

Being a lawyer is hard. Don't make it harder.

10 tips & truths for navigating life as a new lawyer

BY PATTY BECK

Becoming a lawyer is one of the most rewarding yet challenging things I have ever done. I learned early on that one of the toughest parts about being a new lawyer is discovering how many things I did not know coming into this profession despite spending years preparing for it.

The day I was sworn in as a new lawyer was one of the happiest of my life. After three years devoted to rigorous studying, extracurricular activities, and volunteering in various legal roles, I was finally a lawyer. I started working as an associate at a large law firm, where I was assigned fascinating cases and learned from talented lawyers. I was so excited by even the most mundane tasks that I offered to work weekends.

Then after a few months it hit me—being a lawyer is tough. I always knew it would be difficult given the complex laws, demanding deadlines, and billable hours. But experiencing these challenges firsthand differed considerably from my expectations, and I was surprised at how unprepared I felt despite my best efforts during law school.

I had no idea how mentally exhausted I would be, or the impact it would have

on my memory and organizational skills. I did not anticipate how challenging it can be to gather facts from clients and witnesses, or to decipher complex documents. Most of all, I did not appreciate how stressful it is not to know what you are doing, and to stumble and make mistakes as a result.

I was surprised at the stress associated with navigating my career path. I did not realize the extent to which my interests and priorities would change over time, that my dream job as a litigator would not be a good fit for me, or that I would eventually start over in a new practice area.

Since graduating from law school, I have been fortunate enough to have practiced law at an exceptional firm, discovered my true passions and skillset, and transitioned to a non-practicing role where I can use my law degree to help lawyers navigate their own professional struggles.

Here are 10 things I wish I had known as a new lawyer, along with tips to help minimize stumbles and surprises along the way. Some of these lessons I learned the hard way, while others I learned by handling ethics and malpractice claims for lawyers of all experience levels.

1 You will make mistakes

Lawyers tend to be perfectionists, and we are very hard on ourselves when we make mistakes. If you graduated from law school, chances are you're accustomed to excelling academically and succeeding in most endeavors. The challenge is that when you start practicing, nearly every task you are assigned is something you have never done before and will be expected to complete flawlessly (sometimes with little or no guidance from the assigning attorney or client). Although there is a learning curve at any job, lawyers often set high standards and demand perfection even when doing something for the first time. Under these circumstances, the odds are you will make mistakes and have to re-do certain projects, which can be stressful for those unaccustomed to making errors.

I struggled with this as a new lawyer despite doing well in law school. I believed getting good grades would automatically translate to success in practicing law. It didn't, and that was hard to process. I often felt like I had no idea what I was doing, and that there was something wrong with me for not instinctively knowing how to perfectly draft a deficiency letter, evaluate whether a proposed protective order seemed reasonable, or prepare a budget for a client.

Fortunately, my work product and confidence level improved significantly as I sought feedback, devoted extra time to improving my writing skills, and observed senior lawyers in action—conducting client calls, interviewing witnesses, and developing case strategies. Although I wish my experience were unique, I have met many lawyers who shared my struggles and my experience of how difficult it can be to ask for help—which is even more stressful when you feel like the only one who can't keep up. (Spoiler alert: Many lawyers feel like they do not know what they are doing.)

► **TIP:** Get as much information as possible about the project from the assigning attorney to understand your starting point, how many hours you should spend, and where your assignment fits within the “big picture” of the client’s needs. If possible, find examples of what the end product should look like before drafting documents like motions, discovery requests, and contracts. And be sure to have someone you can ask “dumb questions,” because it is better to admit you are confused and ask for help than to isolate and struggle alone.

Most importantly, try not to be too hard on yourself when you make mistakes. They are inevitable, even for experienced lawyers. There will be many times throughout your career when you do not know how to tackle a project, especially during your first few years. As in any job, it takes time to figure out how to do things. With time, experience, and guidance from other lawyers, you will figure it out.

2 You will be exhausted when you first start practicing

Lawyers are no strangers to long hours. Many of us spent eight to ten hours per day during law school studying and attending class. The difference is that in law school, those hours are broken up throughout the day by class schedules, extracurricular activities, and work. As a lawyer, you will spend those same hours (or more) at your desk reading, analyzing, and writing. Oftentimes you will work additional hours at home during the mornings or evenings (and let’s not forget weekends). I can still recall discussing with my peers our shock at how exhausting the practice of law was, even though we were all familiar with long hours from law school.

► **TIP:** Take frequent short breaks throughout the day. Rather than working four hours and taking an hour-long break, work for one hour and take a quick five-minute break (a lap around the office is great for this and increases daily steps!). Short frequent breaks help us combat the brain fatigue that occurs when we spend many consecutive hours working. Short breaks are also nice because they tend not to interrupt your momentum on a project.

