

News Story

New Lawyers Can Learn From Those Who Have Been There

Practitioners Provide Advice For Bar Passers

Perhaps the best practice tip new lawyers could ever receive is to watch and learn from their predecessors.

Law school does not teach young lawyers everything they need to know about surviving outside the classroom. That knowledge comes from spending time in the trenches or, at a minimum, from talking to those who have been there.

Seasoned attorneys can help young colleagues with everything from landing that first job to writing a winning brief.

Among the tips provided by some of Michigan's most respected veteran attorneys are:

- don't be afraid to network;
- identify your interests;
- focus on your writing;
- take continuing legal education courses;
- find a mentor; and
- jump right in.

By following these tips, young lawyers can gain the edge they need to survive in Michigan's competitive legal market.

Get A Job

The most pressing concern for most new lawyers is how to land that first job.

Detroit attorney Z. Kay Fitzpatrick, who has more than a decade of experience in bar association work, advises young lawyers to "network, network, network."

"Don't rely on a resume to get you a job," she said.

Instead, "go to local events put on by bar associations ... and talk to people," she added, noting that young lawyers should not be afraid to ask for advice.

"If you feel comfortable talking with someone, ask that person to introduce you to one or two others at the event, and keep doing that until you have met at least five contacts," she suggested. "Then follow up with a note or phone call to those five contacts and invite them to lunch or breakfast or whatever fits into their schedule."

She also said it is appropriate to ask those lawyers to keep their ears open for you.

"Give them enough of your time so that they feel some comfort in knowing you, without stalking them," she advised. "Eventually, that network will grow and those people will help you find something to get you started in your legal career.

Don't 'Dabble'

For those who opt to go "solo," there are additional considerations.

Royal Oak attorney Mark R. Granzotto, who specializes in personal injury appellate work, said young lawyers who want to start their own practice should identify their interests and pursue cases in that area of law.

"Find something you are comfortable doing and are good at," he suggested. "For instance, if you have an accounting background, do tax work."

But don't "dabble," he cautioned.

"I know there are many attorneys who 'dabble' in many different areas of law," he observed. "I see attorneys who dabble in the area of medical malpractice. It's a very dangerous thing to do. You can get yourself in serious trouble."

Granzotto also advises young lawyers to avoid taking personal injury cases just for the money. The pitfalls, he said, can present serious problems.

"My practice is built on the fact that lawyers have made mistakes in the lower court," he stated. "One of the reasons I'm hired is to try to undo those mistakes."

So what should lawyers do to protect themselves?

"Find someone who is more experienced and refer the case or align yourself with an attorney who has experience," Granzotto stated.

And no matter what, he said, you have to cover yourself.

"Obtaining malpractice insurance is a 'no-brainer,'" he observed. "There are too many unknowns and often there is much at stake. You have to begin by protecting yourself."

Write To Impress

Thomas M. Cooley Law Professor J. Mark Cooney told Lawyers Weekly new attorneys should focus on their writing because that is work that can be quantitatively judged.

"I would advise new lawyers to concentrate on giving their supervisors well-written, polished briefs and memos," he said

"Supervising attorneys aren't usually in the courtroom or at a deposition to evaluate a new associate's skills," Cooney advised. "The associate is typically sent to cover those things because the supervisor needs to be elsewhere. But supervising attorneys will most certainly scrutinize a memorandum or brief that a new associate writes for them. So the best way for a new lawyer to impress his or her boss is by preparing thorough and well-written documents."

Keep Learning

Veteran attorneys also strongly recommend continuing legal education even though it is not mandatory in Michigan.

Southfield auto negligence specialist Lawrence E. Gursten said that, at a minimum, new attorneys should attend seminars in the areas of law in which they want to or are practicing. He also advised taking college courses to get an in-depth understanding of some of the most important aspects of your area of law.

"Take medical classes to gain knowledge and attend the seminars so as to avoid committing legal malpractice," Gursten advised.

Detroit attorney Daniel S. Saylor made similar observations, noting that young lawyers will also benefit from staying on top of their reading.

"Keep reading the opinions," he said. "So many attorneys — when they learn how to take depositions or learn how to try a jury case — very seldom go back to the books."

Gursten, like Granzotto, also cautioned young lawyers to avoid personal injury cases unless and until they have some medical knowledge or experience.

"Attorneys try to handle cases — especially traumatic brain injury cases — without having the medical or legal knowledge," he noted. "But these are highly sophisticated cases."

Go For It

Although experts agree that you always have to be careful, sometimes jumping in with both feet is the only way to figure something out — at least on the smaller matters.

Glenn A. Saltsman of Farmington Hills explained that the best time to learn the ropes is when you're fresh out of law school because more experienced attorneys are anxious to be helpful.

"Get as much experience as you can as early as possible," Saltsman said. "If there's a case up for trial in front of a jury that you've been given the opportunity to try, go for it. Don't be scared just because other people in your firm have more experience."

If you're competent enough to go to law school and pass the bar, you should be confident enough to try cases or argue appeals, he said.

Be Civil

When it comes to practicing law, one thing is for sure — reputation matters.

"You've heard it once, you've heard it twice, your reputation is the most important thing you have," Saltsman said. "That can't be stressed enough. Your word is your bond and you have to live by that."

Birmingham attorney John Mills, who specializes in family law, agreed.

"Work hard and don't do anything that would compromise your reputation because the harder you work and the more you're out there, the more your reputation is going to develop," he said. "And

reputation in our business is just about everything. Work hard on developing your reputation early. Get involved with bar associations and get known."

Mathew Kobliska, who practices in Farmington Hills, added attorneys need to remember that, although they are gladiators, they need to be civil.

"New lawyers have the perception that they must be aggressive and contentious to do their job effectively," he said. "But that's not true. While aggressiveness is certainly appropriate in certain situations, aggressiveness for its own sake is harmful to the client's interests and will damage your credibility with your peers and the court."

Instead, Kobliska advised, "know the statutes and court rules, find a good mentor, and be confident enough in your own abilities to handle your cases with smarts rather than belligerence."

Mentor

A good mentor can be invaluable to a new attorney.

And the newer the attorney, the more important it is to find a mentor, Saylor pointed out.

"Mentors are a great source of information," he said, "especially when superiors give the new attorney difficult assignments without any direction."

Saylor also noted that young lawyers should not buy into the "trial by fire" method touted by some of the older attorneys.

"It's far better to be patient and have a lot of tutoring," he stated.

Newbies

Finally, Fitzpatrick turned the tables and advised the veterans to help their new colleagues.

"When I was doing functions for bar associations, I always identified the 'newbies' as they checked into the event," she said. "I would take each of them to a small group of lawyers and introduce them, then tell the lawyers that their job was to introduce that newbie to at least one other person before they walked away from him or her."

Fitzpatrick said she still does this if she notices a lost or lonely face in a crowd of lawyers.

"Those of us who came before should take some responsibility and welcome new lawyers into the 'club,'" she stated.

"That's something that is missing in our profession these days — that sense of camaraderie, and frankly, common courtesy," Fitzpatrick observed. "If a new lawyer has the courage to come to an event without knowing a soul, we have an obligation to welcome him or her."

June 13, 2003