Podcast Episode 85: Swimming Lessons for Baby Sharks (with Guest Grover Cleveland)

Lee Burgess: Welcome to the Law School Toolbox podcast. Today, we’re talking with Grover Cleveland, the author of the bestselling career advice book for new lawyers, Swimming Lessons for Baby Sharks: The Essential Guide to Thriving as a New Lawyer. Your Law School Toolbox hosts are Alison Monahan and Lee Burgess, that’s me. We’re here to demystify the law school and early legal career experience so you’ll be the best law student and lawyer you can be. We’re the co-creators of the Law School Toolbox, the Bar Exam Toolbox, and the Catapult Conference. Alison, also runs the Girl’s Guide to Law School. If you enjoy this show, please leave a review on iTunes. If you have any questions, don’t hesitate to reach out to us. You can reach us via the contact form on lawschooltoolbox.com and we’d love to hear from you. With that, let’s get started.


Grover Cleveland: Thanks, Lee. Glad to be here.

Lee Burgess: To get things kicked off, can you share a bit more about yourself and what got you interested in writing this book, which I think, has one of my favorite titles? We’ll talk about the title in a minute, but I remember the first time I heard about this book, I thought it was pretty funny.

Grover Cleveland: Sure. I’m a Lawyer in Seattle. I started my career in private practice here in the Northwest at Foster Pepper, which is one of the larger law firms in Seattle. I was a summer associate and associate, and then a partner at Foster Pepper. Writing a book was always on my life list. I ended up writing this book because I found my own transition to practice was quite abrupt. I felt like I just had to start and got lost. As I advanced in my career, I saw other junior lawyers feeling the same way and making some of the same mistakes. I didn’t like to see them struggle so I started taking notes very early on and then I continued to work on it and put it together. Then, the first edition came out in 2010 and the second edition came out just a couple months ago. Since the book’s publication, I’ve been doing programs on career success at law schools and law firms so that new lawyers can hit the ground running and understand how to practice and gain the skills that they didn’t get in law school.
Lee Burgess: I think that's really important work. Did you go straight from undergrad to law school to working in a firm, or did you take a break?

Grover Cleveland: I had about a three-year break. I worked a year and a half as a reporter and then another year and a half doing corporate public relations before I went to law school.

Lee Burgess: Oh, interesting. I did public relations for a bit between undergrad and law school as well. Learned a lot.

Grover Cleveland: That's right, yes.

Lee Burgess: Because, I think that that is one thing that can be important when students are considering this transition. I think if you have worked in a corporate environment or in a business environment, sometimes you have learned some of these lessons of work life, but a lot of law students go straight through. I think that transition can even be harder.

Grover Cleveland: Yes. Particularly when you're trying to learn the professionalism norms. At the same time, you're trying to learn the subtenant law. It can be a very steep curve.

Lee Burgess: That's very sure. Okay, so now, one of my favorite points is, where did the title come from because I love this title?

Grover Cleveland: Well, I was working on the book in Costa Rica. I had decided that I needed a big chunk of time to get a lot of my notes organized and do a lot of writing. I had picked out a place in Costa Rica that was perfect. I had just arrived and had gotten out on this terrace, overlooking the ocean at my hotel.

Lee Burgess: This sounds awful, by the way. I just don't know how you suffered through it.

Grover Cleveland: It was, yes.

Lee Burgess: This sounds terrible. I guess, notes to everyone, if you want to write a book, take Grover's plan and go to Costa Rica.

Grover Cleveland: This helps with productivity, dramatically. I've only been there about a half an hour. I have my laptop out and this other guest just walked by and said, "You shouldn't be working on your vacation." I said, "Well, I'm not actually working. I'm writing a book." He said, "What's it about?" I said, "It's a career advice book for new lawyers." He said, "Well, what are you going to call it? Swimming Lessons for Baby Sharks?" My jaw dropped and-

Lee Burgess: It's hilarious.
Grover Cleveland: When I recovered my sanity, I said, "Yes, I am now." It's way better than my working title which was, Sink or Swim.

