



## LAWYER TO LAWYER MENTORING PROGRAM

### WORKSHEET M

### CAREER PATHS

Worksheet M is intended to facilitate a discussion about different career paths for lawyers, the environments in different types of practice settings, and the resources for exploring career options.

#### WHAT WENT WELL?

Start by sharing with each other a brief story of something that went well in your practice this week:

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Share your reflection by on one of these questions: What caused the good event? What does it mean? How did you contribute? Others? How can you have more such events in the future?

#### ACTIVITIES FOR TODAY

- Discuss the different types of law practice. For example, government or public office, private practice, large firm vs. small firm vs. solo practice, corporate, environmental, the judiciary, non-traditional legal positions, Legal Aid.
- Share with the new lawyer your experiences and the environments in the different practice settings in which you have worked. Invite another experienced lawyer to discuss with you and the new lawyer his or her experiences in different practice settings.
- If the mentor specializes in an area of practice, share with the new lawyer how you acquired the expertise in that area. Why did you choose to practice in that concentration? Discuss how to secure a position in your practice concentration.
- Describe to the new lawyer your typical day with respect to things such as court appearances, trial work, research and writing, client contact, discovery, mediation/dispute resolution, hours/vacation/benefits/quality of life, etc.
- Share with the new lawyer what you enjoy most and least about your practice area. What or who was most instrumental in your developing practice expertise? What has been your greatest achievement?
- If the new lawyer is not in the type of practice he or she would like to be in long-term, the mentor may try to introduce the new lawyer to lawyers in the field he or she would like to explore.



- Discuss networking opportunities that would coincide with the new lawyer's objectives.
- Share with the new lawyer tips for succeeding in the practice of law, especially in the practice setting in which the new lawyer works. Discuss the suggestions made in the attached articles. David J. Levy, *Surviving Your "Junioring" Years*, LAW PRACTICE TODAY, March 2005. Dennis Kennedy, *Twenty Lessons for Lawyers Starting Their Careers*, LAW PRACTICE TODAY, March 2005. David Drummer, *New Lawyers: Get Some Experience, Find an Underserved Market and Go For It*, LAW PRACTICE TODAY. *How to Commit Career Suicide*, NATIONAL LAW JOURNAL, May 8, 2008. Petra Pasternak, *Build Your Professional Brand to Enhance Your Career*, LAW PRACTICE TODAY.

### **ACTION STEPS**

End the session by discussing what action steps you can take to either improve or set yourself up for future success based on today's discussion. Discuss how one or more of your Signature Strengths can help you achieve success in these steps.

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### **RESOURCES**

Deborah Arron, *What Can You Do with a Law Degree? A Lawyer's Guide to Career Alternatives, Inside, Outside, and Around the Law* (2003)

Cliff Ennico, *Your Legal Career: Finding Success and Satisfaction in the Legal Profession* (1998)

Hindi Greenberg, *The Lawyer's Career Change Handbook: More Than 300 Things You Can Do with a Law Degree* (1998)

Ron Hogan, *View from the Top: Law Firm Leaders Unlock the Secrets of a Successful Legal Career* (2005)

Gary A. Muenneke, et. al., *Nonlegal Careers for Lawyers* (2006)

Gary A. Muenneke, *Careers in Law* (2003)

Gary A. Muenneke, *The Legal Career Guide, 4<sup>th</sup> Edition: From Law Student to Lawyer* (2003)

Kimm Alayne Walton, *Guerrilla Tactics for Getting the Legal Job of Your Dreams, 2<sup>nd</sup> Edition* (2008)



*Kimm Alayne Walton, America's Greatest Places to Work with a Law Degree and How to Make the Most of Any Job, No Matter Where It is! (1998)*

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## How to Commit Career Suicide

Steven C. Bennett | [Contact](#) | [All Articles](#)

The National Law Journal | May 8, 2008



Most new lawyers have a touch of the "imposter syndrome," the sense that they aren't competent to serve as professionals and the fear that they will make a serious mistake, which will end their careers. But while junior lawyers are not likely to commit any mistakes so large that their careers will lie in ruins, a healthy sense of caution is appropriate. Jones Day partner Steven Bennett offers a guide to some of the worst mistakes and suggestions for how to avoid these potential pitfalls of practice.

