

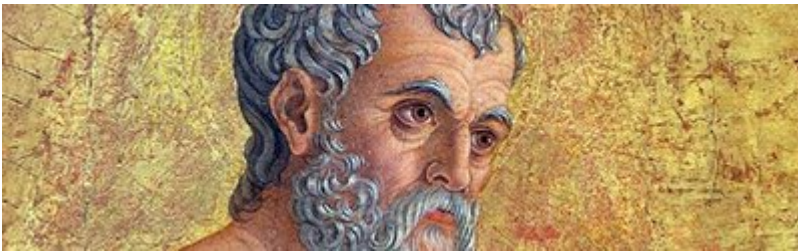


STRATEGIC STAFFING FOR THE LEGAL COMMUNITY

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First Things First: Build Your Legal Career from the Inside Out

Posted: 15 Oct 2008 01:07 AM CDT



"Get a better recruiter." "Get a better 'job.'" "Go in-house." "Take anything." "Take only 'the best.'" If you are an attorney in transition or contemplating a career move, these little commands, and many more just like them, are likely running through your mind. Incessantly. Therein lies the rub: how to sort out the wheat from the chaff, how to unearth your (real!) personal goals, how to create and execute a successful plan.

There is a well-traveled quote often attributed (incorrectly) to Nelson Mandela, but actually written by New Age author Marianne Williamson. You must have heard it. It begins, "Our greatest fear is not that we are inadequate, but that we are powerful beyond measure," and continues, "Who am I to be brilliant, gorgeous, handsome, talented and fabulous? Actually, who are you not to be?" If the sentiment behind these words is true-and I believe that it is-then how do we get some of that "inner wonderfulness" out in the open and actually doing some good-and how about right now?!

Well, first things first. In order to begin realizing our innate talents, each of us needs a guiding force, an organizing principle, a motivating vision. Why? The simple fact is that our minds are made to rationalize, to analyze, to make conclusions-24/7, 365 days a year. However, if we don't rein in that process, give it structure, and find a way to prioritize our thoughts, we will make hasty, conflicting, or worse, self-defeating decisions. How can we do this?

Indulge me in an analogy. How does a general on the field make tactical decisions in the face of incomplete or, more likely these days, overwhelming amounts of information about the enemy and about the enemy's strengths? He does so by knowing the strengths and weakness of his own troops. He knows when they last ate-and whether they liked the food. He knows how far he can push them-and how to do it. He knows how to motivate them. He understands the internecine struggles within his command structure. He knows who the up-and-comers are, and he knows which of his lieutenants is lazy or burned out. In summary, he has a thoroughgoing knowledge and interest in his and his army's capabilities, goals, and limitations. Thus, knowing his enemy and his mission is not enough; he has to know what raw materials he can work with to achieve his mission. Only if he can put all of the foregoing knowledge together in a coherent framework can he then

formulate and execute a winning strategy.

Your career search is much like waging a military operation and requires the same level of attention to your capabilities, desires, motivations, and limitations. In short, it is not enough to "know the market." In addition, you must follow the injunction: Know thyself!

Let's stop right there. I am willing to wager that many of you may be thinking you don't have time for frivolous psychobabble. Instead, you may think that you simply need to get on the stick, get out there, and land that job. In a way, you would be right. You do not have any time to waste. I would draw a different conclusion, however: You do not have time to waste taking action without first getting to know yourself. Life is short; spend your time wisely.

Okay, if you have followed me this far, go with me a little further. Here is what you really need to know before you can put pen to paper and write up your career-transition plan (and you are going to write one!). First, you need to spend some time thinking about your last career experience. What did you learn? What did you really do? How well did you do it? How did you work together with the others on your team? What skills did you wish you had developed? In short, you need to give yourself a comprehensive career review, and you need to be brutally honest. By the way, "brutally honest" does not mean "knee-jerk negative"; neither does it mean "wearing rose-colored glasses." Take the middle road. Try to be objective, and try to think about what you did, rather than how you feel about it. There is a difference.

Second, take the time to free associate, and then write down what you really want out of your career. What is your motivating fantasy about yourself? Do you see yourself making X per year; living in a certain place; or having a certain circle of friends, a certain type of practice, or a particular environment for your work? You need to identify these.

Third, take stock. Ask yourself what it is about these visions of yourself that attracts you. What do they say about how you prefer to work and what kind of work you like to do? Further, what does all of this information tell you about your already-stated career goals? Are they in alignment? If they are, that's great. You may likely find, however, that you have learned something important about yourself and about why you were not as successful as you wanted to be or what kind of success you are looking for in the future. Or both. Regardless, the deeper you can drill down, the better off you will be, and the more accurate and profound your conclusions will be.

When you can answer all of the above, you will be on the fast track to putting it all together. Coming to the point where you know what you want and why you want it will take all of the fear and mystery out of the "how" question. Why? Because you are a lawyer, dammit! You know how to analyze and how to problem-solve. You just may not have known how to place that problem-solving ability in the correct context. Once you have gained a deeper level of self-knowledge, that will be the time to let the amazing power of your mind run free; that 24/7 machine will be able to start doing something besides spinning. Instead, it can begin to weave a dream, a plan, a vision for a great new future. Frankly, lawyers are not known for their introspection and self-awareness. Be the exception. And succeed.