Lee Burgess: I see you have the water element in there. That's a fantastic story and a fantastic idea to go to Costa Rica to work. You know, I actually wrote a blog post on the Bar Exam Toolbox a couple of years ago about people who move to crazy locations or beautiful locations to study for the bar now that so much of bar prep is done online. Then, a lot of people, to save money, were going to Thailand to study for the bar for two months because it's so cheap to live in Thailand compared to living in, say, the Bay Area. Then you could study and live on the beach which isn't such a bad idea, really, when you think about it.

Grover Cleveland: That sounds brilliant.

Lee Burgess: I know, right? I was like, "Why didn't I think about that when I was studying for the bar?" Over the years, you had a very long career with one firm which is actually not necessarily as common as it used to be because folks oftentimes move around a lot. You've had a chance to, not only be a new lawyer in a law firm, but manage young lawyers and really watched them throughout their careers. The first step for all those new lawyers is to become a summer associate, which I did and most people who have firm careers, I think, do. For our listeners who are starting out on the summer associate path, what are some of the common missteps that summer associates make when they join a firm?

Grover Cleveland: Well, I think because of the casual fun atmosphere which is intentional, it can be easy to forget that it's an eight or ten-week interview and everyone's paying attention to what you're doing. Even at the very informal social events, people will remember, how did you interact with others? They're trying to get a sense of how you will get along with them. How you will get along with their clients so people need to maintain their professionalism and their filter even though there can be some very fun events-

Lee Burgess: And alcohol involved.

Grover Cleveland: Yes, and I recommend that people have one or maybe two drinks but don't go crazy just because there's free booze.

Lee Burgess: It's true.

Grover Cleveland: That's one of the easiest ways to have a meltdown.

Lee Burgess: You don't want to be remembered for the person who's dancing on the table because they had too many Mai Tais at the Tiki bar.

Grover Cleveland: Right.
Lee Burgess: I think, one of the things that's hard about that too is, sometimes the lawyers that work at the firm, sometimes, they might be drinking inappropriately but that is not a license for you as a summer associate to drink inappropriately at a business event.

Grover Cleveland: That's right, because they already have full time jobs and some of them may be partners. They may be owners and it still might impact their careers so it's not the greatest idea.

Lee Burgess: I think that's really true. Okay, what else? There's got to be other things that happened too.

Grover Cleveland: One other thing that's easy to do is to take on too much work. You know, summer associates are eager and they want to meet lots of people but they don't have a sense of how long things will take. People are going to be expecting to see your best work so they are going to decide whatever you turn in is the best that you can do. That's what it needs to be so you don't want to cut corners and you don't want to get to the end of the summer and have projects that aren't done. It's better, particularly as a summer associate, to just make sure that you can handle the workload that you're setting for yourself. No one is going to be looking at your revenue.

Lee Burgess: Right. Actually, most of the time, they can't even bill out your work. I mean, the firm is kind of like eating the cost of having you there, which is important to remember too, that you're not the same as people who've passed the bar and are being built as associates.

Grover Cleveland: Right. Along those lines, another thing is that, sometimes people get carried away with the perks because there are lots of social events and then people start asking for this or that because they've heard another firm gets it. My recommendation on that is to let the firm lead on the perks because, as you recognize, firms are businesses. Summer associate programs are expensive and there are budgets and a firm might acquiesce to a request that really doesn't want to. If you can show that you understand the firm as a business, that's very helpful.

Lee Burgess: Something else that I think people often forget is, you're not just getting feedback from the lawyers at the firm or your direct supervisors. It's also very important to be conscious of your interactions with support staff and paralegals and folks that work in the firm because they will also talk about you to folks if they have a negative interaction, because they work for the people who are making those hiring decisions. I think, that their thoughts have a lot of weight oftentimes and so you really do want to just be conscious that you're entering this environment in a temporary way but you want to make sure that the folks that you interact with have a positive experience with you. Being sure you're being friendly and open and respectful to everyone no matter what their role in
the firm, because let's be honest, a lot of those paralegals know way more about practicing law than you do as a summer associate.

Grover Cleveland: That's an excellent point and I think it's more common than not for firms to send out request for feedback to every single person in the firm on summer associates. Paralegals, secretaries. I have a friend who says, "Be nice to the janitor." I think that's a great idea.

Lee Burgess: That makes a lot of sense and I think that is really overlooked. I even remember an assistant for one of the partners at the firm commented on the fact that she thought I dressed appropriately for the office. She found it very nice that a summer associate dress appropriately for the office. I found this to be a funny thing but I also respect that times are changing. Of course, I was in the Bay Area so law firms are not as formal as they are in other communities but you also don't want to be noticed for not dressing appropriately at the office because you don't want to stand out in that way either.

