Episode 69: Building the 21st Century Lawyer

Lee Burgess: Welcome to the Law School Toolbox podcast. Today, we have a special treat for you. I am on location in San Francisco with a panel of expert attorneys who are sharing their thoughts on building the 21st century lawyer. I think you're going to really enjoy this conversation. Today, your Law School Toolbox host is Lee Burgess.

That's me, but I typically co host the podcast with Alison Monahan. 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. Alison and I are 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 the show, please leave a review and rating on iTunes. And 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. And with that, let's get started.

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You can visit them at Lawschool.westlaw.com. So welcome back. Today I attended a very interesting panel discussion in San Francisco on building the 21st Century Lawyer, and I'm lucky enough to have many of the panelists join me here on the podcast to share some of their insights on the future of the legal profession.

The panel was part of the West Coast Law Firm Leadership Forum organized and presented by Thomson Reuters. All right, let's get things kicked off by introducing everyone in the room. So Katie, I'll start with you.

Katie Walter: I'm Katie Walter. I'm Marketing Director for the Law School Business at Thomson Reuters.

Chris Mammen: I'm Chris Mammen. I'm a IP litigation partner at Hogan Lovells USLLP and also teach from time to time at UC Hastings Law School.

Diane Downs: I'm Diane Downs. I'm the director of attorney recruiting at Morrison and Forrester Law Firm.

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Dave Maurer: I'm Dave Maurer. I'm a managing director at Major, Lindsay and Africa in San Francisco.

Lee Burgess: Wonderful. So to get things kicked off for our discussion here today Katie, you kind of started this on the panel, but can you give us a bit of background as to why this is even an important issue for law students to think about?

Katie Walter: It, you know, the, the market for hiring new attorneys, it comes down to what do law students want when they come out of law school and they want a job. And it, when you're thinking about what you are going to spend your time on in law school and how you're going to present yourself in hiring situations, you want to make sure that you're hitting on all the cylinders that a hiring manager is looking for, for you.

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Lee Burgess: All right, so where the panel started off, which I thought was a great place to start, is really what are the qualities that a 21st century lawyer needs?

So let's just go around the table. Chris, you want to start?

Chris Mammen: Sure. So, I identified four characteristics that I think are important in the 21st century for a lawyer, and those are most importantly to be nimble, and at the same time to be cost efficient and tech savvy, and finally to be a trusted advisor.

And so these are some characteristics that differ somewhat perhaps than what you might read about in a, in a Scott Turow novel 1L, or, something like that. Law firms and law practice today are really about keeping pace with clients and clients have very high expectations for tech savvy, you know, using technology well, being able to adapt and problem solve quickly and to do so in a way that shows that you're able to be a trusted advisor that delivers well reasoned, sound advice and counsel to them in the in the legal problems that they've brought to you.

Lee Burgess: Diane?

Diane Downs: Sure, I think that Law students have a lot on their plate just learning the law in their first year of law school, and that should be their primary focus because ability in law school is definitely one of the factors that we look at in terms of who we want to bring to the firm and who we want to hire but looking forward to when you do arrive at the law firm or at your legal employer I think you need

to be business minded, both for the employer that you understand how to, how to record your time and how to, how that impacts the whole project you're on and what resources to use, when to delegate, when to ask for help.

All of those things are being business minded for the law firm, but also be business minded for our clients. So making sure that you understand your client's business, you understand the question that you're being asked in the larger context, and you understand, The problem the client is trying to solve and what, you know, how that fits into their overall business needs.

Lee Burgess: David?

Dave Maurer: Thank you. I think one of the key concepts that came up in our panel that towards the end was the idea of curiosity, being curious about the things around us and the way that we can learn and take in information. I think this is something not necessarily for lawyers just starting out. It is for that, but it's, it's for practitioners in general to stay curious about where you might come up with solutions to your client's problems.

One of the things that was mentioned by Diane on the panel that I really like is, and I think, is lawyers are, are really just problem solvers. That's what what we do, and you bring some of those things that Chris was talking about to solving those problems for clients, being nimble, being curious, having business awareness, being cost efficient because you want to increase the value for your clients so that they continue to come back to your organization to get you know, to get their problems solved.

The other, other concept that I've talked about and that I think is important because I look at the world as an increasingly complex place. There is no, there is no way that we will unwind the complexity that we're dealing with in our, in our commercial setting and even in our society in general.

So if I'm, if I'm looking out on a career, I want, I'd be focused on how do I get comfortable with complexity and how do I help businesses navigate that complexity so that I can provide value to them. It's also a rapidly changing environment as well. So you, you layer those on top of each other, and, you know, young lawyers, young professionals, to, to have some degree of comfort with uncertainty it's not a skill as much as it is a characteristic to work on developing that.