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"Making Partner," or Things To Do While Waiting for the Dream Job and the Dream Practice!

Posted: 15 Oct 2008 12:39 AM CDT



As I sit before my computer monitor writing this short article, the window for my document is minimized so as to maximize my view of my desktop background—a view of our beloved, blue planet from two hundred miles above its surface. The stunning vista of creamy, white-blue clouds and indigo sea against a black, starless sky reminds me of the amazing richness of opportunities constantly before us...and of our regrettable inability to take advantage of all of them. Fortunately, leading full and joyful lives does not require that we take advantage of all opportunities but, rather, that we carefully choose the precious few possibilities that we can and will pursue. What a difference it will make in your law career if you seize those few opportunities and take full advantage of the doors they open!

No Such Thing as "Making Partner"

Candidates ask me all the time, "Which firms are making partners now?" I always respond, "None of them!" The dead silence is usually followed by nervous laughter. "No, really," candidates say. "I know it seems like that, but where are associates really making partners?"

At this juncture, I usually let them in on a little secret: things have changed in the practice of law since the 1950s. Here's the bottom line: there are no more firms where associates simply "make partner." Instead, associates grow up, get clients, create practices, and only then are awarded partnership status.

What this means is that attorneys must know how to create thriving practices while maintaining heavy workloads, and most firms cannot or will not expend resources to teach lawyers how to do this. They are on their own. Well, almost.

Start Building Partner Skills Now

Associates who are ultimately invited to join their firms' partnerships are not created equally, yet there are several "types" of attorneys who possess skills that increase their likelihood of making partner. I once sat in on a lecture given by the chairman of a prominent law firm, in which he discussed three types of partnership-bound associates.

First, there is the "rainmaker" who spends all (or most) of his or her time networking, having lunches, meeting people, and bringing in business. Second, the "service partner" adds value to a firm by providing niche expertise in a specialized area of the law, thus meeting the needs of sophisticated clients in ways that a partner with general legal skills cannot. Finally, the "hybrid" brings good leadership skills, strong connections to the firm and within the local community, and the ability to supervise projects and associates with aplomb.

While I respect these distinctions, I see things a little more simply. The only kind of person who can make and remain a partner is a person who has developed and continues to nurture a large, quality network of friends, colleagues, experts, and clients with whom he or she is involved on a professional level. This means that a potential partner must be able to call upon the people within his or her network to meet the needs of existing clients, to refer and generate new clients, and to keep abreast of developments in his or her industry.

No matter what level of practice you may now enjoy, the levels of ability and interest you exhibit in maintaining such a network may well mean the difference between professional and remunerative success or failure.

The Core Competency of a Partner

The ability to develop successful professional relationships is one of the core competencies of a partner. Almost anyone can practice law, but only a few develop law practices. I always try to emphasize to younger lawyers that it is never too early to start the process of building a network of strong relationships. The fundamental difference between a partner and any other lawyer is leadership ability. Partners lead. That means that partners assume responsibilities, delegate tasks, and are accountable for meeting the needs of their clients. These leadership traits are not innate; they must be learned, and to be learned, they must be practiced.

The only way to become a leader is to practice leadership in a thousand small ways. Sets of small acts tend to grow, of their own accord, into larger sets of responsibilities that eventually can develop into leadership over an entire case, with a large client, or in a 3,000-member law firm.

Furthermore, leadership does not begin with a "lucky break," such as when, for instance, the senior associate on a matter calls in sick and you are named the lead attorney...or when the lead partner suddenly realizes that you are brilliant...or even if a client suddenly prefers that you take the reins. Rather, leadership begins with relationship management. In essence, every legal task can be broken down into a series of relationships that need managing. For example, an attorney must exhibit leadership in order to assign the appropriate people within a law firm to answer interrogatories, to find critical documents, to communicate key information about deals to clients, or to manage support staff and other associates in preparing filings or coordinating nationwide document collections and reviews.

Thus, to build the confidence, credibility, and leadership skills necessary to fulfill these responsibilities, attorneys must begin by cultivating as many meaningful relationships as possible. To do this, they must actually meet people.

Get Out There, Meet People, and Make Friends

Networking is just a fancy way of describing the process of intentionally making friends. Every lawyer in the country should be a member of at least three organizations and should contribute to each of them. It is often the case that the most effective, highest-functioning attorneys are those who are members of scores of organizations that they have joined over the courses of their careers.

For starters, however, any professional—and every lawyer—should join one organization within each of the following genres: professional, service-oriented, and fraternal or social. At the most basic level, every lawyer should be closely involved with some sort of professional organization of lawyers dedicated to furthering the practice of law. This might be a subcommittee within a state bar association, the American Bar Association, the Association of Trial Lawyers of America, or even your local Barristers Club. There is no substitute for meeting and interacting with new lawyers in settings devoted to their respective practices. Successful lawyers have hundreds of colleagues who are essentially professional acquaintances with whom they have developed familiarity. Although meeting people and getting to know colleagues is incredibly easy to do, many lawyers dread it. It doesn't have to be painful. Go out and meet someone new today!