She stopped me at the elevator and told me ... I mean, I'm no fashion plate, let's be honest. I had just went in to Nordstrom and bought some nice clothes for the summer because the rest of my clothes were kind of fleeces and sweatshirts and jeans. It was just the idea that I'd also worked in a professional environment so I went to Nordstrom and talked to one of the sales ladies and said, "I have this job. I need a little mini wardrobe for the summer." And she just helped me get appropriate clothes. I do think that that's of it, is they want to see you in that role and see that you're taking it seriously.

Grover Cleveland: Right, that's very true. One thing I emphasize is, you want people to focus on your brain so you don't wear clothes to be a distraction. You want them to help you look professional, look credible, so it can communicate that you understand what you're doing. That you're smart and that you're credible.

Lee Burgess: It's something to think about. Again, I like that you say you don't want them necessarily to speak for you but you don't want to be noticed because you're in like distressed jeans. Maybe they're not the best options on casual Friday. Take cues from the people you work for. If you're not sure what casual Friday means in your office, maybe, be less casual on your first casual Friday so you can make sure you're not too casual until you figure out what everyone else is doing.

Grover Cleveland: Right. People have different norms and you just don't know if some very conservative lawyer at the firm will have a problem with someone being too casual. I heard a comment at a conference about senior partner complaining that a summer associate didn't wear a tie on the first day. This partner still remembered that, so it's better to err on the side of being more formal than less formal, at least, until you land that job.
Lee Burgess: Another thing is, depending on your summer associate experience. If you are at a firm where you don't have to dress up every day, you may want to consider keeping a suit or a jacket or something in your office or in your cubicle so you could change if somebody were to invite you to something the last minute. Invite you to court. Invite you to meet with a client. You need to be able to show up and look like a lawyer even if you're not one yet, if possible. That's such an old trick. My dad was a prosecutor and every prosecutor had a second suit hanging in their office. One, in case something happened to the suit they were wearing, but also, on casual Fridays. Like, what were they going to do if they got called in the court? They can't show up in like a rugby shirt.

Grover Cleveland: That's right. As you eluded to, people do spill coffee and things like that.

Lee Burgess: My dad has a great story and I hope he's not listening to this podcast because he might think this not maybe the best story to share. He was in trial and they went out to an Italian food lunch and it was a meatball sauce type shirt situation that happens at lunch. I think, he had white top and he didn't have another full, you know like, shirt and tie. It was sprinting to the mall where it was like, buy the shirt and tie. See if they could suppress it enough so it could go under a suit jacket to make it back in court in time. Unnecessary drama, if it can be avoided.

Grover Cleveland: Yes.

Lee Burgess: As my dad's practice changed, then he would keep one in his car just so he always had a second suit in his car because you'll never know.

Grover Cleveland: Right.

Lee Burgess: Okay, so you survived your summer associate experience. You get the job offer. You're excited because it's got zeros behind it, that you may have never seen and then you get this job. Then, of course, there are some pitfalls that can happen when you are a new lawyer at the firm. What do you think that some of the things that new lawyers really need to worry about even once they've gotten the job?

Grover Cleveland: Well, time management is a challenge even for senior lawyers. For new lawyers, it's probably the first time they've gotten numerous projects from different bosses. Many of which maybe have short deadlines and it's very difficult, at first, to understand and figure out how long projects are going to take. Even the assigning lawyers aren't sure because they don't know what the answer is. They may have an estimate but time management is a huge challenge. No one intends to miss deadlines but it happens and it causes problems. That's something I really encourage new lawyers to focus on.

Lee Burgess: What I'd add to that is something that I think a lot of new lawyers don't think about too is, being conscious if you are in a billing situation. Being conscious of
time management when it comes to research and writing, especially, because this might be the first time that [Westlaw and Lexis actually may be charging someone based on every search you're doing. Sometimes you can't do four hours of Westlaw research for an assignment that really shouldn't take four hours of research. That might make that one motion a very, very expensive motion and it might anger a few different people. I think that's really another thing to try and check in about with folks about what tools can you use. Are there tools that they should be conscious about the cost? Different clients have different cost thresholds of what they worry about.

