



Secrets of a Mentor:

How Young Lawyers Can Purposefully Evolve Into Good and Happy Lawyers

by Glenn S. Bacal

When I first became a lawyer, I quickly noticed the difference in attitudes among older lawyers toward the practice of law. A few were painfully cynical about the law, about lawyers, and to some extent about their clients. These lawyers also appeared to bear some animosity toward the practice of law in general, and specifically the impact that their work had on their preferred lifestyles. Most lawyers seemed to be neutral, sharing no view, good or bad, of what their lives involved. These lawyers seemed to arrive and leave each day as though every day was the same. A few lawyers, however, really seemed to be genuinely *enjoying* what they were doing. Their reveling in their lives as lawyers was reflected in many different ways throughout the day: their animated discussion of strategies, their appreciation for a newly discovered approach or argument, their energized banter about their cases—these all confirmed that these few lawyers were content with their chosen profession and were doing exactly what they wanted to do. The preferred role model of the fully engaged lawyer became increasingly easy to identify, year after year. However, identification of the common elements in the processes by which each such lawyer arrived at such a point of equilibrium was more diffi-

cult to pinpoint. The focus of this article is an attempt to identify those common elements, and to thereby help younger lawyers purposefully evolve into older lawyers who still love to practice law.

Secrets

Years of observation and years of working with some terrific and enthusiastic lawyers have led me to identify some common patterns and practices that could profitably be followed by most younger lawyers:

Finding a Mentor

Many of the best-adjusted older lawyers whom I have observed were able to identify and latch onto, early in their careers, good mentors. The process of determining who is the best and most natural mentor in one's firm or business is not always easy. It is clear that younger lawyers would benefit by becoming a supervisee of a true mentor, rather than of just another lawyer.

Note here that mentoring is far different from supervising. Supervising is by assignment or by necessity, while mentoring is done by choice. Supervising may involve hovering and close review, or may involve a hands-off, sink-or-swim attitude. Mentoring requires much more.

Good mentoring requires a person who demonstrates a commitment to

your success.

The best mentors are usually the more successful and the busiest lawyers.

Good mentors are usually surrounded by the fruits of their labor—their associates mature into partners.

Having a good mentor can make all of the difference in the long run as to whether or not you will like the practice of law. Let's face it—you're impressionable when you start out. And you are also relatively defenseless against more experienced lawyers, whether inside your firm or business, or outside. A younger lawyer needs a champion who will boost the trainee's ego and status among those who matter.

The particular practice area in which an attorney may start out initially is less important than early attention to the development of good attitudes and good skills as a lawyer. Often a younger lawyer will be attracted to the flashier parts of the practice, such as high-stakes litigation, because that's the subject of many episodes of "Ally McBeal." But many areas of practice that may make sense for a young lawyer may never be the subject of any television show. Just as "organic chemistry" weeded out most pre-meds, similar exposure to the real day-to-day events of various practice areas will weed out many wannabes. The important thing to focus on regard-

less of practice area is the development of good habits, as an attorney and a person. A good mentor can assist in that regard.

Avoiding Bad Influences

As important as it is to seek out good influences, it is vital to try to avoid bad ones during the first years of practice. A younger lawyer should avoid, to the extent possible, working for prolonged periods with certain types of lawyers who fall into two or more of the following categories:

- Lawyers *without vision*. If it's merely a job to them, it will quickly become a routine for all those around them. Those without vision usually also lack energy, and lethargy is more contagious than enthusiasm.

- Lawyers *without business*. The pure worker bees are generally better equipped to be followers rather than leaders. Good mentoring usually requires a sense of leadership, and hence worker bees may not be well equipped to be good mentors. Indeed, the *mentality of being dependent upon others for work*, especially for non-litigators, is not something that younger lawyers should emulate.

- Lawyers *without infectious optimism*. The ones who quote Nostradamus too readily should be avoided. There is enough bad stuff out there that one can encounter by chance; you do not need to have a black cloud artificially erected above you.

- Lawyers *without gratitude*. If you had discovered in your life before law that anyone you worked for was ungrateful and blamed you for any unfavorable outcome, you would try to get away from that person. Law is no different.

- Lawyers *without loyalty*. This is hard to spot amid the early smiles and handshakes, but there are often signs that someone, or in some cases an entire firm, may have been slow to develop the capacity for loyalty. The stability of the relationships in one's life can provide some insight into an older lawyer's capacity for loyalty. Multiple divorces *could* be a sign,

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though not a definitive one, of relationship problems and an inability to remain faithful, while a long and strong marriage could be a sign of loyalty and commitment. But this is not true in every case, and the true circumstances of another person's personal life may not be readily apparent by informal observation ("The only truly happy people I know are people I don't know well"). If a lawyer has difficulty creating and/or maintaining a surrounding workforce (associates, paralegals and secretaries), that's probably the best indication that he or she also will have difficulty maintaining a new associate relationship. In that regard, an associate must, as a matter of self-preservation, determine how many of the associates who had worked with a particular partner are still at the firm. Consider doing a "where are they now?" as to missing associates whose partnerless spirits may still haunt the place. Sometimes the voices of those who are no longer there can be more persuasive as to the likely outcome for current associates than the voices of those who yet remain. And should associates feel sorry that they purposely shun the "associate killers" among the partners? Absolutely not. It is always stupid to ignore handwriting on the wall, as the story of Nebuchadnezzar long ago demonstrated.