Lee Burgess: I also think something that we talk about in our business that, I think is really important is just mastering your craft in law school. I think one of the things you

have to do while you're in law school is just be really good at what you're doing. You know, master your writing craft, master your legal research craft.

I think, you know, we're going to talk more about professionalism and other things kind of outside, you know, the law school marketplaces you want to bring to your job, but I think sometimes students get so caught up in just getting good grades, they really forget that this is a vocational school that you're at and you are trying to join a professional, you know, career, and you have to be good at what you do to be able to add value.

Dave Maurer: Well, I have two, two things that come to mind when you mention that. One is, I believe there's a view by legal employers, whether they're in house or firms as well as, I think this goes for clients and hiring firms, that you have a certain level of proficiency with your craft, whether it's research and writing.

Now, younger lawyers, there's going to be some training and development that goes into that to, to help you hone it even more, but it's, it's really table stakes to just get in the game and, you know, the proxy for that, you know, is, It's really how do you, how are you stacking up against the people you were in law school with, or whatever the grading system is there, and that, that helps, that becomes the proxy for it, so there's an assumption that you, that you have that.

The idea of, the other one I have is just a general one when you're focused on grades, because that's what, that's how we're trying to differentiate ourselves with other people doing the same things. That becomes the objective as opposed to mastering the class, and I see this with my kids in school who are in junior high and the, the high school students that I know, it's about just the way that I think we have things structured. Get an A that shows that you know it. Not necessarily, right, because you haven't focused on mastering, it's been chasing the grain.

Diane Downs: Yeah, those table stakes are important for getting through a screening process, but to get hired and then beyond that to be successful in the job itself, I think you have to be able to distinguish yourself with how, how you present yourself.

And also, one of the best ways is through the enthusiasm that you show for the opportunity that's sitting in front of you, whether that be a job opportunity, whether that be a work assignment, whether that be a a new question or a question you've answered many times before that you have to, you know, handle again.

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But, but looking at each of those things as an opportunity for, for growth. And, and, you know, this whole panel was poised as, you know, building the 21st century lawyer. And I think we should focus on the fact that that's an active word at the front of the title. Lawyers are, this profession, or at least those that engage in the profession for the long haul, view themselves as always learning.

And that's what excites them and attracts them.

Lee Burgess: And I think that's actually one of the skills you learn in law school, is you learn to be a really good learner. You know, when Alison and I started our business, one of the things that we talked about was, you know, how in over our heads we were about running a business.

Like, neither of us, you know, knew how to be entrepreneurs. Luckily we were really good at studying stuff and we could like read books and go to conferences and talk to people and learn new skills. And that's exactly what you have to do in your law firm when they hand you a case. Like when I was practicing law, you know, I knew nothing about the area of the cases you were doing.

And it's not like you get a lot of time to get comfortable with that material. Your job is to get it up to speed as fast as possible to be able to add value.

Chris Mammen: So I, I want to pick up on this, you know, this discussion of, of mastering your craft. And I want to, maybe add a few comments about what that means in a practical sense as somebody who's been practicing law for 20 years is particularly in the area of writing.

Good legal writing is not brilliant, flowery, literature. It is relatively speaking a Pedestrian, highly structured, highly logical writing that's very clear and concise. And so, mastering the craft of legal writing is really an exercise in learning how to distill your, what you want to say to your core principles and presenting it in a logical and persuasive way, and the test should be when you read back through it, you know, does this make sense?

Am I missing something? Is there something not hanging together? And those are the kinds of questions that you should ask, you know, this, developing this habit of curiosity. Is also, you know, a little bit of an abstraction, but it's really in tackling a problem and looking at a problem to engage critically and say, do I fully understand how this flows? Is there something that doesn't quite hang together for me? Can I figure that out? Or have I maybe spotted a flaw in the argument that I'm reading? And can I develop that? And I think that's a core piece of the craft, both of legal writing and of legal thinking.

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Lee Burgess: And I would add to that, if you don't mind, one of the things that I think is interesting is tying that into the, the legal research to legal writing piece, which a lot of those law students listening right now are in the midst of their legal research and writing classes.

And I think one of the things about the craft that can get lost in those assignments is that. The nerdy part of me found legal research so interesting is you've got to go find the things and then make them fit together to explain them to somebody else in that very logical way. And I think that that is that's the piece that I think for me that's always been so powerful about having a mastery of the law is we are trained to be able to access sometimes very convoluted writing and make sense of it.

packed it in a way that either the court can easily digest it, or regular people can easily digest it. You know, people who might be sitting on a jury, people who are business people who are asking for help, and I think that that's really powerful, and so to have that curiosity and that interest in what you are able to do because of these specialized skills that you know, to me is one of the things that always made research and writing really kind of amazing, and that you know, making sure that that skill, is honed is important because no computer, you know, we've mentioned AI in that panel, and I know that there's a lot going on around that, can do that part.