Grover Cleveland: Oh, absolutely. When you get the assignment, in addition to making sure you understand the assignment so you don't go down a rabbit hole. It's very important to get an estimate of how much time the senior lawyer thinks it should take because that is a ballpark figure of how much the senior lawyer thinks the client's willing to pay. If you get halfway down the road and you don't have an answer, you can't stop. You do need to check in and say, "This is where I am. This is what I've got. What should I do now?" You've got to get guidance. You can't just spin your wheels. That's what keeps senior lawyers up at night. They're thinking that you're burning through all this time. They're going to have to write it up and you won't have the answers.

Lee Burgess: I think that's true. I have a question for you. I've recently been to a few things where people are taking notes on their cellphones instead of on paper. I feel like if you're in a law firm situation, if you get called into somebody's office, you should still have a notepad and paper. I feel like a lot of partners wouldn't want to watch you type on your phone. Do you think that's true?

Grover Cleveland: It depends. If you're in Silicon Valley and it's a young partner, that's probably fine. What I hear a lot is, people come in to get an assignment and they don't have anything to take notes with. Probably, a pen and paper is easiest so it doesn't look like you're texting or doing something else. You have to have something to take notes so you can actually write down the assignment because it's frustrating for a lawyer to give an assignment for the person who got the assignment to go away and then come back and ask, "What was it really? What was I supposed to do?" You get one shot to get the assignment so, yes, bring a pen.

Lee Burgess: I remember one of my assignments, I was actually brought on to a trial team which was very exciting and I get pulled in to a senior associate's office and he goes ... It was about welding. It was a toxic case about welding and fumes and things like that. He asked if I know something about welding rods and I made some sort of like comments, of some funny joke about what I thought a welding rod was. Then, I looked at him and I was thinking, "Oh, he doesn't think that's funny. Like, this is not funny for him." It was just a good reminder that like, "Yeah, some of this stuff, not funny." Like, this is the serious business. Like, this is a trial team. I mean, he didn't really care. It was just a private meeting
between the two of us but it was also just a good reminder of, this is serious business. I'm not in his office to joke around about this case. He just wants to get me up to speed so I can take assignments from him and make his life easier.

Grover Cleveland: That's right, yes. Law firms are a lot like emergency rooms.

Lee Burgess: Exactly. Anything else that new lawyers should stay away from?

Grover Cleveland: I think, communications can be a challenge. Like you said, you don't want to be too flip. A lot of times people don't understand how they should relate to more senior lawyers. Again, I think, you want to treat them with some deference, some respect. Even though you're colleagues, you're not peers so that's important. Another thing that's related to what you said, attention to detail is really important and probably something you need to focus on more than you've had to with any other job in your life because the stakes are high. I hear over and over again that senior lawyers don't want to feel like they're your proofreader or something because if they find small mistake, then they're like, "Oh, my God. What else is there?" And that erodes trust.

Lee Burgess: I think that that's a really good point. I actually remember getting that feedback from a senior associate, a different one. Same trial team, different senior associate, but one of my jobs on that trial team was actually, I just wrote all the low-hanging fruit of the motions. His compliment to me was that, when he got my work, he just read it. Approved it and was able to move on and there weren't glaring citation errors. There weren't glaring typos and that he didn't waste his time because I think, you're right. A lot of this just comes down to time. They're billing out incredibly high rates. They're not getting paid that level to fix typos or clean up your citations.

Grover Cleveland: That's right. I remind new lawyers that, "Senior lawyers aren't there to fix your work. They don't want to fix your work. They want to check it and conclude that you got the right answer but they'd like to send it out as is, if possible. As little time as they can spend on it and satisfy themselves that it's accurate and gets the job done, that's your goal."

Lee Burgess: Linked to this is something that Alison and I also talk about a lot which are the importance of soft skills for new lawyers especially. Especially, as the legal market changes. What do you think are some of the skills that are non-legal skills that law students need to think about having when they enter the workforce?