Diversify

Avoid putting all your intellectual and professional eggs in one basket.

A skillful associate should try to avoid working only on one big case—this narrowing of one's focus may limit skill development too early, and could unduly tie the associate's own personal fortunes to the outcome of one case. Also working on a single case tends to create blinders.

It's healthier, if you can do it, to try to diversify within a practice area, and find niches in that practice area where one can specialize and shine.

Know Thyself

Work to your strengths, and minimize the work that exposes your weakness.

Let's face it, not all lawyers are equally good at doing *all* the different things that lawyers do. We are not fungible. Some lawyers love dealing with detailed problems while others get lost in a thicket of two trees. Some love thinking on their feet, while others love to think in the quiet of their offices. Determine what you do best by getting a taste of everything.

You can and should try as many different things as you can, but don't delude yourself into being something that you're not. And once you determine you are not good at certain tasks at law, try your best to do something else in the law. Law offers many different types of work. Not everyone is a great orator, though all would like to be the next Clarence Darrow. Not everyone is a great writer, but that skill can come more readily than courtroom skills. Writing well is the foundation of everything else.

Have Patience

Recognize that the *process* of becoming a good lawyer really takes about 10+ years.

Being a good lawyer requires a combination of skills that develop at different paces, depending on the person. These skills include client rapport, client development, substantive skills, recognizing economic factors in providing good representation, networking, recognizing other good lawyers and exercising judgment.

An associate shouldn't rush it—when things get out of sync, young lawyers get into trouble. For example, those who believe business development is No. 1, and put it in front of development of substantive skills, often find they have forged rocky client relationships. Business follows

competence, not the other way around.

Be Open to Change

Realize that the *firm* you chose out of law school might not be the one where ultimately your skills will flower the most. This is not to *promote* jumping around, but often we find ourselves turned into lethargic victims of earlier choices. While stability is a good thing, you can comfortably assume that you can make one or two jumps from law firm to law firm without raising any eyebrows. My own experience and my business school study of how people choose law firms confirmed that it is primarily a negative process; people in their 20s and early 30s, having never practiced law, know lots more about what they *don't want* to do than what they do.

Be Service Oriented

Remember that for clients, law is, above all else, a service.

Accordingly, be *service oriented*.

- Return all calls on the same day.
- Avoid all billing disputes where you win and the client loses.
- The most successful older lawyers still recognize that in the long run little things count *a lot*. The call that is returned very promptly, the follow-up call to a client to see how a particular legal event went—it's the small things that cement relationships.

Recognize Your Unique Capability

- See yourself as *not* fungible and act accordingly.
- Look around and view yourself as something more than just another lawyer.
- Strive to be more than just one of many—and there are many.
- Engage in activities that demonstrate your competence.
- Write articles that show your intellectual strengths.
- Join organizations to display your relationship strengths.

Broaden Your Horizons

- Try to spend the time necessary

outside the office to broaden your horizons.

- Take entertainment and travel seriously.
- Learn about other practice areas.
- Go to educational sessions out of your practice area, not because you have to, but because it can broaden the way in which you attack legal problems.
- Take lessons and classes outside law in other disciplines that will help you at what you do the most. For example, I have one of my associates taking *acting lessons*, and he is getting a lot out of it. It is helping him to overcome natural modesty, and to learn oratorical skills that are needed in law.

Talk with Older Lawyers

In the rush of business, it is sometimes easy to forget that the road ahead has been tread upon by many others. The experiences of other lawyers may help you to avoid the mistakes that they made, as well as destructive patterns of interaction with others. All lawyers' meetings are great opportunities to listen critically to the way in which lawyers approach their work, and other lawyers. Which lawyers chronically backbite, and which lawyers are supportive of one another? Who do you want to be like and why? Remember that lawyers are not fungible and the person most interested in engineering your own development should be you. Younger lawyers understand, correctly, that they are under observation. But they should also be observing and learning how to pattern their own lives.

There is a method in the process towards finding both happiness and success as a lawyer. That process begins the moment your career begins, and continues for as long as you stay in what can be a wonderful profession. 🏠

Glenn S. Bacal is the Chair of Quarles & Brady's Intellectual Property Group in Phoenix. He thanks Bob Moya, Paul Eckstein, Rob Jones, Lyman Manser and the late Orme Lewis for being fabulous mentors through the years.

Mentor Program

The Mentor Program (formerly the Silent Partner Program), implemented in 1995, was created to bring together lawyers of differing experience and backgrounds throughout the state to gain guidance on substantive law, procedural issues and general law practice. The first phase of the program was basically a "telephone" mentoring program. An attorney with a specific question is put in touch with another attorney who has volunteered to address particular areas of the law.

To enhance the program and provide additional service to members, a second phase was implemented in January 1998. This is the "one-on-one" program. Participants are matched with a fellow lawyer after completing applications and meeting certain requirements. The length and depth of the relationship will vary with each match, however, definite guidelines are provided to both mentee and mentor.

For more information, please call Nancy Nichols at (602) 340-7304.