I hope not. Right?

Katie Walter: Right.

Lee Burgess: No? Okay.

Dave Maurer: Do the writing part?

Lee Burgess: Or do the, do that synthesis part?

Dave Maurer: I, it may get there eventually.

Lee Burgess: No. Yeah. I know. I know. Someday maybe.

Dave Maurer: It's not there.

Lee Burgess: It's not there yet. I know there are, you know, the document review machines, which I get it.

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Dave Maurer: Document assembly.

Lee Burgess: Yeah.

Dave Maurer: You know, yeah. Chris, the, I, I really like the way that you explained and talked about getting better or the focus that you put on writing, the legal writing.

After 20 years, do you still take that approach when you're looking through your, your briefs on how can I make this better, how can I, Improve as a writer?

Chris Mammen: I do, I do. I'll give you one example of something that I did this was about 5 or 10 years ago now, but it was a really, really valuable mid career exercise in legal writing.

I was involved in a really big case. I mean, there were, there were there was a lot of money at stake and it was a really complicated technology that was issued in the case. And both sides ultimately appealed wrote appellate briefs after the trial was over. And we had the luxury in, in that case of sitting down with these two appellate briefs which were among two of the finest examples of persuasive legal writing that I had encountered.

And a more senior partner and I sat down and we pulled those briefs apart and analyzed the structure and came to an understanding of what it was about the way they were put together that made them such terrific pieces of legal writing. So, you know, and at the end of the day, the things that made them good legal writing were built on those fundamental structures, those fundamental logical structures that you learn in the first year of law school and then just build on that.

Diane Downs: You know, as a practical matter one of the things we tell our incoming associates every single year is, you know, you're going to get a work assignment and it's going to be due at a certain moment, but you should have your own internal deadline for when you complete the first draft, and it should give you ample time to review and refine and I think that's a common error of a junior associate is to finish the project when it's due and then turn it in and then be quite distressed when they get the red line back.

Lee Burgess: Or to misunderstand the meaning of the word draft.

Diane Downs: Yes

Lee Burgess: Because draft to a boss Does not mean, like, first to draft.

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Draft to your boss should be your final draft that they are going to go redline, because they don't want to fix your typos and, you know, and see sloppy work.

Dave Maurer: One comment I want to make, and this is based on a couple things that have been said, is what I hear from the discussion that's happened so far that is key to success is that focus on continual learning and continual improvement, you know, getting, getting better as, as, as we go along and finding ways that we can improve.

And I think that helps at every stages, every stage of a career. The other, Lee, was something that you mentioned that we, we learned in law school. Learn how to learn. And really focus on, you know, if I was back in law school now, knowing what I know, I would be really focused on how can I get even more efficient at learning, right?

What's, what are the, the, you know, be very mindful of what tactics work for me to do that, because going back to the complexity in the world and how rapidly things change, that's what we have to do as lawyers for clients, is learn something new. Do it quickly. How can you do that? And be focused on continual improvement in all, in all areas.

Lee Burgess: And looking for those opportunities to stretch and grow. So one of the things that came up at the end of the panel, which is something that I think is so important, especially among perfectionists, which many law students are self labeled perfectionists, is this willingness to take on opportunities and with take calculated risks, to stretch yourself, even if you might stumble. And what I thought the panel did a really great job of talking about was how important it was for the firm to give you those opportunities in a safe place where you can only stumble so far, but that you also have to be open to doing that. That next thing that you might not know how to do, you know if to do your first deposition, well, it's everybody's had a first deposition. You still have to stretch yourself, you know, we've talked about having grit, you know, you need to be able to be uncomfortable and and really take that on.

Dave Maurer: So, we touched on mentorship real briefly on, on the panel, and I didn't chime in cause we, we'd moved on real quick, but the thought that I had is, I really view mentorship as something that, you know, sits with the mentee more than the mentor.

And, and to, to your point, where, what are you going to do to get better? Who are you going to ask? And you have to deliver something, I think, to the person

that you're seeking to mentor you. And that may be, hey, I'll take that stretch assignment. Great, I'm going to go out and I'm going to do that. I know it's going to be hard, but I'm going to ask a lot of questions.

I'm going to try to learn from other people to do that so that you really take control of what it is that you're trying to learn. And so, you know, it's really, somebody said it's a two way street on this integration. It's the same thing with mentoring, but I think the bulk of the responsibility resides with the mentee to access the mentorships there, because a busy partner is going to be very difficult to give you a structured mentor program.