For the Socially Challenged: A Step-by-Step Guide to Creating Your Network

Here is a step-by-step primer for developing a network of professional colleagues that even a partner would envy:

1. Join the "[fill in the blank]" club.
2. Actually go to a meeting.
3. Say, "Hello, how are you?" to five people. Be brave. Try to initiate some small talk. (For example, ask questions such as "Where do you practice?" or "What is your most interesting case right now?")
4. Give a business card to each person you talk to. Ask for a business card from each of them, or write their names and phone numbers down on one of your own cards and hang on to it!
5. Once you get home or back to the office, enter their names in your Outlook folder (or some other location), and set up a reminder to call each person back in one week to follow up and say how much you enjoyed meeting him or her.
6. Actually call each person back.
7. Make it a practice to call each person on your list of contacts once every three months.
8. Follow where this leads you.

There. That wasn't so hard! These are simple but invaluable steps. Every lawyer has some basic social skills, or he or she

would not have survived the first year of legal practice. **Begin naturally—but begin—and see where these proto-**relationships take you. The point is that, just like in sales, there are only so many solid opportunities per "X" number of contacts. The only way to "get lucky" is to make sure that you make lots of attempts to build and maintain your personal network. Not every person is going to become a client, but the greater the number of personal contacts you maintain, the greater the resulting synergy between their accumulated sums of interactions, relationships, and experiences and your own.

Bringing It All Together

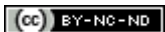
Once you have started down the path of generating a network of diverse professionals, you will be surprised at how it starts to take on a life of its own. Telling one colleague about an amusing vignette may lead him or her to do a small favor for you, such as sending over a client as a referral. Over time, that client or that colleague may lead you to significant business opportunities. All the while, you should be continuing to grow these and other relationships.

The key point to remember is that becoming a responsible leader depends on your ability to manage relationships. In every interaction, follow through with whatever you promise to do. If you offer to provide a reference, provide it! If you agree to get the name of someone who can serve as an expert, do it—and promptly! Demonstrating this kind of courtesy builds reputations and relationships—one small, solid step at a time. I absolutely guarantee that if you follow these practices, you will eventually succeed. You don't have to be perfect all the time. You just need to be reasonably careful, reasonably reliable, and reasonably friendly, and you will be ahead of the majority of the pack.

Conclusion

The world is full of opportunities, but we cannot take advantage of them all; we can only capitalize on a few. To the extent that you can internalize this powerful principle, you will find that the world—and, in particular, your own practice—is as full of opportunities as a path strewn with gems. The key is to determine which gems to pick up, carry, and ultimately safeguard...because you cannot take them all. If you follow this path, you may find that your biggest challenges lie not in finding opportunities, but in having sufficiently large pockets!

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No Need for "Mentors": Summon Your Posse! (and turn the "in posse" to "in esse")

Posted: 15 Oct 2008 12:39 AM CDT



Here is a quick test of your generational "orientation": When you think of a "posse," does your mind conjure up the image of 20 to 30 ranchers, all armed and eager to perform their civic duty while rounding up horse thieves? Or do you get the vision of eight or so of one's closest friends all wearing terribly expensive clothes designed to look like Goodwill cast-offs, while listening to impossibly loud music with lyrics that require copious expletive deletions?

It would be to your infinite surprise, perhaps, that I would like to talk about the second image, and not just because it is more in keeping with the current zeitgeist. Rather, it is because I want to tell you something about professional development and career goals that is better served by thinking "collaboratively," rather than "hierarchically."

More about that in a minute.

Posse Comitatus

The younger generation may throw the term "posse" around, and perhaps most who do are unaware that this is Latin, not English. Regardless, the venerable OED and even Black's Law Dictionary let us know that the 19th-Century image is more correct. A "posse comitatus" (sometimes just "posse") is the population of a county over the age of 15 that a sheriff may summon to his assistance in cases of keeping the peace or in pursuing and arresting felons. (See *Williams v. State*, 253 Ark. 973, 490 SW2d 117, 121). Regardless, I want to focus your attention on another Latin usage of "posse"; and that is the phrase "in posse," which is not to be confused with "in esse." Something is "in posse" when it may possibly be; something is "in esse" when it actually is. I want to draw the analogy between gathering a "posse" around you and thereby turning your career plans from "the possible" to "the actual," or "in posse" to "in esse."

You Need a Posse

Alright. Enough about Latin and competing images. Why should we worry about what a posse is? Quite simply, because you could really use one. It is always handy to have an armed force around you when looking to arrest scoundrels. It is also comforting to have one's friends around when suffering from extreme ennui. More to the point, a posse can also come in handy when you are trying to get somewhere in your career. Simply stated, you can go further if you have a group of

individuals around that are in relationship with you for the sole purpose of helping you meet your personal career goals.

All of us are involved in all sorts of relationships. Some of these are reciprocal (or are supposed to be). For example, your relationship with your spouse or significant other is (or is supposed to be!) a reciprocal one; you each give to the other in a roughly equal way. Further, your casual friendships and acquaintances are largely reciprocal; you each bring something to the table. Usually, one person is not giving more to the relationship than the other. Both enjoy each other's company, and both impose on each other from time to time. But that's not the way the posse works. Instead, the posse should be composed of people who are willing, for whatever reason, to help you further your personal and/or professional goals. The point is not that you help each other, but that they are helping you. They give; you receive.

