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FIRST-YEAR ASSOCIATES

Words *to the* Wise

Notes a fourth-year associate wishes she could have given to her first-year self.

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Starting out at a law firm is difficult for a myriad of reasons. First, the transition from law school and bar study to working is not one for which school has prepared you. Second, many law school graduates have never worked in a corporate setting before. Finally, even if you have worked before, it is unlikely you have done so in an office where there are so many different supervisors monitoring your work.

In reflecting on the four years since I graduated from law school and began my legal career, there are several things that I wish I had been told and a few more salient pieces of advice I wish I had taken to heart.

Your job is to observe and learn. Every firm, no matter how big, small or progressive, has a hierarchical structure. As a first-year associate this puts you squarely on the bottom rung of the corporate ladder. It is crucial to recognize how little you know about practicing law (regardless of whether you summered at the firm, clerked for the Supreme Court, or are the daughter of a well-known judge).

As a result, one of the most important things you can do during your first year is observe and learn. Unless you are called upon by the attorney you accompany, court appearances, depositions and client meetings are not the place for you to display your intellectual prowess. Bring a pad of paper, take notes, and feel free to ask the attorney you are with any questions you may have—*afterward*.

Serve your clients. You are being paid a substantial salary in a competitive service industry. Just as the senior associates and partners you work with serve their clients, you serve these attorneys. Think of them as *your clients*.

Take care when drafting or responding to an e-mail to ensure that the information you are sending is accurate and that the tone is appropriate (more on e-mail etiquette later).

When turning in an assignment make sure to

proofread your work at least twice and submit it on time. Always build in some time to put your work product aside and review it with a clear head.

Just as you would with a firm client, find out what responsiveness means to the attorneys you are working with and try to thoroughly understand their expectations. Do they want you to reply to e-mails and phone calls within an hour or five minutes? When they ask you to obtain information, what format do they prefer—oral? written? Do they want a final draft or a quick first stab? Knowing the preferences of your “clients” will ensure that you are able to meet and exceed their expectations.

Recognize that your firm is a business. Clients frequently question invoices that are sloppy or vague. Be responsible with your billing.

Think about whether the firm’s clients are getting “value” for your time. Make sure that your time records accurately reflect the work you performed, comply with any client-specific billing requirements, and are free of spelling errors.

Make the attorneys you work with look good. Everyone assumes this simply means that you should produce excellent work product, but it also means that you should speak highly of the people with whom you work, show appropriate respect for them and for the firm, and remember that you represent the firm wherever you are. This is important when you are asked to participate in summer associate events and other recruiting activities. It is also extraordinarily crucial when you are dealing with clients, opposing and co-counsel and courtroom personnel.

Become more involved in the cases you are staffed on and the clients you work with. While sitting in a small office doing document review all day long you may feel disconnected and question how it is possible to become more involved. Start by being observant of news about your clients and their businesses in the media and share it with your colleagues.

Check the case docket, or ask another associate or paralegal on the case, or the firm’s managing clerk what due dates are coming up. Then e-mail the senior associate or partner handling the case about what you

learn and ask if you can provide assistance with a specific deadline that is approaching in the coming weeks. It shows initiative, and the worst thing the attorney can say is “No, thank you.” If the partner does ask you to pitch in, make it your priority. If you impress the attorney it is likely that she will seek you out for the next task on the case.

Work with as many different people as you can. This is important for different reasons.

First, if you are like me, you do not really know what you would like to specialize in because you have no idea what is out there and are not sure what it will really be like until you try it.

Second, you never know who is going to take an interest in you and your career. Third, the wider you spread your net the more opportunities you are likely to catch.

Finally, the more partners and senior associates you work with, the more people who have a vested interest in promoting you and your work within the firm. This is important whether you want to make partner or just work at a firm for a few years, because it will help ensure that you have a steady stream of challenging work.

Relationships take time to build. You might see a sixth-year associate joking with a senior partner and attempt to do the same. This can backfire. Remember that the sixth-year has spent time developing a relationship with that partner and has likely proven herself through hard work and long hours. While there are many partners with whom you can joke from day one, I would caution doing so until you have a better sense of their personalities and sensitivities.

Become involved in the firm’s administration. If you are asked to join a firm committee, eagerly accept. This is a great opportunity to show that you have a stake in your firm and that you care about its success and profitability. It also gives you a chance to



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help shape your office, get to meet and interact with partners and senior associates, and show off some of your non-legal skills.

Yes, it will mean more hours in the office, but it is a great way to establish yourself as a committed member of the team.

E-mail etiquette. Attorneys send numerous e-mails every day and we are often rushing to get someone a response as quickly as possible. However, I suggest that you draft every e-mail to an attorney or client as you would a formal letter.

Take the time to think about what you are writing, err on the side of formality, do not use shorthand or emoticons (unless the client happens to be your brother or best friend), proofread your e-mails, and make sure they are going to the correct person *before* they go out.

Be aware that tone is difficult to discern in an e-mail and that your message can be easily misconstrued.