This content may be available on National Law Journal. If the article you are looking for is older than six months, it will be available on LexisNexis.com.

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March 2011 | Careers for Law Students and Young Lawyers

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## Feature

### New Lawyers: Get Some Experience, Find an Underserved Market and Go For It

By [Steven J. Shaer](#)

It is a profession-wide shame to see so many recent law school grads struggling to find jobs these days. What the real shame is that there are far too few of these lawyers who are taking the bull by the horns and building their own practices. There is simply not enough entrepreneurship among this cohort. The excuses I hear usually fall into two categories:

**Experience** - Knowing enough of the law to pass the bar exam is generally not enough to be successful or even credible to actually practice. In fact, there can be risk of censure or worse from state bar associations of practicing without sufficient experience. There is no denying this but there are creative ways to get experience.

**Clients** - Clients are the obvious missing ingredient in starting a practice, but aren't there underserved clients out there? Aren't their creative ways to find clients that perhaps the "big guys" aren't doing?

How should these lawyers overcome these challenges? The first challenge to overcome is the challenge of experience. Experience is out there waiting for to be discovered. Lawyers that are out there need to look for experience in:

**Pro bono** - There is a wealth of pro bono opportunities available in many specialties. I personally don't understand the concept of being an unemployed lawyer not doing anything. Lawyers have a skill. There are people who need your help (whether they can pay or not). There is valuable experience to be gained. Get to work! If there is not an existing pro bono program that can give experience in a lawyer's chose specialty, either modify the chosen specialty or create a pro bono program of your own. Not-for-profits can be approached about creating a program.

I know of a lawyer in this situation who didn't have a particular chosen specialization but started work as a pro bono lawyer ad litem in child dependency cases because she had a personal interest in child welfare. Before long, she had managed to become a court appointed (paid) per case lawyer representing parties in dependency cases and is now handling adoption cases and defending parents privately for normal prevailing rates. Is this the type of practice she really wants? Possibly not, but it is giving her valuable courtroom, client management experience and income. It is putting her out there meeting other lawyers and clients.

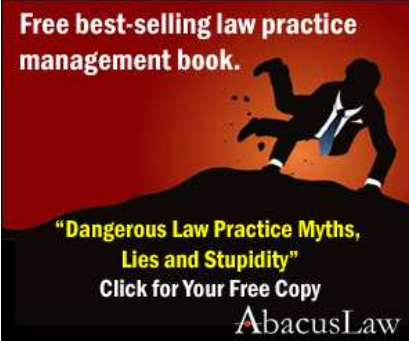
**Internship/Paralegal** - If a lawyer is interested in a particular area of law, seek out work as an unpaid intern or paralegal in an office that does that type of law. What practicing lawyer wouldn't want a law school grad to do the work of a paralegal or as an intern? The pay will be low or non-existent and there will be the need to do more administrative duties than might be comfortable but at least there is valuable experience to be gained. There is also no better way to impress someone than by working with them on a day to day basis and there is no better way to meet lawyers that could be helpful than by showing them what you can offer.

An old friend of mine and current client is lawyer who went to what is probably considered a second tier law school and took a job with a major top-tier international law firm in the law library specifically to work on a library computerization project. This was far from her desired job but it was at least inside a firm for which she would love to work. Wouldn't you know it? A few months after she started working there a couple of big cases came into the office and they were swamped so she was asked to help out with billable work: first with legal research, then with memo and brief drafting. Before long, she made herself indispensable to a few cases and really impressed a few partners with her competence and diligence. She was then made an associate. Her career took a two year detour through the library as a legal librarian but it ended up in the place she really wanted it to go.