Gathering Your Posse

Where do these people come from? You would be surprised. For one thing, most people who have achieved some sort of personal or professional success in their lives are naturally predisposed to sharing the wealth of their experiences with others. I would posit that there are far more potential posse partners out there than individuals ready to take advantage of them. If you go through your day with the attitude of looking for relationships that could be of benefit to you, you will find them: in your extended family, at work, at clubs you belong to, at sectarian organizations you are affiliated with—all over the place. Open your eyes, be interested in talking to others for the mere sake of making contact, and you will find people willing to share their expertise and perspective with you.

Of course, you can get professional help as well. A professional or personal "coach," therapist, clergy person, and even your recruiter (!) are all candidates for inclusion in your posse. The point is to add to your list of goals in your professional plan (have you written one yet?) the gradual inclusion of individuals in your posse who are willing to help you when you need it.

A New Paradigm

You are not looking for "mentors." Yes, I know that it is a popular word, and I seem to recall a number of television commercials extolling the virtues of being one. But what is a mentor anyway? In point of fact, there is not much consensus on what the word actually means. The classically educated among you may recall that Mentor was originally a proper name: Odysseus' old drinking buddy, who was left in charge of the Ithacan king's household while he was away being the hero and fighting the Trojan War. You may also recall that Mentor wasn't much of a "mentor." He allowed Odysseus' house to be overrun by suitors to his not-yet-widow Penelope; neither is there any evidence in the text that he cared one whit for Odysseus' son Telemachus. In fact, it was good old Pallas Athene disguised as Mentor that gave Telemachus timely advice. Moreover, for 2700 years, no one used the term "mentor" at all. It did not become a common noun until the late 17th Century, when a French mystic and educator to kings, Francois de Salignac de la Mothe-Fenelon, wrote a sequel of sorts to the Odyssey (*Les Aventures de Telemaque*). It was there in Salignac's fiction that Mentor became a "mentor" to Telemachus—and from there that the word entered into our vocabulary.

I do not discount the idea of "mentoring" merely because it has spurious etymological roots. Rather, I discount the concept of mentoring because it carries with it an insidious paternalism. The mentor is "older and wiser" and "imparts wisdom" to a "younger, less experienced" mentee. This wouldn't be so bad, but we tend to think of the person needing the mentor as being "underprivileged" or "disadvantaged" in some way. Worse perhaps, we tend to think of a one-on-one relationship. In that model, the perceptions and predispositions of the mentor invariably have a disproportionately large effect on his (again paternalism!) subject. If you don't believe me, take a look at the glossy flyers that law firms are putting out about

their diversity programs. I have seen many that show a kindly, white-haired male partner sitting down with a young minority attorney. The partner looks sage and wise; the associate, young and eager. Bah! I do not like that image, nor do I think it is a useful one. Rather, what all of us need, at every stage of our careers, is a group of people that we can rely on to listen to our problems, be a sounding board, and perhaps share with us some war stories. The relationship, while set up to be of benefit to you without strings, should be collaborative. The point is that you are eliciting comments from a number of people that you trust and putting it all together to come up with good decisions. You are not in the relationship to be spoon-fed by one well-meaning "elder." You are building a network of trusted advisors that enjoy being a part of a team-your team.

Just Do It

Some practical advice. First of all, you don't have to use the word "posse," and no one has to know they are in it. All that is required is that you identify individuals you believe worthy to help you out and gradually develop a relationship with them. Coffee, lunch, phone calls, emails. If you pay attention to the process, it will be organic. There is no concrete checklist to this process; you have to feel your way through. Next, remember to maintain the right attitude. You are not trying to set up codependent relationships, you are not looking for the father or big sister you never had. No, you are instead asking a new sort of question in your career path. Instead of asking "how" (How do I get this deposition handled? How to I write this brief? How do I serve a guy in Kurdistan?), you need to ask "who" (Who can send me in the right direction? Who has the contacts or experience I can draw upon?). By the way, I stole that last bit from a member of my posse (a professional coach).

So, start putting your plan into action. Think about the idea of a posse. Write "find posse members" down on your professional plan. Start thinking of the people you already turn to (if any) or those you already know that you really should call. "The journey of a thousand miles begins with a single step." Well, a posse can help you scout out the terrain so you don't spend days going the wrong direction.

In Esse

The posse, as I alluded to at the outset, is all about the "in posse," the possible. Having plans, getting advice, and making checklists are all about the possibilities you see for yourself in your career path. In the final analysis, you are building up a big store of potentialities ("in posse") to begin to realize success in your life. You want to move from the possible to the actual, the real, "in esse." The trick is, however, that you really have to spend 95% of your time working on process (the plan, the posse, the checklist) to begin to realize success. If you focus on the end result exclusively, you will either miss the boat, or get in the wrong one.

