverts into fraudulent extroversion, ignoring scientifically valid reasons for aversion to forced spontaneous interaction, we encourage them to “just be it”: first more deeply understanding their innate analytical inclinations, capitalizing on natural quiet talents, and then amplifying their voices in the legal arena in an authentic instead of manipulated way? This proposition in no way calls for

ful speakers who choose words mindfully—traits well-suited for a profession grappling with challenging legal quandaries.

## Introverts Can Bring Heightened Empathy to Legal Dynamics

University of California Berkeley professors, Marjorie Shultz and Sheldon Zedeck, studied lawyers, professors, law students, judges, and clients to craft a “lawyering effectiveness factor” list. The Shultz-Zedeck inventory includes, among other competencies, listening, creativity, and the ability to see the world through the eyes of others (i.e., empathy). We dub lawyers “counselors-at-law.” Lawyer Jack W. Burtch Jr. explains that the lawyer-as-counselor’s “job is to show empathy, respect, and understanding so clients can make healthy decisions for themselves.”<sup>6</sup> From the public interest platform to the corporate stage, each legal transactional opportunity and litigation conflict hinges on human emotional interface. Traditional legal education has not focused on empathy as a lawyering competency; the core curriculum revolves around rationality of rules, analysis, and critical thinking. Some legal

Speaking Anxiety workshops conducted at New York Law School (with grant funding from the New York State Bar Association), participants included mostly women, many minorities, and several students with upbringings marked by cultural or religious pressure toward quietude. Some international students shared that, when interacting in their native environments and languages, they exhibit extroversion, but in the law classroom, fear of judgment about accents and command of American English sparks self-censorship. Similarly, an English legal writing course with 11 students at a law school in Italy offered a supplemental workshop to discuss public speaking anxiety in advance of an oral argument assignment. Four students confided apprehension toward oral advocacy, though the only male student declined the workshop. Three female students self-described as introverts attended the group session, two voicing fears of peer judgment regarding substantive legal knowledge, and the third—one of the strongest writers in the class—expressing trepidation toward being critiqued for her Italian accent and spoken English grammar. Further, numerous international students studying in American law classrooms hail from cultures in which debating concepts with a professor is deemed rude and disrespectful, further breeding stress and anxiety in otherwise well-adjusted individuals.

## With Self-Awareness, Strategic Planning, and Reinforcement From Mentors, Introverts Can Be Impactful Advocates

Of course, successful law students and lawyers ultimately must speak about the law with assertiveness. Introverts should not opt out of classroom discussions or lawyering activities requiring interpersonal interaction. Indeed, if that were to happen, the profession would miss out on many transformative voices. Instead, to maximize the meaningful impact of introverts in the profession, first, legal educators and law office mentors should cultivate an environment of inclusion, acknowledging natural differences in approaches to learning, analyzing, processing, and communicating about the law. Professors overtly can acknowledge the stress that Socratic exchange can engender, provide enhanced context about its purpose and structural pattern, and model empathy toward students hesitant toward and within classroom exchange. Next, introverts should work to increase self-awareness of their natural strengths, understand the challenges posed to personal performance within certain interpersonal scenarios and develop strategic plans to navigate such dynamics with strength, limit over-stimulation and external distractions when producing legal work product (i.e., close that door), and commit to communicating authentically—not via forced extroversion—when ready to share legal ideas. For legal scenarios mandating instantaneous interaction, introverts can develop individually-tailored strategies for anxiety management and genuine assertive expression.

Introversion in the law profession is a gift. Once quiet law students and lawyers understand that they can be powerful advocates by being their natural newly amplified selves, they will endow the profession, setting examples for colleagues struggling with similar angst or questioning their professional roles. Together, we can increase the number of well-balanced attorneys contributing to the healthy functioning of our legal system.

“If we all think that the only way to get things done is to shout louder and louder and take up more center-stage space, we’ll miss the opportunities to listen, learn, and respond thoughtfully.”

coddling quiet students and junior attorneys, sacrificing educational or developmental rigor, or jettisoning the traditional Socratic method. Instead, this call to action invokes the spirit of intellectual humility, inclusion, and respect for diverse ways of learning and practicing law—an ethos which can impact the role of lawyers in fostering unity in these divisive national and global times.

## Introverts Process Legal Information Differently And Deeply

Extroverted law professors and supervising attorneys might pre-judge a quiet student or associate as disengaged, unambitious, or unexceptional, but if afforded room to process a challenging legal question authentically, the introvert often produces a creative analysis or solution that the gunners overlooked. Authors have penned tomes about the differences between introverts and extroverts, especially the distinct ways in which each gain and replenish energy, i.e., even the most socially savvy introvert must retreat to solitude to regenerate vigor. In the law context, each group absorbs and synthesizes complex information, solves problems, produces their best work product, and ultimately communicates analytical results to others, using distinct methodology.

