

“CLIMBING THE LADDER” – THE PATH TO A GREAT LEGAL CAREER

By W. Perry Brandt

Like Judge Ortrie Smith before me, I too wish to congratulate the staff and faculty advisors of the *UMKC Law Review* for establishing and promoting an internet publication. As I will discuss below, staying ahead of the curve and anticipating future developments in the world is essential to charting one's career path. The *Law Review* is to be commended for taking this great legal publication into the 21st century.

A first glance at the title of this article likely evokes a cynical response of “Oh, here's another tome on how to pursue selfish ambition and make a lot of money.” Well, it's not. If success and money are a by-product of the advice given here, that indeed is an added benefit; however, as you will see, the thrust of this article will be how to develop your career in such a way that you achieve maximum professional growth and maximum professional fulfillment. My metaphor of “climbing the ladder” is simply intended as a description of how to approach the various stages of your career – indeed, it is all about mastering each rung of the ladder while always reaching for the next rung.

My starting premise is that law school does a wonderful job of training each of you in the various areas of the substantive law, while also training each of you on how to “think like a lawyer.” However, my other starting premise is that law school does a poor job of preparing students for a legal career (and, furthermore, is not intended to). For example, the standard law school curriculum does not focus on training students on how to accomplish even basic legal tasks (e.g., how to take a deposition, or how to draft a merger agreement). More importantly, it provides almost no insight into the business of the law, nor does it even attempt to provide guidance on how to succeed in the intangible aspects of your new career.

So, I will attempt to take on those latter tasks. Space limitations prevent me from downloading all of my thoughts on this important subject; indeed, were I to attempt to do so, this might more resemble an encyclopedia! Anyway, please read on . . .

I. IT'S ALL ABOUT YOU

Forgive the apparent narcissism, but your career really is “all about you.” You may work at a big law firm, you may work at a small law firm, you may even go out on your own and hang up your own shingle, or you may enter into government service of some type. But the rules are still the same: (1) only you are in charge of your career, and (2) no one will ever look out for you like you will. So don't go into your first job, or any job, with the expectation that your employer is going to make your career for you. The fact is that the Number One priority of any law firm is serving its clients, and the Number Two priority is maintaining financial success. New lawyers in firms start out pretty far down the list, and this is true even in government service jobs.

However, a Number Three priority of any legal organization is growth, and this is where you come in. A key factor in the overall growth of a law firm or other organization is developing young talent, and resources will be devoted to this aim. Take advantage of each and every opportunity you can! Whether in the form of training programs, opportunities for community involvement, or otherwise, you should be like a heat-seeking missile toward these experiences. More on this later . . .

Meanwhile, and although it is indeed “all about you,” it nonetheless is extremely valuable for you to seek out one or more mentors to help you along the way. Finding a more experienced lawyer of any vintage to give you needed career advice is priceless, and he or she will be flattered to be asked and will be more than willing to assist you. As discussed below, developing relationships is a key aspect of law practice, and gaining a mentor or two early on will put you well ahead of the curve.

II. CLIMBING THE LADDER – DEVELOPING YOUR SKILLS

When someone graduates from law school, he or she has one marketable skill: research and writing. Those who go out on their own have to develop a plethora of skills right away, but those who will be working in law firms of any size or in government service will immediately be called upon primarily to perform research and writing. Whether it is in the form of drafting motions or briefs or memoranda, the young lawyer will spend the vast majority of time in the library (or, these days, online). DO IT WELL! Even if this is the “lowest rung of the ladder,” if you don’t succeed here you may not even get a chance at any higher rungs. However, please keep this in mind: do you know how many successful senior lawyers there are out there who just engage in research and writing all day? Try VERY FEW! It is imperative that you keep climbing the ladder.

So, for instance, if you are a litigator, and you have done well enough on the research and writing front that those above you in the food chain want you to start drafting discovery, or conducting witness interviews, or even taking and defending depositions, you must leap at the chance. Similarly, if you are a corporate or transactional lawyer, you will start out drafting contracts and agreements, or engaging in due diligence, or also engaging in research projects; soon, however, you will want to take on more substantive responsibility for certain aspects of “the deal.”