You may think that it is unrealistic to find successful people (however you define them) willing to take time out to talk to you. A reasonable concern, but an unfounded one. One of the busiest people of all time, our 16th president, enjoyed helping others. You may recall that Abraham Lincoln had a few things on his mind: the breakup of the nation, a heinous war, and incompetent generals. Yet, he had this to say: "I feel-though the tax on my time is heavy-that no hours of my day are better employed than those which thus bring me again within the direct contact and atmosphere of the average of our whole people." Finally, and you knew this was coming, those potential posse members out there-and Lincoln was one-also realized that serving in such a role was of benefit of them as well, if not directly. Lincoln went on to say about his habit of meeting with various and sundry citizens seeking audience, "I have but little time to read the papers, and gather public opinion that way . . .the effect as a whole, is renovating and invigorating to my perceptions of responsibility and duty."

Thus, you find out at some point that your posse members find the relationship very rewarding. You never know, you may decide that coming to someone else's 'rescue' is just the sort of challenge you are looking for.

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The Next Step on Your Professional Path: Build a Network

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If you think you can make a successful career just by continually improving yourself, think again. You can write beautifully, argue passionately, think incisively, groom perfectly, even go to 1,000 conferences; but it will not get you the success you want. Conversely, ask yourself why it is that a certain partner down the hall does so well? He doesn't seem any smarter than you (just the opposite!); he doesn't have a very compelling presence; he doesn't even write very well. Why does he have so much business, and why is he "going places?" Hard telling. But I do know that no matter how much potential you have, no matter how much natural intelligence and drive you have, you cannot "get there" if you are doing it "on your own." Therein may be the secret of that mystery partner: Maybe he is not doing it "on his own." Maybe he has help.

I have a theory

The fact is that many very intelligent people fail in law. I see great resumes every day from attorneys who started off brilliantly, only to lag behind when the spectre of partnership looms. I have a theory why that is the case. I believe that it all boils down to how well an individual can create and nurture a circle of colleagues. That's it. A simple concept, but a powerful dynamic.

There is an important principal of human interaction that I firmly believe in: The total effectiveness of any collaborative group is greater than the sum of its parts. It sounds simple, but the effects are enormous.

An Analogy

I like to think back to the example that ancient Roman legions can provide. The Romans, you may recall, were not numerous enough to subjugate an entire continent. Yet, they nevertheless did so for a long, long time. The backbone of their hegemonic rule was the legion, an organization only a third the size of a modern division. Nevertheless, it was a unit that was feared and admired throughout the Western world for centuries. Believe me, it wasn't the cool red uniforms that frightened away the natives. Rather, it was the high degree to which the members of the legion worked together. It was composed of heavy infantry (legionnaires), light infantry (skirmishers), and mounted fighters (cavalry). In turn, each consisted of troops with a variety of weapons at their disposal. Suffice it to say that the power of the legion was in the ability of all the moving parts, each with different skills, to work together cohesively. Their discipline and common purpose was what gave them victory after victory.

The Bad Guys

By contrast, compare the legion to the typical enemy fought by Rome: the barbarians. Barbarians (such as the Saxons!) were long on war cries and gallantry and short on organization. Each man considered himself (or herself!) as an individual fighter looking for individual glory. As such, they were usually easily defeated. It wasn't until the "barbarians" started adopting Roman fighting tactics that they began to give Rome a run for its money.

The Colleague

No, I am not going to suggest that you study military tactics as the key to your success (personally, I cannot understand a word of *The Art of War*). Instead, I suggest an easier method: Slowly, day by day, begin to build a network—a collection, really—of contacts, both inside and outside your profession. In doing so, you will be seeking to create a particular kind of relationship that those of you who do not have business background may not be familiar: the colleague.

Groan! I hear you, but please hear me out. I am going to inject some meaning into that tired term. First of all, I'll tell you what a colleague is not. A colleague is not necessarily a friend. Friendship implies a series of social obligations, the need to socialize outside the context of your profession. Colleagues do not have that obligation (but they might be friends anyway). Second, a colleague is not a business partner. The relationship does not necessarily imply that the two will actually work together or become each other's client. That could happen, but it isn't the primary function.

Instead, the primary function of the colleague relationship is regular, if not frequent, contact on a professional level. That's right. The point is to talk, email, or perhaps have a coffee or meet up at an event on a regular basis. There is no magic in this, but I suggest attempting one contact with each colleague every quarter. The point is that you are developing a relationship that grows slowly, bit by bit. You can exchange news of mutual interest, maybe an article sent by email, or just low-level gossip about what is happening in your neck of the woods, however you define it.

Believe me, this type of low-level activity has the tendency to build into something real, lasting, and powerful.

Inevitably, one or the other of you will know someone who has the answer to that particular problem you just mentioned. Or one of you knows of an opening or need at a new firm. One of you may have the title to a terrific book or know of a

conference that may be of interest to either party. The sharing of these little bits of information, each fairly insignificant, has a tendency to coalesce into a thriving network of mutual favors, hints, helping hands, and support. And, yes, sometimes these connections lead to new business, contracts, billables (!), success. But not because one or the other is trying to make it happen. Rather, because the law of averages (and certain principles of sales) decree that out of a certain number of contacts, a small but steady percentage of the same will result in a real business opportunity.

How to go about it.