Scientifically, introverts and extroverts process information through divergent physiological channels, their bodies transporting blood to different locations within the brain. Author Marti Olsen Laney described an experiment by Dr. Debra Johnson<sup>4</sup> showing that introverts’ blood pumped to “parts of the brain involved with internal experiences like remembering, solving problems, and planning”—a “long and complex” pathway—while extroverts’ blood surged “to the areas of the brain where visual, auditory, touch, and taste (excluding smell) sensory processing occurs,” a “short and less complicated” biological journey.<sup>5</sup> Thus, extroverted law students and lawyers naturally develop answers to Socratic questions by speaking extemporaneously and spontaneously—a short hop from question to answer—engaging immediately, using audible trial-and-error to work a problem to fruition. In contrast, in response to an intellectual question, introverts instinctively solve problems and formulate answers through internal cognitive machinery, churning numerous variables before reacting, sifting thoughts, vetting and testing theories, discarding unworkable ideas, and letting winners percolate before expressing them externally. Logically, the expectation of instantaneous participation and the dynamics of interruption in the Socratic classroom, conference calls, team meetings, negotiations, depositions, and the courtroom can be sub-optimum for introvert thinking without focused self-awareness and strategic planning. Notwithstanding that challenge, experts indicate that introverts are active listeners, deep thinkers, methodical processors of information, careful decision-makers, contemplative writers, and thought-

scholars and practitioners endorse a greater emphasis on empathy in law teaching and practice, as the profession adjusts to societal, economic, and client mindset changes. In fact, Emily J. Gould writes that some analysts “predict empathy is the key ingredient to the future of law practice.”<sup>7</sup>

Psychology research links introversion and empathy. Dr. Kozak explains that “[i]ntroverts can be highly sensitive to the needs of others”<sup>8</sup>; “[t]he ability to sit still can nurture compassion and empathy.”<sup>9</sup> He reports that “[m]any introverts go into fields where empathy skills are required—like counseling. It’s a natural fit.”<sup>10</sup> Capitalizing on natural empathy, introverts can be influential counselors-at-law. Dr. Kahnweiler concurs:

Influence is not about forcing people to come to see things your way but about learning from others and negotiating a shared solution. This approach is well suited to the introvert temperament. It involves patience, planning, and perseverance. If we all think that the only way to get things done is to shout louder and louder and take up more center-stage space, we’ll miss the opportunities to listen, learn, and respond thoughtfully.<sup>11</sup>

She further emphasizes: “Ironically, a powerful tool for influencing people is silence.”<sup>12</sup>

## Introverts Are Primed To Cultivate Legal Writing Excellence

Introverts are also prime candidates to enrich the profession’s commitment to legal writing excellence. Authors Anne Tyler, Jessamyn West, and Bernard Cornwell describe writing as a “solitary occupation.” Author John Green concurs: “Writing is something you do alone. It’s a profession for introverts who want to tell you a story but don’t want to make eye contact while doing it.”<sup>13</sup> Further, law professor Ian Gallacher poignantly notes, “Writing is an empathetic act.”<sup>14</sup> Lawyers write. From crafting clear terms in a transactional agreement to penning an articulate brief, a legal writer ultimately writes best alone. Author Stephen King advises: “Write with the door closed, rewrite with the door open.”<sup>15</sup> “Brief-writing-by-committee” routinely devolves into a disastrous affair unless each contributor writes her component in solitude and then drafters take turns—individually—editing the document to create a streamlined whole. Legal writing is one of the most essential endeavors an attorney can undertake in client representation; introverts with a natural tendency toward such independent and empathic work can transform the legal profession through the written word.

## Cultural and Gendered Introversion

In a different vein, some law students and lawyers with international backgrounds may experience cultural introversion in American law schools and practice environments. In three sequential Spring semesters of Overcoming Public

1. <http://www.daveneefoundation.org/scholarship/lawyers-and-depression/>.
2. <http://www.lawyerswithdepression.com/law-school-depression/>.
3. Susan Cain, “Quiet: The Power of Introverts in a World That Can’t Stop Talking,” 6 (Crown Publishing Group 2012).
4. <http://www.news-releases.uiowa.edu/1999/march/0329intro-extro.html>.
5. Marti Olsen Laney, “The Introvert Advantage: How to Thrive in an Extrovert World,” 69-70 (Workman Publishing 2002).
6. Jack W. Burtch, Jr., *The Lawyer as Counselor*, Virginia Lawyer, Vol. 58, 27 (April 2010).
7. Emily J. Gould, “The Empathy Debate: The Role of Empathy in Law, Mediation, and the New Professionalism,” 36 Fall-Vt. B. J. 23 (Fall 2010).
8. Arnie Kozak, “The Everything Guide to the Introvert Edge,” 17 (Adams Media 2013).
9. *Id.* at 97.
10. *Id.*
11. Jennifer B. Kahnweiler, “Quiet Influence: The Introvert’s Guide to Making a Difference,” 1-2 (Berrett-Koehler Publishers, Inc. 2013).
12. *Id.* at 78.
13. Thoughts from Places: The Tour, Nerdfighteria Wiki, Jan. 17, 2012; <https://www.youtube.com/watch?v=qy6FdaJ6Ayc&feature=BFa&list=UUGaVdbSav8xWuFWTadK6loA>.
14. Ian Gallacher, “Thinking Like Non-Lawyers: Why Empathy Is a Core Lawyering Skill and Why Legal Education Should Change to Reflect its Importance,” 8 Legal. Comm. & Rhetoric: JALWD 109, 110 (Fall 2011).
15. Stephen King, “On Writing: A Memoir of the Craft” (Scribner 2000).

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