3 Sometimes your memory will fail you

An additional side effect of exhaustion is that it will sometimes cause your memory to fail you. Depending on your caseload, you will be working long hours and juggling several fact patterns, dates, and legal principles at any given time. If you do not give your brain adequate time to rest and recharge, you will forget something at some point in time. I have spoken with many lawyers who would have bet anything they remembered certain facts and deadlines correctly but were mistaken.

► **TIP:** Develop a system to keep track of important facts, dates, and characters, and use it during discussions with colleagues and clients. Some people prefer charts while others work better with text-heavy summaries, lists, chronologies, or other diagrams. Find what works best for you, which may involve trying out multiple methods before one clicks.

4 Even the most organized lawyers can overlook important dates

By now you may be sensing a theme, which is that mistakes happen—to everyone. Even the most organized and experienced lawyers can overlook deadlines or write down the wrong date. Some lawyers rely on a flawed memory rather than documents to compute a statute of limitations. Others may hear one date and write down another. Lawyers sometimes even misread or misunderstand various rules of procedure regarding applicable deadlines.

► **TIP:** Have an organized calendar system and check it regularly. When imputing critical dates, always double-check your facts and the rules to make sure your calculation is correct. If another lawyer has calculated a date for you, do your own independent evaluation to make sure the date is correct. Make sure you frequently check in on all files, as this will help you catch mistakes before deadlines are missed.

5 Clients can be unreliable

As if avoiding lawyer mistakes were not enough to worry about, new lawyers must also recognize that clients can make mistakes. Some clients may misremember key facts or important dates. Others may believe they provided you with all relevant documents while overlooking additional emails. Sometimes clients will even describe documents as relating to one issue when they in fact relate to another. Miscommunication happens often, regardless of whether your client is an individual filing for divorce or a massive corporation embroiled in a business dispute.

► **TIP:** Frequent communication with colleagues and clients regarding investigation is critical. It is important to be clear on what information you are seeking so the client is not the one deciding whether something is “relevant” for production. Following up a phone call with instructions in writing will help ensure that everyone is on the same page. Verify as many facts as possible with documents to avoid relying on someone’s memory for important information.

6 Billing time is hard because so much time is non-billable

Although we all know that lawyers tend to work long hours, it is hard to appreciate how challenging it is to bill time until you do it. I recall discussing billable hours with an associate while I was still a law student, and I was surprised to hear how much difficulty she experienced in billing time given how many total hours she worked. She explained how easy it is to “lose time” throughout the day to non-billable activities such as attending firm meetings, lunches, involvement in various bar associations, and simply chatting with colleagues. For a lawyer to bill 40 hours per week, typically they must devote significantly more time to their job than that. This can be a shock to new lawyers who have never had to log each hour of their day (often in six-minute increments).

► **TIP:** Start the year by mapping out how many hours you must bill each week to meet the firm's billable hour target while factoring in at least two vacation weeks, holidays, and time devoted to CLE and other non-billable activity. Be sure to adjust this plan each month depending on whether you are ahead or behind on your hours. Next, identify ways to be as efficient as possible with your non-billable time by saying "no" to certain activities and, where appropriate, using support staff to assist with travel arrangements, registering for events, etc. If you are not on track to meet billable hour expectations, have an honest conversation with your supervisor to find out why and how you can improve to avoid any consequences of not billing enough.

7 You may be awkward at times

Of all things that shocked me as a new lawyer, I should have seen this one coming a mile away given how awkward I am on any given day. Alas, I learned the hard way that business development skills are generally learned over time. I still cringe remembering my first time networking with a corporate client and how direct I was about trying to develop that business relationship (I believe I am still waiting for a notification on LinkedIn saying my request to connect was accepted). Although I wish I could say I'm alone in this regard, I have learned from being a client just how challenging it can be for even experienced lawyers to navigate and develop relationships with existing and potential clients.

► **TIP:** Do not take a one-size-fits-all approach to client interactions. Although some clients may prefer a more formal and direct approach to doing business, others may appreciate a subtle approach of going for coffee or lunch to get to know one another (with a sprinkling of experience throughout). A lot goes into developing a professional relationship, and the nuances can get lost in the mix for lawyers who do not understand what different clients appreciate. If you do have an awkward experience, figure out where you went wrong so that you can do better next time. And don't dwell on it.

8 Your interests may change over time

Some new lawyers find a job in a practice area they are interested in and assume they will continue in that field throughout their career. I started my career litigating employment law matters and thought I would forever be an "employment lawyer." Over time I realized that although the subject matter was interesting, I was not passionate about it—and I found the adversarial nature of the litigation system exhausting. This realization, among many others, caused me to develop anxiety when it became apparent the career path I had spent several years pursuing was not a good fit for me. I felt like there was something wrong with me. It turns out there was nothing wrong with me, and that many lawyers have this experience for several reasons.