At every event you attend—every conference, CLE class, community function, or art gallery premiere—try to meet people of all walks of life. (Note to self: Always carry business cards). Be open, be interested in others, and trade information. You can meet an astonishing number of people if you pay attention. Once you have that information, enter it into some sort of system. Use a Rolodex, your Outlook "contacts," a business card holder—anything. Two or three days (at the most) after you meet someone new and trade information, send a little friendly email or make a quick call to follow up and just say hi. After that, develop a system for contacting every one of the persons on your list once each quarter. If you follow through on this plan, you will end up having two or three quick emails or calls to make a day, indefinitely. Further, you will amass a list of potentially thousands of contacts over time. Do not get overwhelmed. This will occur organically, naturally, and it might even be fun!

My approach is not to have any particular expectation about that contact. You do not need an "action plan" with respect to any one or a group of contacts. Instead, you are just making contact for the sake of contact and expressing interest in another person. As I have said, the benefits will add up.

Circle Back

You may be thinking at this point, what happened to the Roman legion analogy? Well, the point is that taking the approach of building a network of colleagues in a variety of disciplines is much like a group effort. You are not fighting barbarians, but something more insidious: professional chaos and frustration. In collaboration with your colleagues, you will slowly, but surely, come to find that you all have similar goals: professional success and satisfaction. Working together, in a million small ways, will bring you and others into a greater level of satisfaction in your career. It will also give you resources that you otherwise may not have had.

Things that we don't know that we don't know . . .

In the end, it is not the things that we know we don't know that get us; it is the things that we don't know that we don't know; you know? In other words, having a large and growing cadre of professionals available to us will inevitably give you a greater perspective on individual problems; give you resources you never knew existed; give you ideas you would never have had on your own. Bottom line: one lucky call may just make the difference between finding the winning argument and losing it; between making partner or relegation to the ranks of the permanent associate; between satisfaction and frustration.

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Vive la Revolucion!: The Professional Plan as Revolutionary Tool for Career Success

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Joseph-Marie, Comte de Maistre was an aristocrat, philosopher, and diplomat, and a strident voice in the call to destroy the spirit of the French Revolution. In a word, he hoped to restore public faith in hereditary monarchy and an unchallenged, infallible Papacy. Needless to say, his views are not widely held in 21st-Century democracies. Nor should they be. An easy call, you may say. Yet, there is something insidious and pervasive about some of his views, and you may be surprised to find that some of them may be lingering in the back of your mind-and they have everything to do with your career. Wow! A link between career development and 18th-Century political philosophy-it must be a first! But read on.

Can Core Beliefs Withstand Scrutiny?

Among other things, de Maistre had the audacity to propound what some of us believe on a gut level, but are not gauche enough to say out loud, namely, that the most important beliefs in life should not be looked at too closely; otherwise, they will fall apart under scrutiny and leave us worse off than if we had not looked at them in the first place. I know that this sounds like superstition (it is). More important, it is wrong. Most important, it is counterproductive.

Unwritten Constitutions: In his Essay on the Generative Principle of Political Constitutions, de Maistre set forth his belief that a nation's constitution should never be written and that it could not be. Rather, he said, the constitution of a nation is the sum of the historical beliefs of a people. To write them down, he posited, would be to hold them up to

scrutiny-and to their detriment. He believed that the guiding force of a society should never be reduced to a writing because such a thing was impossible and too large for mere words-"a little bit of ink"-to contain. I am not quite sure what he thought should be in their stead; perhaps the question did not bother him, as most nations were in a pre-constitutional state anyway. I suppose the result would be a sort of Adam Smith "invisible hand" guiding a nation's laws through the interplay of tradition and the continuation of social privileges. Well, de Maistre's ideas didn't prevent nation after nation from doing just what he proposed and codifying (to one extent or another) their most basic laws into written constitutions.

Half Right! De Maistre was correct in some respects, however. When basic, well-cherished, and perhaps not well-thought-out ideas and beliefs are held up to scrutiny, they may not stand the rigors of analysis. Further, some may be outmoded, unnecessary, and even dangerous. I hope that the answer to this is no great leap for the reader. Of course, to a modern mind, the answer is simple: Sit down and carefully update what those cherished beliefs and ideas are. In short: Get better ones!

The Professional Plan as a Tool for Understanding Our Beliefs

Do not be too smug. What makes sense on the grand political scale applies to smaller groups and individuals too. All of us have operating beliefs that to one extent or another need to be revisited. So do it.

The Professional Plan. As the context of this article is professional development, I will propose a narrow, practical tool for getting to the bottom of these ideas: the professional plan. If you hang around self-help seminars, read modern books on "getting ahead," or (gasp!) leave your radio tuned to AM self-help stations, you will have been exposed to a number of theories on how to create the perfect plan-and how to write it. Some of these are incredibly intricate. I recently returned from a seminar in San Diego, where one presenter distributed a plan diagram showing 11 categories ranging from such easy concepts like "goals," "strengths," and "weaknesses" to the more esoteric "principles," "values," "missions," and "potentialities." It seems that every new guru has his or her own particular spin on how each of these is to be defined and how they are to be arrived at.

Don't worry. I do not believe that this level of complexity is necessary or even beneficial. However, I do believe that each professional needs a tool for examining and carrying out his or her career success to date-and creating a plan for further success. If that is all you take with you from this article, it will be enough. I believe you should, however, develop your own tool for charting your career and plotting your success. I have my own simple recipe for the same.