Lee Burgess: Yeah, I think that's really true.

Diane Downs: I think I have a good example of that in both of the, well, on the law school side, taking advantage of your legal writing class to the fullest extent.

So, the same concept. If you have a due date, this is the ultimate time to take a not final draft and get input from your instructor, from a professor, from a 3L who's kind of a little heady. Take the time because this is when it's okay to have red marks all over the page. No risk, because everyone, you know, if you turn it in, it's, you're going to pass the legal writing class, so just, that's a perfect no risk situation to grow.

A young associate I heard speaking recently, had a great suggestion, which is that they whenever they turn in a final draft of an assignment to the partner, they create a new version of it, and send it to the partner. Then the partner can engage with that document and then they can compare it to the previous version of the document so they can see exactly where the red line is.

Whether the partner used check changes or not, they can have a full accurate description. And then, and this is the part that probably takes this associate and puts them in the top, you know, 2 percent of highly motivated. They take a look at all the changes that were made and try to understand do I know why the change was made?

If that, if that's the case, check, move on. But then they highlight the places where they don't understand why the change was made. Then they can go back to where they can look for the feedback and mentoring and training that they need. And be really respectful of that person's time. And ask the specific questions and be really, really distinguish themselves among their classmates.

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Dave Maurer: What I'm thinking right now is, that is a special associate. Somebody who really came up with the way that he or she is going to get better. And is owning it.

Katie Walter: And asking the partner to enter into a formal program with them of weekly meetings around, right? Around kind of a mentor relationship, but it's saying I'm going to take advantage of the people who can teach me no matter how vulnerable I look or how much work I have to do to get that help.

Lee Burgess: Yeah, and one of the things we talk about a lot on this podcast, and our listeners probably think I just, they can't say it one more time, but we talk about the importance of the growth mindset. And I think that example is so incredible because instead of getting downtrodden or saying, I must not have great legal writing skills, I must, this partner must think I'm stupid, they said. Oh, this partner wants it done differently. I'm going to learn how to do that differently. I mean, I did PR for a little bit and I remember the first, right after graduating college, and the first writing assignment I turned in, my boss just like, I mean, it was all red. Like there was, there may have been like, "the" wasn't crossed out, but it was basically all red.

And I was devastated. You know, I thought I was smart and I'd done so well in school and I went to him very sheepishly and was kind of like, are you going to fire me? And he was like, no, that's just not the way I do it. You have to learn to write for me. And it was kind of like, oh, you mean you don't think I'm just incompetent?

And there's this idea that, especially when you're doing work for other people, you have to be open to tailoring your work to other people, but coming at it, you know, from not the negative place of, oh my gosh, I must not be smart enough, or I can't believe I don't, I shouldn't have this job. They don't, they don't want to hire me or work on a project.

It's got to be, I can be better. I'm working on my craft. This is a long term project and midway through my career I'm still going to be working on my craft.

Chris Mammen: It's just feedback. Yeah, sorry. Yeah, you know, this kind of feedback is the kind of thing that somebody who's been doing it a long time is providing. And some of it may be purely stylistic, the preferences of that partner or professor, but some of it is, you know, is for very sound reasons relating to sort of fundamentals of the craft, and I think that that example of going back and trying to understand why each of the changes was made is just very impressive. One other thing I wanted to mention about giving yourself plenty of time to

complete a draft and complete a document is I told both my law students when I was teaching law school and when I'm working with associates in preparing motions and other kinds of legal writing, is plan enough time so that when, you know, if it's a 15 page assignment, when you have a fully written 15 pages that you think is, is complete and clean, you're halfway done.

And then, you know, maybe you need to let it sit and percolate for an hour or a day, and then you can go back and say, okay, how can I make this better? And what's, you know, what's wrong with this, or what holes did I leave? And it's always the case that you can spend an equal amount of time refining it from when you got your first 15 pages written to, to make it better.

Lee Burgess: Well, Chris, when you were working in the law schools, did you find that students utilized all of their resources to practice what this associate did, which was to go to the law professors and learn what they could have done better and work on their craft?

Chris Mammen: No.

Lee Burgess: Did you see that? No.

Chris Mammen: No.

Lee Burgess: No. I know, which I think is really a mistaken opportunity.

I mean, I know a lot of professors can be pretty intimidating and some of them may not seem that nice in class, but they do choose to work with students for a living and you should, you are paying a lot of money for the privilege of having a relationship with them. You should go and talk to them because having these tough conversations of why didn't you like my midterm, you know, how could I change it?

What do I need to be doing differently? That's actually where the magic happens. That's where the real learning happens, in my opinion.