Grover Cleveland: Well, communication is big and it's even broader than verbal communication. I hear a lot about presence and poise and people want to make sure that you present yourself in a way that will put clients at ease. At large firms, you don't have a lot of client interactions early on. At least, not with internal clients, but people are trying to cultivate you so that you will be able to engender that trust.
in external clients. You need to do that internally first and again, just as we talked about with the summer associates, people make conclusions based on everything you say and do. Even things like, is your office messy? Because they may decide, if your office is messy that you are not organized with your thoughts. That may or may not be accurate but-

Lee Burgess:  
It's true. I have a very messy office.

Grover Cleveland:  
People need to be conscious-

Lee Burgess:  
I will confess.

Grover Cleveland:  
But you're not that way.

Lee Burgess:  
Well, there might have been judgments about me-

Grover Cleveland:  
You're very organized.

Lee Burgess:  
Because of my messy office.

Grover Cleveland:  
That's right, they may have made unfair judgments about you. That's something. If you can help it, you don't want to let that happen.

Lee Burgess:  
That's how my assistant knew I was quitting is she caught me cleaning my office. She said, "Why are you cleaning your office?" I was like, "Oh, it's just summer time. I just finished with projects. It's just a good time." Then, when I gave notice a week later, she's like, "I knew it. I knew you were quitting. You've never cleaned your office." Keep a clean office then you don't have so many tells.

Grover Cleveland:  
That's right. It's important just to get in the habit of thinking about the impression that you're making with everything you say or do. Before you open your mouth, "Is this the right way to say it? What's my goal in saying it?" Just take a momentary pause and it's more of your filter. It's an awkward pause but you have to be strategic about everything you're doing.

Lee Burgess:  
Agreed. For law students considering a career in a firm, a lot of people I think talk a lot about the realities of law firm life. Especially when it comes to work life balance of women especially, but I think all humans should talk about work-life balance. What do you think young lawyers can do to really learn about the realities of work-life balance for a given firm because different firms have different reputations and different norms, or even set their own comfortable boundaries for what they are willing to do? What they're willing to sacrifice.

Grover Cleveland:  
This is a tough question. My sense is that, if you're looking at firms in the same tier that the experience for new lawyers is fairly similar, because the economics are similar and client needs are similar. If you're working at a large law firm,
projects are usually very high stakes and often urgent. One of the realities is that, market share demand is fairly flat so there’s a lot of competition and concern about getting things for the clients as quickly and accurately as possible so that impacts work-life balance. For the first couple years, working at a firm is a huge learning experience and I encourage people, to the extent they can, to try to take advantage of those learning opportunities because, frankly, that will help you throughout your entire career. I did a poll with Above the Law and Ms. JD, and we asked a question. "Agree or disagree. The more you work, the more you learn." 77% said, "Yes." That's an important thing to keep in mind.

Lee Burgess: That's interesting.

Grover Cleveland: In the same poll, we asked, "Did law school prepare you to practice law?" 72% said, "No, law school did not prepare me for the practice."

Lee Burgess: Whoops.

Grover Cleveland: In the early period, you're learning a tremendous amount that will set the foundation for your entire career. I think, it's worth it to make some sacrifices with respect to your personal life. Then once you've gained skills and built relationships and hopefully become indispensable, then you can set boundaries because you can provide value. People will want you to do their work so you can put more boundaries, to some extent, around your work and take the kinds of work that you want.

Lee Burgess: When you're doing interviews with associates, before they become summer associates, and you're trying to figure out what the work-life relationship is for a lot of people, I think you can ask questions softly to get more information. One of my favorite is, "What is your day in the life look like?"

Grover Cleveland: Yes.

Lee Burgess: You know, so you can just see. Somebody is like, "Oh, I have to come in at 6:00 and I'm here until 8:00, and I always eat dinner at the office. I'm never home to put my kid down." Whatever it might be, then you're going to get a lot of information that way without saying, "What is your philosophy in work-life balance?" You know?

Grover Cleveland: Yes.

Lee Burgess: If you're a woman and you're worried about flexibility around child care, you can try and find women to talk to who may be working part time or people, often times, it'll just come up that they might have small children. Then again, you can just say things like, "Oh, how do you balance that?" Because it is interesting to hear different people talk about different models that are acceptable in the firm. I think, that's kind of a way that you can go through and
get more information so you can see if that sounds like a good fit for you. I think, one of the questions to ask yourself when you're thinking about work-life balance is, listen to those stories and say, "Do I want that to be my life?" If you say, "Yes," you're good to go. If you say, "No," that's probably something.