The key is that you must progress! By your third year as a litigator, you must be able to take and defend depositions, draft and respond to discovery, and prepare substantive motions and pleadings. By year five, you must be accomplished at these skills, and perhaps be able to second chair a major trial or first chair a minor trial. Similarly, if you are a corporate type, by third year you must be able to handle a minor “deal” or make requisite securities law filings on your own, and by year five handle a minor transaction on a solo basis.

To get there, you should do two things. First, don't be bashful about simply "watching" more senior lawyers do things. Go sit in some depositions or trials, for example, or attend closings on transactions in which you might not otherwise be involved. People will welcome you. Second, and more important, ASK FOR these opportunities! You won't be able to do some of these things on a grander scale unless you already have done them on a more minor scale.

Develop a checklist of the various skill sets you need to master, and then check them off as you complete each one. Also, enlist the assistance of your mentors in making sure you have the right experiences.

III. CLIMBING THE LADDER – DEVELOPING YOUR PERSONA

At the same time you are turning out quality work, you must spend an equal amount of time developing your reputation both within the confines of your employer and also outside the office. This is much more intangible but also much more important.

First and foremost, bear in mind that above all else, the law is a service profession. Whether one is at a law firm, or in a judicial clerkship, or even in a public service position, there is always someone to be served. For more senior lawyers in law firms, the "clients" are actual clients. For younger lawyers, the "clients" are the partners, more senior associates, or supervisors (or, in the case of a clerkship, a judge). How you are judged will depend greatly upon how well you "serve" these "clients."

Thus the Number One aspect of your persona that you will need to develop is a solid reputation for "service." This includes a plethora of components, such as dedication, reliability, responsibility, enthusiasm, good interpersonal skills, good team skills, and so on. Just like you will want to have happen with real clients down the road, you will want those above you to think of you when they need a great lawyer.

One further comment: being a young lawyer can be difficult, and you will face new challenges every day. No matter how good you are, you will make mistakes or perhaps will, from time to time, be in over your head. If you have developed the right persona for service, these mistakes will be easily forgiven.

And one other thought: perhaps the most important thing you have to sell in the law business is your reputation for character and integrity. Guard it with your life! Never ever "cross the line," or even get close to the line. Instead, make sure that everyone you deal with – a client, a judge, an opponent – knows that you always tell the truth and do the right thing.

IV. CLIMBING THE LADDER – DEVELOPING YOUR NETWORK

Perhaps the most frequently ignored aspect of a young lawyer's development is building a network and building it from Day One. Simply stated, if you view your job as simply coming to the office, doing your work, and then

going home, your career trajectory will flatten out early. Just like you will be developing your internal reputation for service, you will want the whole world to know you as well!

This does not mean that you must go out and develop a “book of business” at the start (although in a solo practice you must do exactly that). What it does mean is that you need to begin forming significant personal relationships as soon as possible and then make those relationships last forever.

What does not work so well is targeting particular potential clients or other potential sources of business, and then foisting yourself upon them. What does work is introducing yourself to as many new people as you can, and then endeavoring to grow the interpersonal relationships for their own sake. Many, and perhaps even a majority of the people you will meet, will not necessarily gravitate towards you either personally or professionally, but in fact plenty nonetheless will do so. All of those people can be potential sources of business or referrals for you down the road.

How to do this? First and foremost, be authentic. Be sure to be your own true self. If you are not being yourself, others can sense it, and you will have accomplished nothing. Only if people see the real you will they trust you enough to develop a real relationship with you.

Second, find your passion. You will be much more likely to spend time networking if it is in the context of doing something you love. More to the point, you will be with other people who share your passion, and it will be easy to form personal bonds with these folks. So, whether it is bar association activities, charitable work, sports, or really anything at all, get out there and do it!