Katie Walter: And that's where their passion is, too. They are passionate about helping you grow.

Lee Burgess: Right. Or they, hopefully, I mean, why else would you become a law professor? I hope, right?

Chris Mammen: Cushy job, great salary, great benefits, so.

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Lee Burgess: But we know that they like students, too.

Dave Maurer: That's, you know, you're, you mentioned mindset, and I think it, it has a lot to do with who in particular is drawn to, to law school. Whether they go 'cause they want to be a lawyer or 'cause they have, they haven't figured out what they want to do.

You get those things back and you say, okay, great. I'm not, not smart enough 'cause they're very fixed. I either could do this right from the beginning or I can't do it at all. Versus being able to say, okay, it's just feedback. It's, and, I don't know how, how you trick yourself if you're in the, the fixed mindset category to get into the growth mindset, but it's, I think that's what needs to happen.

Lee Burgess: I mean, one of the major ways is you just have to practice it. And look for those moments. Where you do, I mean, we all have those moments. Like I don't, I mean, I don't care how evolved you are. You all have these moments when you get tough feedback and you're like, oh man, maybe I just shouldn't be doing X, Y, Z, but you can check yourself.

And then the next comment can be, no, no, I don't wanna think about it that way. You know, I'm gonna choose to do it differently. And I think that it is just like anything else, a practice.

Diane Downs: Well, receiving feedback and reacting and responding to feedback, I think is a really important business skill for Lawyers and everyone else. And I think we've, I, I can speak for myself, but I would imagine everyone at this table has had the experience of, of seeing that done well and not, not so much. So, a couple things that I would say. One, when you receive feedback, really resist the urge to defend what you did wrong.

You know, in the writing example, so many times I've, I've been called in to coach an associate, about their writing or get them a tutor, and they'll say, well, that's just stylistic for that particular partner. Well, yes, it might be, but the fact that you're not understanding the role of writing for that person whose name is going to be at the bottom of the brief, is a problem, number one.

The other thing is acknowledging the feedback is really important. I, I think sometimes we put We're so in our own shoes where we think, gosh, this intimidating person, whether it be professor, partner, whomever, is giving us this feedback. How difficult this is for me. Well, That might be very difficult for the other person, too, to have a challenging conversation with you, to take the time to think how do I want to say this so that I motivate the person to do something

differently without crushing their soul with red marks, you know, or maybe there's a little bit of soul crushing you want to insert.

Chris Mammen: I don't know. I'm gonna, I'm gonna maybe disagree a little bit with you there. Because as much as I hate to admit it, I think many, many lawyers are not very good managers. And so, you know, this is letting the law student audience in on a secret. But we're, you know, we're trained to think critically and to look for the flaw and identify the hole and hone in on that so that it can get fixed.

And what that means when we provide feedback and, and mentorship is that we tend to spot the things that are wrong and fail quite often to notice the things that are right and good. And you know, as somebody who's receiving feedback it, it's important to perhaps remember that So that so that A, your soul doesn't get crushed by the all negative feedback and B, that so you'll, you'll cut us as, as bad managers a little bit of a break.

Katie Walter: Well, but I think the other, the kind of the merger of those two, two thoughts is that you're worth getting feedback. As a junior person, someone has decided whether in a very professional coaching kind of way or in a cruel, cold hearted, vindictive kind of editing way to, not to kick me out of the room, not to fire me, not to say go back to school, I don't want to see you, but to take the time to redline it, to take the time to to make you better.

And that is actually, like, that's a privilege. It's, that feedback can be a privilege and a gift, but it can hurt, too.

Dave Maurer: It's, I'm so glad you brought that up in that way, because it reminds me of his last lecture. There was a statement in that book that Because it was written for his kids, I can't remember the name of the professor.

But it's, when I stop pushing you, it means I don't care anymore. So you should be grateful that I'm pushing you. And it's that exact same thing. They're saying, you can get better. And that's why I'm telling you that. But I will agree, I don't think lawyers are the best managers of people because of how direct we can be with things.

Like, that's wrong, do it this way. Done.

Diane Downs: But you know, managing up is an important skill for these junior folks. And I think If you start with the defense of what you did right, you're not going to be heard on the other end either. So, acknowledging what you did wrong and saying, okay, well this is an opportunity for me.

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I'm going to go think about what you said and I'm going to come back. I do think it's effective when you come back to say, you know, here are the things that I do in my process. Being more transparent about how you avoid future mistakes or what you're working on. And those, that to me, that second conversation is the opportunity to show what you What you do well, you know, I'm an administrator or a cost center in a law firm And I always have reported to partners and you know, I think that sometimes it is my job to explain to them that you really don't want me to take this, you know, five minute overview document and turn it into a project for your top client.