Customize it! Each plan should be as unique as the individual creating it. However, I believe there are some similarities. At its most basic level, a professional plan should incorporate the elements of goals, projects, and tasks. Many people, I surmise, would be happy to create some sort of professional plan, but have some trepidation in starting. If so, they may be under the delusion that a plan must be born wholly formed and then merely "scrivenered" out on paper. Far from it. Instead, the plan is a process by which the individual comes to understand what he or she wants and develops projects and tasks to work toward that understanding.

Practical Tips

Some basic hints. First, begin writing before you have any idea what to say. I think beginning with a vision is nice. When I say "vision," what I really mean is your dream, a fantasy, if you will. You may have a very specific one (become the greatest trial lawyer of all time) or it may be more banal (become wealthy enough to retire in "x" years). Of course there are no

"right" answers; the point is to uncover what you are already thinking to bring your collection of unspoken motives into the open to be admired or chucked. So, write down what it is that you really want out of life, your career, your family-anything.

You can sort it all out later. If you are brave enough to indulge in this exercise, and revisit your notes periodically, they will begin to coalesce. Eventually, you may come down to one, three, or seven statements that concretely state what you hope to accomplish-and perhaps even why. These fantasies or visions about where you may want to "end up" can form the basis for more concrete professional goals. Or not.

Task Breakdown. Regardless, I believe that a very important component of the plan is to identify projects and tasks that you want to begin. By "projects" I mean collective tasks. By "tasks" I mean individual actions that are geared to bring the project to fruition. Basically, you should identify activities that you want to engage in and take the time to break them down into concrete steps. Alternatively, you may want to divide your projects/tasks into two types: for example, as "goals" and "disciplines." I like this designation because it helps me think in concrete terms. For example, as a recruiter, I have the "goal" of helping as many candidates as I reasonably can present themselves favorably to potential law firm employers. To get there, I need to write submission packages. Thus, one of my goals is to help candidates; my discipline associated with that goal is to write four submission packages a week.

Conclusion: No "Imposed" Plans-Yours Must Be a Synthesis of Old Beliefs and New Ideas

You may have noticed that I am falling into the trap that I derided just a few paragraphs ago: I am slipping into using more and more vocabulary to describe what ought to be simple. But that is the point, really. If you begin the process of putting your dreams, goals, desires, worthy disciplines, etc., down on paper, you will develop your own categories, your own designations. The point is to engage in the process and see what happens. Be your own "professional plan" guru! However, if you feel daunted by that much freedom, I will indulge you and give you my own (current!) components for a dynamic professional plan: Visions (I have five of them), Goals (I currently have six), Disciplines (currently I have 16; some daily, some weekly, some monthly), and Quantifiables (I have four; one of these is to write a certain number of articles in a prescribed amount of time!).

Wrap-up. I end this as I began. I propose that each of us has a number of beliefs and values that we act upon, many of which are not fully conscious or spoken. I do not believe, unlike our friend the Comte de Maistre, that we are better off not investigating them. Rather, we should uncover them, discover them, write them down. I will let you in on a little secret, however, and that is there is one thing that de Maistre and I are in agreement with. That is that we cannot impose a "constitution" on ourselves and hope to make it stick. We cannot sit down in 15 minutes and decide what we think we "ought" to be doing, format it, and call it a professional plan. Rather, we must, in order to really spur us on to long-term and effective action, understand what we have been "growing" organically all our lives. Then, and only then, can we confidently modify and turn ourselves toward greater satisfaction and success in our professional lives. Vive la revolution!!!

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Zen, Gestalt and Law Firm Culture

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Picking a law firm is like picking a mail-order bride, only worse. You start with a healthy number of glossy marketing flyers in your hand; you see a hundred smiling faces; you read a hundred vapid, nearly identical descriptions of each firm's "culture" and how "nurturing" each is. Just as untrustworthy as you may conceive of a "bride" (or "groom"!) catalog to be, don't believe a word of this nonsense. Worse, neither should you take at face value the bracing assurances from third-year associates who promise the firm isn't too harsh and the partners are really great people after all (even if a few do scream just a little).

Get a New Paradigm for Analyzing Firms

Likewise, take with a grain of salt what interviewers say about firm training and "development." Nor should you put stock in the dark and usually spurious rumors spread by disenchanted senior or mid-level associates that their firm (otherwise stable and highly respected) really has some deep flaw or is about to "go under." None of these sources can give you the information you really need. At best, this information is irrelevant to a proper analysis.

On the other hand, neither do I suggest that you pick at firm at random. Instead, I suggest that you take an entirely different look at what "firm culture" is and apply this new paradigm to your analysis. Doing this is both easier and harder than you may think.

Cultural Shift

First of all, just what "firm culture" is has changed in the last 10 years. It used to be that even the larger firms truly had unique approaches. There was a slightly different mix of perspectives, attitudes, and energies. Some firms just felt right; other didn't. That quantum of culture was never easy to describe, but "you knew it when you saw it." Things have changed.

If I may rely on a rather humble analogy: Recall to mind your high school physics class. You may have conducted a simple

experiment of taking water chilled to below the freezing mark, but under pressure. Amazingly, although the temperature of the water was below 32 degrees Fahrenheit, the pressure applied to it would not permit the water to freeze; it remained a chilled, uniform liquid. Something like that has happened to many law firms.

