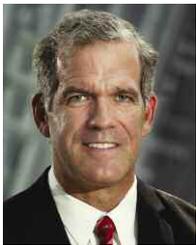


President's Message

by Kevin E. Martingayle



Advice for New Lawyers ... And the Rest of You Too

“Philosophy is common sense with big words.” — James Madison

“The three things that are most essential to achievement are common sense, hard work and stick-to-it-ivness.” — Thomas Edison

MY LAW FIRM recently hired a new attorney. That meant it was time to give him an updated version of my law partner Bill Bischoff's seven-page “Stream of Consciousness Musings of Things You Need to Know to Succeed at Our Firm and in the Practice of Law Generally.”

No matter how long you have been practicing, there are some valuable take-aways in Bill's memo, and I have condensed and edited it down to a “Top 15” list. I hope you enjoy it.

1. **Work hard.** Being successful as an attorney does not involve a trip down Easy Street. Sometimes it means working early, working late, and working on weekends. It's your job to do what is required to succeed.
2. **Be meticulous.** Your reputation is the most important thing you have in the practice of law, and much of it will come from the quality of your work. If you do not pay attention to detail, your work will suffer and so will your results and reputation. Pay attention to details or it will come back to haunt you.
3. **Follow through and finish.** When someone does not return a phone

call or respond to an e-mail, try again. Be persistent. Finish whatever you start. Clients expect results and it's your job to put the ball over the goal line.

4. **Think creatively.** Lawyers should ask two questions a lot — Why? Why not? “That's the way we've always done it” isn't good enough.
5. **Be a true advocate.** You may not always like your client or your clients' cause. That does not matter. If you take on a client, you must advocate vigorously within the bounds of law and ethics. If that's a problem, this might be the wrong line of work.
6. **Keep track of deadlines.** Do not merely meet deadlines; get it done ahead of time. Disasters happen (e.g. illness, forgetfulness, bad weather, technological failures, etc.), and if you simply wait until the last minute, something will eventually happen. Our business is driven by deadlines. Prepare accordingly.
7. **Value your staff.** Do not be haughty or condescending. The staff in a law firm is the engine that makes the operation go, and these individuals often have a lot more practical experience than

you do. We are a team. We want you to respect and protect the members of the team. Don't forget that it's sometimes easier to replace a lawyer than a non-lawyer.

8. **Be cautious with clients.** If a client becomes unhappy, you may become the enemy. Document and confirm everything. Do everything timely and explain what you are doing. If you make a mistake, a “fess up” is better than a “cover up.” Learn how to defuse an angry client. If a working relationship becomes impossible, end the relationship professionally and ethically.
9. **Select clients, cases, and projects carefully.** Learn when and how to say “no.” There is a polite way to do it and it can save you a lot of headaches later.
10. **Learn when to stop talking.** When a judge has ruled your way, stop talking. When you have argued vigorously and a judge rules against you, stop talking. When you have tried hard to convince a lawyer or client of something and cannot get through, stop talking, at least for the time being. When

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we reject some “brilliant idea” you have for this firm, stop talking and maybe try again later. Too many lawyers argue too much and too long. Avoid that.

11. **Don't be a jerk.** Be nice to court personnel and clerks. If a lawyer needs a deadline extension or a break that you can accommodate, do it. Do not handle cases and negotiations with a “gotcha” mentality. You probably don't like mean people. Don't be one.
12. **Be intellectually curious.** This is not a job for lazy thinkers. You should be interested in learning. Read, attend CLEs, talk to other lawyers, do things to stimulate your intellect and broaden

knowledge. Doing so will make you better.

13. **Be a difference-maker.** You have been trained in words, logic and problem-solving. You can make a tremendous difference in your community, the Commonwealth of Virginia and even the nation. There are countless ways to get active. Lawyers have skills in high demand. Share them.
14. **Communicate.** Do not ignore clients, attorneys, or anyone else. As a lawyer, you should know how to communicate and should work on getting better at it all the time. Avoiding people and problems is unproductive and will reflect badly on you.

15. **Have a personal life.** Spend quality time with your family and friends. Pursue outside interests. Take care of your health. This profession will eat you alive if you let it. Make no mistake — we expect you to work hard, but the job cannot own you.