You want me to get 12 of these done today. And so putting things in context is helpful, but understanding that they just, you know, they can't even read the front page of the newspaper without seeing red lines. So it's just, it's a training and context issue.

Chris Mammen: But I agree that that second conversation is the one where you really are going to distinguish yourselves.

You receive the feedback and, you know, if you make an effort to, to analyze and understand it and if you've been asked to make certain changes, the next draft should contain those changes.

Diane Downs: Yeah.

Chris Mammen: If there's some that you want to talk about, feel free to talk about them, but, you know, make the changes that you've been asked to make and then move on from there.

Lee Burgess: I loved your comment about managing up and I think for the law students listening, you know, you don't have a lot of professional experience and you haven't gotten the experience of managing up to someone who could be like a partner or a senior associate level at your law firm, I think your professors are a great place to start practicing this.

You know, we talk about going to office hours and not saying things like, I don't understand promissory estoppel because your law professor is going to say, then go get a commercial outline and read about it. That's not a quality way to work with a law professor to try and get them to help you. Now if you come with your outline and you have an attack plan for promissory estoppel and you are struggling to apply that fact pattern, or that attack plan to a fact pattern and

you're not sure exactly how the law functions, the law professor is likely going to sit down with you and talk to you about it.

And I think it's the same way. If you walk into a law, you know, if you work into your supervisor and say, I don't understand why you didn't like my brief. That's probably not a good way to start that constructive conversation. No, I mean it's just, you've got to do the work.

Dave Maurer: I mean I, I'm thinking, you know, don't come to me with problems, come to me with solutions.

It's the same thing as like, I'm, I'm having a difficult time here. I think I can go this way with it. Maybe I want to take it that way. What is, what's your view on it? To have that sort of, then you, then you've limited what the scope is, right? You're gonna get some feedback, and then you'll have that conversation, and it's a little more respectful of the time of the, of the person that you're dealing with.

Chris Mammen: Or even better, I see these two ways of dealing with it, you know, we could go this way, we could go that way. I'm inclined to think we should go this way, but there are these issues on the other side. What do you think?

Lee Burgess: Yeah.

Chris Mammen: Provide a proposed solution, because, you know, if you get presented with a dilemma you know, most supervisors are going to say, Okay, you've been thinking about this a lot longer than the 15 seconds since you've been in my office that I've been thinking about it.

What do you think?

Dave Maurer: This goes back to something, or goes to something we were talking about on the panel on getting the experience and ability to exercise judgment in certain circumstances. This is a safe to fail way to do that because you get to say to, when you're going for that feedback, Here's how I'd do it.

No, no, no, that's a terrible idea. But now you know. There's no damage. We need to go this way, and you've also shown to the person that you're working with or that you're providing work product to that you have an analysis around it. They can tweak either the analysis or the actual decision process. I mean, that's kind of how I view it.

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Lee Burgess: Well, I want to shift gears a little bit because another thing that I thought was really interesting that came out of the panel talk today was the importance of even for young lawyers being equipped to handle some client management from either the idea of interpersonal relationships with clients or being engaged in a client relationship enough that you could take on a stretch assignment but also that sometimes clients might actually want to interact with more junior staff because it may be easier to have interpersonal relationships with that, or they may actually have more exposure to things like technology.

So I'd love to and maybe actually, Diane, we could talk to you about when, from a law firm recruiting perspective, do you look for qualities that you think could you know, lead someone to have those, dare we say it, sales skills and client facing skills?

Diane Downs: Sure, I mean, you know, at the entry level, it's very much apparent because we're in that on campus zoo, 20 minute interviews, and so it really does require a high degree of communication skills but we put them through lots of paces beyond that to, to meet with people, and our criteria have a lot to do with the performance skills, communication skills, executive presence.

We do ask we do look at writing samples. We're, it's, we, we sometimes have these hiring partner meetings where they're like, gosh, it is very difficult to get a job here. I'm the hiring partner. So, it, it is and it isn't. I mean, I think it goes back to the enthusiasm and the engagement quality, that if you can show interest in the job at hand, and enthusiasm for my firm in particular, I think that quality will translate over to when you are faced with a client problem, are you going to be curious about it?

Are you going to be engaged with the problem? Are you going to ask, you know, kind of not be myopic about the legal issue, but rather how it impacts the business, the industry, that particular question. How does it fit into the big picture? So I think sometimes we get burned, sometimes we make mistakes, but for the most part, I think the interview format does help predict you know, how that person is going to behave.

The, the other issue of judgment and what content comes out of the person's mouth, that takes a lot longer to develop. And I think that's another. This is one of the, we had a question about what are the great things about entry level lawyers and what are some of the gaps and I think one of the great things is the level of poise and confidence that we are seeing with entry level lawyers.