While it is almost by definition that we could say each firm has a nascent cultural “feel,” you often can’t “feel” it anymore. Previously, the pressures upon partners to manage cases, market existing clients, cross-sell with other departments, lecture and write, serve on committees, and, oh yes, “mentor” junior associates were not as great, nor as varied. Now, however, I perceive that the immense pressure on partners to perform all of these tasks (and well) has created an atmosphere of pressure so pronounced that what would otherwise coalesce into a cognizable firm “culture” remains cold, immobile, and sterile. Thus, I posit that an aspiring lawyer cannot trust whatever “cultural” signals he or she is receiving; they are being transmitted in a necessarily distorted way. Rely on these signals to your peril.

"Culture" and "Fit"

Next, what validity does “culture” still have in terms of law firm “fit”? I still believe that some firms are better suited to certain lawyers than others. But there is a better way to divine which is which. As alluded to above, partners (and by extension their firms) simply cannot and do not take the time and effort to put their individual stamps on their firms. Instead, these functions are being carried out by professional vendors.

Marketing companies help write flyers; consultants help write mission statements; specialists are brought in to conduct training classes; coaches are brought in to groom the up-and-coming (at best). With all these mixed and often disharmonious voices added to the mix, how does a prospective associate decide what is a good fit? By returning to basics. I hate to betray my deterministic leanings, but the best way to find out if a particular firm is a “fit” is by looking at the market forces that will inevitably shape the firm’s practice.

Use These New Tools:

Here are the criteria I look at:

- What region did this firm originate in?

- What are the component merged entities that have led to the current monstrous mega-firm you are considering?

- What is the firm footprint (where are they now, and what has been the progression through markets)?

- What are the firm’s stated goals in terms of growth?

- What are the last few “leaked” merger partners that may have fallen through?
Where did their managing partner come from (is she homegrown or a fairly recent lateral)?

- What is the mix between litigation and transactional work?\

- Who are the firm’s clients (are they “mid-market,” Global 50, or merely Fortune 500)?

The above and other similar questions attempt to understand where a particular firm is going. This is all you can realistically hope to see as an associate.

A Gestalt of Analysis

In reality, how the firm “feels” for the first several years of your career is not terribly relevant anyway. You are, as a junior associate, shielded from the forces that are really shaping the firm; and by the time you do begin to discern them, you may be confronted with the necessity of a lateral move to find a better “fit”—or with the realization that you are going to have to shape your career in a way inimical to your temperament if you want to continue to thrive. Thus, what I have tried to describe is more a gestalt of culture rather than seeing culture as a static state of being.

All firms are going through growth pains as the legal industry begins to catch up to the market realities that have been shaping corporate America for the past 25 years. Culture-as-process is the new paradigm. The insightful attorney is the one that understands her or his own interests, working style, and goals and finds a firm that has demonstrated through its market decisions the intention to create a practice that is in sync with those personal traits.

Face it, firms are larger now; they are almost small societies in and of themselves. They are being shaped by individuals, but the totals are greater than the sum of their respective parts—and more complex than perhaps any one attorney can really get his or her arms around. Frankly, the realities of the direction of a particular firm may not be in sync with the “culture” exhibited by the current rank and file. If you want to succeed, you need to think a little beyond whether the firm offers margarita parties or yearly retreats. You need to think about a future practice.

Thus, my proposed “gestalt” of law firm cultural analysis becomes a nearly “zen” approach. This is because no matter how much you analyze a firm, it is hard to know whether the “right” firm is really the “best” for you. You are going to grow and change as an attorney: Your interests will change; your skills will change; your temperament will change; your personality itself is definitely going to undergo some realignment. It comes down to a gut-level decision—but a gut-level decision made

after an appropriate analysis. Regardless, you have to make your choice and run with it—and be prepared to be flexible down the road. Good luck!

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Manage, Lead, Direct: Using People Skills to Solve Problems

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If "credit" is synonymous with "trust", and it is, then there was never a more potent dramatization of the fact than observing the current global financial realignment. Governments will and are doing everything in their power to influence everyone in a position to lend or borrow that it is safe to do so. That's management. That's leadership. In your own firm or legal department, the same is true. You must inspire confidence, and then get down to the business of solving problems for your client or clients.

Implementing a Winning Perspective

How to do that in period of economic shift? Get back to basics. Think in terms of cash, saving, and cautious investment. The great economic and legal minds agree, so how to begin? One way: manage the cost of your project. The typical reader of this blog is a law firm or legal department manager. As the leader of a legal team you need the best talent you can afford, but you need to keep your expenses down (in-house perspective) or your product value-driven (law firm perspective). Same result either way: *get your best talent doing what they do--analyzing, formulating solutions, and setting priorities. For everything else, think division of labor.*

"To him who has only a hammer in his toolkit, every problem looks like a nail." Implicit message: get some more tools. A huge (new?) tool in your toolkit can be the use of legal professionals on a temporary, project-based basis. White shoe law firms and their equally status- and value-conscious clients are going down this path--indeed, have gone down it--so here are further data points if you are on the fence about it:

Litany of Virtue (aka a shameless commercial for using contract attorneys):

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