► **TIP:** Do not be afraid to make a change at any point during your career. Many lawyers have told me that they know they do not love what they do but are hesitant to make a change due to timing (proximity to partnership), fear of career setbacks, and the dread of starting over. I have also met several lawyers who made a change and expressed extreme happiness at the freedom to do something they are passionate about. This profession is a marathon, with several short sprints along the way. Even after making partner, you are likely still closer to the starting line than the finish line of your career. If you know you are unhappy by mile three, don't wait until mile twelve to make a change—life is too short for that!

9 Your priorities may change

New lawyers who join law firms often set out on a path to partnership (or equivalent position). It's the natural progression in many firms. I started my career with this exact goal in mind. But after a few years, I realized the less time I spent with my now-husband, family, and friends, the less I enjoyed my work. It surprised me how much my priorities changed, given how dedicated I was to becoming a successful attorney. I considered my career

in the long term and realized these challenges were likely to continue, since it did not appear I would suddenly have nights and weekends free after making partner.

My changing perspective added to the anxiety I was experiencing at the time, so I consulted a professional counselor about what to do. After several months of reflection on what I wanted out of my career and personal life, I decided to transition to a non-practicing role as a claim attorney for Minnesota Lawyers Mutual Insurance Company. This transition was terrifying in many ways, but it allowed me to manage my anxiety and achieve the type of balance I needed, all while still using my law degree every day.

I know many lawyers who shared similar experiences changing their career paths after meeting a significant other, starting a family, or even after achieving a career goal and realizing it was not what they wanted after all. A common theme is that it is nerve-racking to make any change, but the reward often outweighs the risk.

► **TIP:** Continually evaluate what you are looking for in your career and in your personal life. Network often, and ask experienced lawyers what they like and dislike about their position, company/firm, and practice area. Be deliberate in finding out whether and how you can achieve your career goals without sacrificing personal goals—or at least identify the sacrifices that may need to be made.

Also, be cautious in making any major life purchases in your first few years of practice. Many lawyers have shared stories of enjoying their work for the first year or two, purchasing an expensive house or car, and feeling stressed when they want to make a job change but cannot do so and maintain their lifestyle. I am still thankful I did not purchase the extravagant house I was eyeing during my second year of practice, as it would be very difficult to afford now—and would have adversely affected my ability to make a much-needed career change.

YOU MUST TAKE
TIME AWAY
FROM WORK
FOR YOURSELF.

10 You must take care of yourself

One constant among attorneys is that this profession requires long hours and dedication regardless of your position or experience level. Many lawyers tell stories of working months or years without taking a real vacation (one that involves no billing or checking email), which can lead to burnout. Some lawyers hold off on taking time away until they feel they are on top of billable hours (which can take months to achieve), while others worry about being perceived as uncommitted to their work if they take time off. Whatever the reason, many lawyers seem to struggle with work-life balance—though, ironically, it's one of the most critical aspects of being a successful lawyer. Lawyers who are exhausted, stressed, and failing to take care of themselves are more likely to struggle with meeting basic performance expectations than lawyers who take appropriate time off to rest and recharge.

► **TIP:** You must take time away from work for yourself. Schedule vacations, make plans for weekends, and spend evenings with friends, family, and yourself. Move the email app on your phone to the second screen so you control when you switch from “personal time” to “work time.” Find activities you enjoy and put them on your calendar so they become a priority.

Finally, be open with your supervisor if you are struggling. Lawyer well-being is critical to the growth of our profession, and now more than ever, law firms and companies are striving to provide resources and support to their lawyers and staff to allow us to thrive in this profession. ▲

Welcome

Anthony Niedwiecki

Mitchell Hamline School of Law is pleased to announce the appointment of Anthony S. Niedwiecki as the school's new president and dean. He will begin his duties at Mitchell Hamline on July 1, 2020.



MH MITCHELL | HAMLINE
School of Law

mitchellhamline.edu/dean

WHEN PERFORMANCE COUNTS



Patrick J. Thomas Agency

CORPORATE SURETY & INSURANCE

With over 40 years experience PJT has been Minnesota's surety bonding specialist. With the knowledge, experience and guidance law firms expect from a bonding company.

- Supersedeas • Appeals • Certiorari • Replevin •
- Injunction • Restraining Order • Judgment •
- License Bonds • Trust • Personal Representative •
- Conservator • Professional Liability • ERISA • Fidelity •

Locally owned and operated. Same day service with in house authority!

121 South Eighth Street Suite 980, Minneapolis, MN 55402

In St. Paul call (651) 224-3335 or Minneapolis (612) 339-5522

Fax: (612) 349-3657 • email@pjtagency.com • www.pjtagency.com