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One of the gaps is sometimes not knowing how much they don't know at the front end and so, you know, there's so much information at their hands and so much, dedication to, you know, staying up all night and learning a whole new rule or all the case law, but not necessarily realizing, well, you don't have the practical judgment, judgment to know, you know, how this works at a negotiation table, or how often this even comes up.

Lee Burgess: It's great that you got an A in Negotiations in Law School.

Diane Downs: Right.

Lee Burgess: But that doesn't necessarily mean you're getting handed your first negotiation, second week.

Diane Downs: Right.

Lee Burgess: Yeah.

Diane Downs: It takes a long time to to build that judgment.

Lee Burgess: And so how do you think, if I'm a law student and I am one of those straight out of, like, undergrads, straight to law school, haven't really worked in a professional environment, I'm Like, where do I start to learn some of those skills, so I don't walk into my law firm?

Or I don't know if you guys have even hired folks to, but maybe Diane you can start.

Diane Downs: Clinics, internships, externships. And really be that sponge. I mean, come to the environment ready to learn.

Chris Mammen: You know, beyond that, you know, some of those skills just come from working in some sort of a customer service job.

You know, when I was an undergraduate, I worked at a JC Penney's for a summer and, you know, some of the, some of the professionalism, customer facing, client facing skills that, that carry over into law practice or the kind, the same kinds of things that it took selling blue jeans.

Lee Burgess: Mm-hmm.

Dave Maurer: I, I think that's a great point, Chris.

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I worked a lot of restaurant jobs and bartending jobs through undergrad. Not so much in law school, but the, the stuff that I was doing in law school was still, you know, very customer centered, and you learn, you learn a lot from doing that. You know, as far as picking up on what the person's really saying, what's really an issue there, and I couldn't, I think that is a very important thing to do, and if you can get it.

The other, other thing I was thinking of, and It occurred to me when we talk about business awareness, some of that business sort of minded stuff. If you don't have a job 1L, you can go take a business class if you haven't had a business class at a community college if you're in California I think they're 75 to 100 bucks to go take a four unit class in business I wouldn't take the I wouldn't take the accounting class.

Maybe I take you know Business Process or Business Management or a Marketing class. But if you really got downtime in the summer, that'll get you to some of those concepts.

Katie Walter: I think a Pricing class actually would be the kind of like, like you want to talk about how a business presents itself to the world.

What price do they put on their product and work backwards to find the strategy or the tool?

Dave Maurer: Yeah, and you can actually do all that online. I know there's pricing certifications that you can do some of the content online, so.

Lee Burgess: I think that's a, I don't know why I've never thought of that but that's such a great idea of an easy way to collect these additional skills. 'cause one of the things that came up in the panel that we're not gonna have time to dive into today in this podcast was, is it the responsibility of the law schools to teach a lot of these skills?

Dave Maurer: Mm-Hmm.

Lee Burgess: Are they going to do it? That's a lot larger question. Are they the right people to do it?

That's a separate question, but I think until that, those questions all get answered, you can still create those skills by reading books, by going to, taking community college classes, doing online classes, going to workshops like, you know, I, I think that you, I bet that as a job applicant, if you talked about how

you did that kind of stuff in a cover letter, that that cover letter would actually get noticed.

I don't know. I'm not a recruiting manager. Is that true?

Diane Downs: I think that, you know, how you, how you package your experience is incredibly incredibly important. I have both retail and restaurant experience. And I've, and it's been over 20 years since either one of those has been at the forefront. But, I definitely draw on those skills.

And, and I have, I've more than once thought, oh, this is a person who could benefit from being in the weeds on a lunch shift and really understand how to deal with stress, juggling, time management, project management. So don't undervalue your experience because it is not shiny in a way that your colleagues experience might look.

You need to make the leap and, and communicate the value of your experience to the, hiring manager, whatever it is.

Lee Burgess: I can't even believe it that we're almost out of time. So I just wanted to finish up with maybe one or two thoughts from everyone about your kind of best tips for law students. If you are a law student that's worried about how do you set themselves apart and how to really be set up for success for their first job, what would be the advice you give, Katie to put you on the spot, would you like to start?

Katie Walter: I think that it It comes to, it does come down to not underestimating or not discounting all those sources of inspiration and motivation that come, that, that you draw from. Those restaurant jabs, the high school club that you were in with the teacher that pushed you so hard.

Taking all of that and applying it to your passion for the law will make you a better student. I will work as hard for this law professor as I worked for my drama coach and then I will work as hard for my partner as I did for that law professor. Those are all, those mentorships and those those people who taught you all the way along, even if it was out of that area, bring it and, and learn and grow from it.