Grover Cleveland: Right, yes. Although, I do caution people not to ask direct questions about work-life balance because a lot of interviewers will interpret that as, "Oh, this person doesn't want to work." And you'll never get the chance to find out whether the place has good work-life balance.

Lee Burgess: That's why, I think, the day in the life question is kind of a safe one because you're going to find out. You're going to hear.

Grover Cleveland: The other issue is, at large firms, people can have very different experiences depending on the kind of work they do. The people they work for. It's not necessarily the case that, if one person has a horrible life that everyone had in the firm has the same life. Things vary from week to week. You could get someone on the bad week if they're in trial and then, the next week, they're off in Hawaii or something.

Lee Burgess: That's one of the nice things about the summer associate experience from that perspective is that, you got eight weeks to talk to people and meet people, and have a lot of informal lunches and coffee dates to gather information without having to ask some of these direct questions. That way you can see if, somebody's having a crummy day and he's on a trial team and is miserable or doesn't like their direct supervisor or if it's more of a firm culture.

Grover Cleveland: Exactly.

Lee Burgess: Because different firms have different cultures.

Grover Cleveland: Right, exactly. Where's the best place for you in terms of relationships?

Lee Burgess: Something else that I think is really important for summer associates and young lawyers to think about is, feedback. Alison and I talk a lot about having a growth mindset. We love Carol Dweck's book about mindset, but it can be tough to get feedback in the firm environment because, sometimes, lawyers are not the softest folks. Sometimes, the feedback can come off a little harsh or brutal. How should folks deal with that?

Grover Cleveland: Well, it shouldn't be harsh. It should be respectful. If it's just venting, then that's a different subject and that should be dealt with in a different way, but the hope is that it would be constructive. Almost all the time, is it constructive if you're getting feedback even if it's very negative, because the easiest thing for a lawyer to do is just not to give you feedback.
Lee Burgess: Right.

Grover Cleveland: It takes valuable time even to give negative feedback.

Lee Burgess: That's true.

Grover Cleveland: It they didn't want you to learn from it and give you a learning opportunity, you would just hear nothing, and that's one reason you should never assume that no news is good news. If you can try to gleam from the feedback, specific things that you can do differently. Make sure you don't personalize it because it is not about you. It is about the fact that the product you came back with was different from what the assigning lawyer would've done. That's necessarily going to be the case because the assigning lawyer has worked a lot more than you do and the assigning lawyer knows that you don't know very much. It's not a horrible thing not to know. You're expected not to know but you're also expected to make sure that you incorporate the feedback and use it to learn. If you can gracefully accept negative feedback, people will respect you. It can be even more of a problem if people get defensive or have a meltdown because law firms are stressful places and people are expected to keep calm and carry on.

Lee Burgess: I like that and I think that's very true. Remember that, while this work maybe very personal to you, if you have a supervising attorney that is just cranking through, reviewing motions or reviewing work for a lot of different people, their feedback may not be very personal. I think, taking it what it is and using that growth mindset and saying, "Wow! This is some feedback but it's going to make me better. What can I learn from it?" Instead of saying, "I'm stupid and I should never become a lawyer, and they're going to fire me." Which is not a productive way to think about it.

Grover Cleveland: No, and that's not true because you've already gone through law school, done well. Gone through a rigorous hiring process and done well. You can do this and that is the one thing I really encourage people. Don't get in your own way. Just keep plugging away and be persistent, and you'll get the points just for that because being resilient is a huge part of being a lawyer.

Lee Burgess: I think, that's a really, really good point. On that point, we unfortunately are out of time. Although, I had so much fun talking to you. You'll have to come back and do another episode with us at a later date.

Grover Cleveland: I would love to do that.

Lee Burgess: Okay.

Grover Cleveland: It's been fantastic.
Excellent. Well, if you have any questions or comments, please don't hesitate to reach out to myself or Alison at lee@lawschooltoolbox.com or alison@lawschooltoolbox.com, or you can always contact us via our website contact form at lawschooltoolbox.com. If you'd like to check out Grover's book, we will have links to you of that in the show notes but you can also check out his website which is, www.swimminglessonsforbabysharks.com. Thanks for listening. Good luck with your summer associate and new firm jobs, and we'll talk soon.