Finally, bear in mind that e-mails are easily forwarded, that they live forever (depending slightly on your firm's retention system), and can even be discoverable in litigation against the firm. If you are typing and thinking to yourself, "Hmm, maybe I shouldn't write this in an e-mail," stop, pick up the phone and call the person you are e-mailing. Also, get in the habit of using a free Internet service for your personal e-mail, which will generally increase the likelihood that your personal life stays private.

Malpractice is no longer a theoretical concept. Be careful and be smart. Make sure you have read the Disciplinary Rules and Ethical Considerations.

No, the fact that you took the Multistate Professional Responsibility Examination in the last two years is not sufficient. Attend continuing legal education lectures regarding ethics (as you are required to). When in doubt, *ask*.

If a senior attorney asks you to do something you are not comfortable with, use your resources. Check to make sure it is permissible. Ask the firm's general

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counsel or someone else you trust for advice. If you are not comfortable consulting someone internally, call a friend at another law firm and ask her to ask around. If none of these are options for you, call the ethics hotline of the New York City Bar Association (<http://www.nycbar.org>).

Finally, always remember to cover yourself by documenting the attorney's request in an e-mail. You should not be penalized for someone else's "liberal" ethical view.

Admit your mistakes and clean them up. So you made a mistake; *everyone* has. What separates you from your peers is how you handle it.

Trying to brush it under the rug is a terrible idea because it is not going to stay buried and will likely grow into a far greater mess. Moreover, the firm is

looking to train and support responsible associates. Part of that involves recognizing that you must be accountable for your mistakes.

If you make a mistake, immediately seek out advice and assistance. Depending on your relationship with the attorney for whom you are working, this may mean going directly to him or it may mean seeking out a "buddy" or "mentor" or someone else you trust who can help you assess the severity of the mistake and suggest ways to repair it.

Ideally, you want to be able to go to the partner and explain that you made a mistake, that you figured out how to fix it, that you are going to do so immediately,

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and that it will never happen again. Unless the partner asks, this is not the time to explain what happened or shift the blame to someone else (*even if it was not your fault*). It does not solve the problem and will not make you look any better. There will be time to set things straight *after* the mess has been cleaned up.

Know the support and administrative staff. In case being a decent friendly person who cares about her workplace is not incentive enough, when you are desperately trying to make a filing deadline or close a deal it is the paralegals, secretaries and mailroom staff who ultimately make it happen.

It is obviously more likely that the support and administrative staff will go the extra mile for you if you are friendly, kind and respectful to them every day and not just when you need them. Remember they are part of the team.

Know how to do things yourself; be self sufficient. While I have no doubt you work at a firm with an excellent support staff whose members stand at the

ready at all times, you never know when you will need to do something yourself. Knowing how to file papers, "velobind" a brief, or locate a document in records are all immeasurably valuable—especially when a partner learns you were the one with the know-how to save the day.

Leave your sense of entitlement at home. While the legal market is currently a "seller's market," things can change rather quickly. Do not assume that the job you currently have is yours in perpetuity.

Remember standard accounting principles—"LIFO" (last in first out) principles apply at all workplaces. When firms are looking to downsize it is easy to choose the associate with the huge ego, who never shows up on time to meetings or thinks she knows better.

You do not need to broadcast that something was *your* idea, the attorneys you work with will know. Do not make yourself a target for downsizing by having the wrong attitude. Make yourself a critical part of the team.

Your reputation matters. Remember that a law firm, no matter how large, is a *small* world. Gossip runs rampant and everyone knows/believes that most rumors have some truth to them. You do not want to be the subject of gossip unless the word is that you are going to be the youngest partner ever made.

Unfortunately once you are labeled the "party guy" or "lazy one" it is difficult to obtain a new

moniker. Keep your personal life private. Close your door when you have to call your doctor about that mysterious rash; and if you have an officemate, make the call on your cell phone when you step outside to grab a sandwich.

Be careful whom you trust. While I have made close friends at work, that did not happen overnight. Do not start revealing your darkest secrets with colleagues before you truly know them and have worked with them for a while.

Play nice with others. You never know who has the managing partner's ear. There is *no reason* ever to make enemies in the workplace.

Careers are not linear. You may start at a firm intending to stay there for a year or for 10. But, it is difficult, if not impossible, to predict right now what path your career is going to take.

Do not be too worried if you start feeling that the firm you are currently at is not right for you. Always be careful not to burn any bridges and make sure to keep in touch with your law school friends and attorneys who leave your firm. These people may wind up being the key to the next step in your career, or client sources.

Finally, be yourself. Although it is important to be cautious, taking all of this advice too literally can turn you into a robot. The attorneys you work with want to get to know you not only through your work but as a human being.

Go out to dinner with your colleagues. Be confident and feel comfortable expressing your opinions or discussing your interests and hobbies. Your firm hired you because you are bright and personable. Consider your first year an opportunity to show the firm that it has excellent taste.