



Manners and Messages, E-mail for Young Lawyers

by Benjamin Shute

Many attorneys send hundreds of e-mail messages every day, ranging from small interoffice quips to drawn-out debates with opposing counsel. In the 20 years since Hotmail popularized the first free e-mail service, it has become the preferred method of communication for working professionals.

Young lawyers are no strangers to e-mail. In fact, we are the first generation of lawyers who grew up with e-mail as a primary form of communication. Our early memories are often riddled with colorful images of Macintosh desktops, the raucous screech of a dial-up modem, and the flashy chime of AOL proclaiming, “You’ve got mail.” We are the first generation who learned to send an e-mail and write cursive in the same grade, and perhaps the last to be taught the latter. E-mail messages are second nature to us, and with

the advent of cell phones and text messaging, almost outdated.

Despite this ubiquity, and perhaps because of it, e-mail messages can cause considerable headache. We are all too familiar with stories of data breaches, N.S.A. surveillance, and the political misfortunes of e-mail scandals. The Internet is so saturated with these subjects that they have become common knowledge. In the world of Wikileaks and Russian hackers, the idea that one should, “e-mail like it may one day be read aloud in a deposition,” has become a platitude.¹

E-mail security is indeed a fashionable issue, and one that many tech-savvy young lawyers pay close attention to. Yet in doing so we have come to overlook a more fundamental concern, one which may not be as animating or trendy, but is equally important. Young lawyers often forget that e-mail messages, at their most basic level, are writing samples.

No matter the length, subject, or context, each e-mail is a reflection of the care that we put into our work. Our words either show effort or indolence, and for a vocation that prides itself on professional standards, e-mail has a tremendous impact on your personal brand. This problem is further compounded by how e-mail messages are used. They are often referenced by both peers and superiors, and serve as an unofficial record of your work. Between cloud storage and file folders, messages can linger on the edges of an inbox for years. An awkward comment in a passing conversation can be forgotten, but a tasteless joke in an e-mail can last a lifetime. Somewhere along the way, young lawyers have largely forgotten this.

There are a number of potential causes for this slide. The first, and most obvious, is our upbringing. Young lawyers were raised with e-mail, texting, Twitter, and more. We often think of e-mail as just another means of informal communication, and our standards therefore differ from elders who interact with technology differently. E-mail etiquette is remarkably contextual as well. Preferred formalities vary with office culture. Beliefs and attitudes of the work environment will naturally influence the way employees communicate. Time is also a factor. It is difficult

to justify a third draft of an e-mail when assignments steadily pile up on our desks. Brief deadlines and billable hours often take precedent over such concerns, and we must balance our priorities. This list is certainly not exhaustive. Countless factors influence how we communicate, but that only further illustrates the importance of doing so professionally. E-mail messages reflect our diligence, and our priorities.

As a result, an e-mail message should be written with respect, both for the recipient and for the subject. This commandment may seem rather simple, but it is sufficient to create professional, conscientious writing. It would be presumptuous to try and write a comprehensive guide on e-mail etiquette. The subject is simply too fluid and office-specific. The formalities that e-mail messages require largely depend on contextual clues that are subtle and hard to define, much less apply. What is appropriate for some may be too formal for others. Any style guide to e-mail writing is more likely to reflect the standards of the author than your boss. Moreover, technology will continue to evolve with time, and the next generation of young lawyers may interact with e-mail in an entirely different way than we do. In 50 years e-mail messages may even be obsolete. The larger point, however, will always be relevant. Anything worth saying is worth saying well. We should type accordingly.

Endnotes:

- 1 Nuzzi, Olivia (@Olivianuzi). “Dance like no one is watching; email like it may one day be read aloud in a deposition.” Dec. 13, 2014, 1:18pm. Tweet.



Benjamin Shute is an assistant commonwealth's attorney for Gloucester County, where he is responsible for prosecuting felony and misdemeanor offenses. He currently serves as the Young Lawyer's Conference 6th District Representative. An Arlington County native, he was admitted to the bar in October of 2016.