I also know of another young lawyer who hadn't found his first job out of law school and then almost quite literally stumbled over a "whistle blower" case of a person had been fired for notifying the authorities of an illegal practice at his place of employment. He met this client in a bar through a chance conversation! Being entrepreneurial, he took the man on as a client on contingency and then found a more experienced lawyer to work with on the case (and use his infrastructure and work under his malpractice insurance). As a practical matter, he gave up the lion's share of the fee on that first case but had the opportunity to work alongside of a very experienced trial lawyer

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*Jim and Sharon discuss a*

to gain that needed experience. He has gone on to specialize in "whistle blower" lawsuits using the more experienced counsel less, then only when trials came up, and then later only on appeals. I imagine that by now, he can handle his cases all on his own.

For any legal specialty there is a path to getting experience though pro bono work or internships to getting needed experience. What is necessary is the desire to make those opportunities, make some sacrifices and have faith that activity and opportunity are linked. When you are active in the legal community, other legal opportunities will present themselves and underserved legal niches will become visible.

Finding clients and getting experience and references is the ultimate chicken and egg type of problem. It can be tough to get clients until you have experience and client references and tough to get experience and references until you can clients! Given that a newly minted lawyer on their own can get some experience through pro bono work and/or internships or other legal "slave labor," how should they look for clients? The one way that is most *unlikely* to work is to do the same things and seek the same clients that other more established and seasoned lawyers are doing and seeking. That simply won't work! If a prospective client knows or meets both a newly minted lawyer and more established lawyer offering the same services, it is unlikely that they will take a risk on the less experienced lawyer. Even if the newly minted lawyer is offering the services for lower fees the client will likely choose the more experienced lawyer. Even if the newly minted lawyer has exactly the needed experience the prospective client will likely choose the more generally experienced and seasoned lawyer.

Where is experience less of a factor? It is less of a factor with underserved clients and less sophisticated clients. The more sophisticated the client, the more likely that they will know other lawyers to either use or to make a referral to them and the more savvy they will be in finding the lawyer that is their lowest risk. A less experienced lawyer needs to find situations that are not competitive where they are less likely to be compared to another lawyer. Like it or not, more experienced lawyers are perceived as less risky just as more experienced doctors are perceived as less risky and more competent. Where do young doctors starting their own practice typically get their experience? They typically get that experience servicing an underserved population with fewer medical and fewer economical choices. They see the Medicaid patients that the more experienced doctors avoid. They are on the roster of the lower paying insurance companies that more selective doctors are not on. They take more "on call" and get more patients that randomly come in through the emergency room. The same is true for lawyers or any other professionals. Find an underserved base of clients whether they are clients that have fewer economic options and need a lower cost provider, those in with less access to the legal community or those with some distinctive affiliation that isn't necessarily economic. This is a place to start.

I know of a lawyer with limited divorce law experience who put up a billboard offering very discounted uncontested divorces. Yes, she got a *lot* of low fee work from more economically challenged clients but she also is getting a lot of experience in divorce law. She brought in an experienced co-counsel on her first cases to get her up to speed on the procedures and documentation and in doing so, sacrificed much of her already discounted fee, but it got her there. I am sure that down the road some of these clients will come back to her with their *next* divorce that will be contested and that they will be less economically challenged. She will build a more broad-based divorce higher fee based practice over time as she develops more market presence. Likewise, I know of a Polish speaking lawyer who is seeking out corporate law among the local Polish immigrant community. He tells me that there are few lawyers that speak his language and that even though many of his clients speak English; they are more comfortable working with someone that speaks Polish. These are constituencies that are underserved and these are lawyers who have developed strategies for serving them.