Chris Mammen: A generation ago I'm sure this is this is just a, a fictional anecdote, but you know, the, the, the idea of a, those are my favorite, absolutely. You know, the law professor who says, look left and look right, one of you is not going to be here in six months.

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Lee Burgess: I think that's paper chase.

Chris Mammen: Was that for paper chase?

Lee Burgess: It was up for paper chase.

Chris Mammen: Okay, there you go.

Lee Burgess: Because my contracts professor wrote paper chase, that's why I'm doing paper chase.

Dave Maurer: Okay. How many times did he tell you that?

Lee Burgess: That he wrote paper chase? I can't remember, but it definitely came up. It came up.

Chris Mammen: Alright, so, so, you know, from the paper chase, I would offer up a new paradigm, which is look left, look right, this is the beginning of your network.

You know, build a network starting now with the people you like, the people you enjoy being around. They are going to be your professional colleagues whether you work directly with them or elsewhere in the community over the rest of your career. So start now.

Lee Burgess: Yeah, and just as a weird side note to that, just as an example of what happened today is I came to this event assuming that I would know no one, I've only talked to Katie on the phone, and then walk in and see someone who's managing, manages a law firm who I was on a non profit board with, hadn't seen her in a while, I turn around, a former professor of mine is sitting next to her, and, you know, you do realize that, like, this community, it's tiny, you know?

And so, in one room, I have people that I have met in multiple different parts of my life, not just my professional life. And, you know, they're still going to remember who I was, you know, in law school and, you know, on this nonprofit board, and it is. It's all building on each other. You know, your professional persona is, you know, out there and you should.

I think that's incredible advice to just start thinking about that from day one.

Chris Mammen: So treat them well and develop the relationships.

Diane Downs: So, I'm I would be remiss if I didn't give a plug to the career services people at your law school, as a former career service dean.

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Lee Burgess: That's fine, go for it.

Diane Downs: I'm going to go for it.

Lee Burgess: Go for it.

Diane Downs: One of the things that, that both frustrated me and impressed me when I was in that role. We would try very hard with the first year class to help them do some self reflection about what it is that does drive your passion. And trying to define that. Now, in an interview setting, you may or may not reveal all of that.

However, just even spending the time to know, what is my preferred work style? What is my personality? What is my communication style? What do I want to do? So that the, the job that I'm chasing isn't just well, first of all, you're more poised to, to chase the right jobs. And even if you have decided, you know, in, in some period of time, I want to do X, but first I'm going to do Y.

You at least have a, a valid, reason for going after Y, even if it's not your passion. So you then seem even more genuine for that for that first opportunity, even if it's a stepping stone. And, and that you know, that takes time away from the things that you probably wanted to be doing, which is, you know, applying for jobs or finding, getting ahead of the rest of the class to get that 1L or two, you know, 1L summer opportunity.

But in the long run, I would say being genuine about your passion takes some self knowledge about what your passion is.

Lee Burgess: That's great advice.

Dave Maurer: Couple things. One with what Diane is talking about, I think there are a lot of resources available to law students, and I can look back at, at, at my time in law school that I may not have taken advantage of because I thought, hey, I can figure this out on my own. And career services may be one of those where If you're willing to ask for help and figure out where you can get the information to, to get better, there's, there's a lot of people willing to, I think, help, help you on this journey.

So I jot it down. Don't try to go it alone if you don't, if you don't have to. This is, I think this is important in your career as well. When you get into those areas of uncertainty, yeah, try to figure it out, but you're gonna reach a point where, hey, you gotta, you got to get some input from somebody else.

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The other one at the longer lines of what, what Chris had talked about is, and based on some of the other stuff we were talking about earlier about staying curious and open to continual learning. There's very few people that I haven't learned something from in life that I've interacted with.

Whether it's the, the guy that comes out and trims my tree, you know, the, the waits, you know, the person waiting on me or serving me in a restaurant. that I can't, you know, get something from, and I think if we, if we take the, here's, here's your network in law school, and we broaden that out a little bit, what am I going to be able to learn with all the people I come in contact with, and how can I use that to get better in what I provide to those around me, and those that I'm providing a service to.

I think that mindset can, can be helpful. And then the other one, I'll, I'll go with what I said on the panel. Learn to sell. I think, I think law, law is a business. It's a you know, it's a, it's a vocation that you learn to do certain things and you have to be able to sell those services. What I mean by sell, it's not used car salesman.

It's try to uncover your client's needs. You know what their objectives are and trying to match yourself and the services that you can provide as a solution and the appropriate solution for what they're trying to solve.

Lee Burgess: I think that's all great.

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