In a similar way, I know of a lawyer that got his start representing a family friend in a matter before a municipal regulatory agency—the unglamorous world of street vendor licenses and regulation in New York City. As the result of that first case, he began building a practice around street vendors which is a client base that doesn't have a problem paying prevailing legal fee rates. He provides corporate law, commercial litigation as well as assisting with license and regulation violation citations. This is maybe not the practice he dreamed as being counselor to captains of industry doing billion dollar mergers and acquisitions but he does very well and has a satisfying practice with a grateful client base that pays its bills.

I like to think of newly minted lawyer's path to success to be analogous to baseball players' path to the major leagues. Some young ball players go to straight from high school to the AAA Minor League and then the Major League baseball teams rapidly, like those lawyers who come from the best law schools or who have the best connections go to the Major League law firms. Other ball players take a more circuitous path to the Major League baseball teams. In good times, the Major League law firms are looking for more players (fresh from law school lawyers) due to the growth in their practices. That demand for newly minted lawyers flows through the legal recruiting marketplace creating a wider opportunity for many more lawyers. When the economy is less robust as it is now, law firms hire less and can be more selective and this limits opportunities throughout the legal recruiting marketplace. The path to success in these times for many lawyers is going to be more circuitous. Lawyers who would have had a pick of jobs in a good market are really struggling today to find *anything*. In this type of challenging market, the entrepreneurial lawyer will thrive as they do in any market good or bad.

Too many newly minted lawyers are running around looking to get lucky and stumble into something. What they really need to be doing is being proactive in creating practices and creating opportunities.

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#### About the Author

**Steven J. Shaer** is a management consultant and trainer and is a principal of Shaer Associates. <http://www.shaer-associates.com> . a management consulting and training firm that specializes in teaching lawyers how to build successful practices.

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## Feature

### Build Your Professional Brand to Enhance Your Career By Kathleen Brady

Building your professional brand rests on your ability to continuously demonstrate your skills, talents, knowledge and enthusiasm; those tangible and intangible characteristics that make you unique. Your understanding of these elements of your professional self will enable you to showcase the added value you bring to every situation throughout your career.

For junior associates, the first step is to recognize that technical competence is critical. Continually learn the law. Deliver complete, high quality work on time, every time, and always give 110% in your day to day responsibilities. When you do that, you develop a reputation for being reliable and dependable. Continually seek opportunities to learn through professional reading, training programs and seminars and conferences. Take advantage of everything provided to you.

Next, align your professional goals with the Firm's goals and your boss' goals in order to expedite your career. Think about what keeps your boss up at night and attach yourself to the projects, people and areas that will enable you to contribute in a way that makes that person's life easier. Develop a reputation as the "go to" associate.

Continually pay attention to economic forces and world events. Today's business world is changing constantly. As a consequence, attorneys need to be up-to-date not only in their practice area and but also in the world around them. Search the internet to find databases containing information about industry trends, specific company profiles, etc. Visit blogs, trade or professional association sites. Sign up for industry news alerts through professional associations or papers like Law.com. Ten minutes a day is all the time you need to invest in such activities. By identifying where the business need is, you will be able to identify the value you add to the situation.

As useful as the Internet is, you cannot hide behind your computer screen. You need to talk to people. People are the single most valuable resource in your career development. They have more current, detailed and accurate information about what is happening in the world of work than any website, book or article ever can. You can learn about upcoming assignments and projects, pro bono opportunities, market rates, shifts in business practices and industry trends, etc. It is imperative to establish strong mentor relationships from the start of your career. Who you know is important but who knows you is the key to building a successful brand.

Participate in formalized mentor programs, however, do not rely solely on such programs or simply hope people will notice you and offer to take you under their wings. It isn't enough. Solid mentor relationships evolve naturally, not through administration. Certainly participate in formal programs, if your firm has them, but do more. Create a support system or Board of Advisors. Establishing a network of mentors will allow you to learn from different styles, develop a range of skills and consider various perspectives of an issue. The key to successful mentor relationships is your willingness to work hard and make the relationships worthwhile for the mentors because of your enthusiasm and commitment. A mentor is not someone who solves all your problems; you should not burden anyone with such a responsibility. Think of mentors as resources to help you develop your brand, plan and execute your career goals and help you navigate difficult situations.

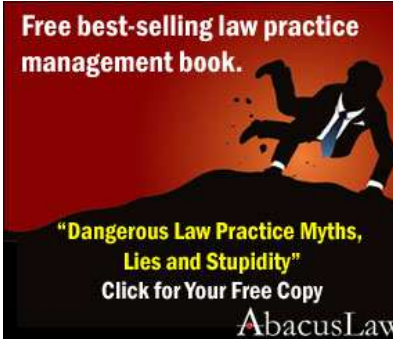
Mentor relationships are the primary stepping stone to building professional networks. They can introduce you to people within the Firm that you need to know. You rely on your skills and experience to impact what work gets done. But knowing how work gets done within an organization depends upon the network of relationships that exist. Network internally to increase the chances of making an impression on decision-makers; monitor the rumor mill and learn about departments beyond your own. Volunteer for committee assignments; attend firm events; eat lunch in the cafeteria. Be sure to establish a presence within the organization.

Keep in mind, you are completely responsible for what you bring into every relationship and for what you project onto other people. Perception IS reality. Think about how other people see you. If you look and act like someone who does not belong, that is exactly how people will respond to you. Your facial expression, posture and willingness to launch conversations matter. Dress and behave like a professional; be positive and upbeat; project a proud, confident image. Radiate confidence and people will be naturally drawn to you in every situation throughout your career. That will help to ensure that you have limitless resources in place when you need them.

Finally, junior associates should not be wary of shamelessly self-promoting your contributions. Doing good work is essential. Equally important is ensuring that people know you are doing good work. It is your responsibility to bring that information to light. That does not mean you need to turn into an arrogant, boastful creep. It simply means you need to be comfortable talking about how you are contributing. In order to ensure this occurs, catalogue your experiences and successes as they happen. On an on-going basis, maintain a file that includes the following information:

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- The substantive nature of the work performed and the percentage of time spent on each category.
- Significant accomplishments.
- Clients for whom you did a substantial amount of work or the major projects you worked on.
- Professional and community activities. Include internal activities (recruiting, CLEs, etc) and external activities (speaking engagements, articles written, conventions and seminars which you attended, bar activities, community activities, etc.)

This information should be used in preparation for your annual performance review. Your performance review is not something that happens to you; you must be an active participant. Prepare an Annual Report to be included in your personnel file containing the information you've gathered throughout the year. As you prepare this report, also ask yourself the following questions and be prepared to discuss them during the performance review.:

- Am I receiving a sufficient variety of assignments to enable me to grow as a lawyer? If not, what can I do to address the issue?
- Have I had regular opportunities to discuss my work with supervisors? If not, what could I have done differently to get needed feedback?
- Have I received and acted on supervisors' suggestions for improving my work?
- Am I satisfied with my development as a lawyer within the organization? If not, in what areas would I like to improve?
- What are my goals for the next year? In what areas would I like to improve and what is my action plan to accomplish this?

This needs to be an ongoing process throughout your career. You must continually assess the status of the market place and the major issues in the world of work as well as your evolving skills, interests and goals to determine where they intersect so that you can make course adjustments along the way. For example, the need for a strong internal brand will not end when you make partner. The next phase of internal branding is to consider how you can use those same traits to help you morph from being the "go to" associate every partner wanted to work with, to becoming the "go to" partner with whom every associate wants to work.

While it is not always obvious to junior associates, you DO have control over your career development. Seize every opportunity available to you; ask for what you need from those in a position to help, but most importantly, take responsibility and action in order to achieve your goals.


#### About the Author

[Kathleen Brady](#) is principal of Brady & Associates Career Planners, LLC; a career development training company and Kanarek & Brady LLC, a firm specializing in career coaching and transition services for the legal community.



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