



Commonsense Advice for the Young Lawyer

By Jeffrey M. Black

As I approach the 10-year anniversary of my admission to the State Bar of Michigan, I am at the tail end of being able to call myself a young lawyer, at least according to the Young Lawyers Section's bylaws.¹ I spent the first eight years of my career as a law clerk in the 17th Judicial Circuit Court and have only spent the past two years as an attorney in private practice. So, in many ways, I still feel like a young lawyer.

If I could go back and give myself advice as I began my clerkship nearly 10 years ago or even as I transitioned into private practice just two years ago, it would be this: be impeccable with your word, and don't take anything personally.

Anyone familiar with *The Four Agreements*² will recognize these pieces of advice as the second and third agreements author Don Miguel Ruiz writes about in his book. And while it is a spiritual book, I believe that applying these two agreements can make practicing law more enjoyable.

Be impeccable with your word

To be impeccable with your word means to "[s]peak with integrity" and "[s]ay only what you mean."³

Applying this to the practice of law means that if you say you are going to do something, do it. If you tell a

client that the estate plan you are preparing for her will be ready in one week, make sure it is ready in one week. And if it can't be ready in a week, let the client know as soon as possible. Clients are more likely to be understanding about delays if you communicate with them. If you give opposing counsel your word that you will consent to his amending a pleading, stand by it.

Delivering on promises to clients and being known by other attorneys as someone whose word can be trusted will make your job more enjoyable. You will have happy clients, and when colleagues know that when you say something you mean it, it makes working with other attorneys a lot easier and more pleasant.

Breaking promises to clients leads to unhappy clients, which leads to fewer clients. Unhappy clients will not recommend your services to others. In fact, they'll advise potential clients to not retain your services. Not being trustworthy with other attorneys can create additional work. If attorneys know they can't trust your word, they'll demand promises in writing or involve the court to have promises placed on the record. Just like unhappy clients, attorneys will spread the word that you can't be trusted. And the word will spread...quickly.

Don't take anything personally

Not taking anything personally means:

Nothing others do is because of you. What others say and do is a projection of their own reality....When you are immune to the opinions and actions of others, you won't be the victim of needless suffering.⁴

This is a hard one. I have to remind myself daily of this one. And pretty much every attorney I've discussed



this suggestion with indicates he or she struggles with it as well. Don't take anything personally.

If you receive a nasty phone call, e-mail, or letter from a client, family member of a client, or even another attorney, don't take it personally. If a judge dresses you down at a motion, don't take it personally. If you have an unpleasant experience when dealing with a clerk, don't take it personally.

Nothing others do is because of you. It is because of themselves, their feelings and opinions, and their reality. Even an insult, which can seem very personal, has nothing to do with you.

This goes both ways, however. If a client praises your representation, don't take it personally. If a judge compliments you on your oral argument at a motion or on a well-written brief, don't take it personally. If a senior partner at your firm tells you you're doing a great job, don't take it personally.

Sure, it feels good to have a satisfied client, receive compliments from the court, or make your superiors happy. But, just as when a client, judge, or another attorney is upset with you or insults you, the praise has nothing to do with you. Again, it is because of the others' feelings and opinions and their reality.

Fast Facts

“Be impeccable with your word.” Deliver on your promises and be an attorney whose word can be trusted.

“Don't take anything personally.” Whether good or bad, another person's opinion or actions toward you have nothing to do with you.

Learn from your experiences. Consider your own actions and recognize what works and which mistakes to avoid repeating in your practice.

Speak only the truth. Be known as an attorney who delivers on a promise and whose word or handshake is just as good as a signature on a piece of paper.

Not taking positive feedback personally will make you less likely to take negative feedback personally. Either way, it should not affect you, because the other person is dealing with himself or herself. Whether someone gives you a compliment or insult could depend on something as simple as whether that person slept well the night before.

Some clients will be impossible to please while dealing with others will be a pleasure. Either way, don't take it personally. It has nothing to do with you.

Learn from your experiences

Having said all that, it is still important to consider whether anything can be learned from positive and negative experiences. Don Miguel Ruiz would likely disagree with me here, because it is dangerously close to sliding down the slope of giving weight to someone else's opinion of you, which, as I've repeated ad nauseam, has nothing to do with you.

But what about your actions? Consider the actions you took that led to a positive or negative experience. Learn what worked well and do it again. Conversely, learn which mistakes not to repeat.

If you get a call from an upset client who feels uninformed about the work you are doing on her matter, do not take it personally. Instead, consider if you could have done anything differently. Have you been communicating adequately with the client to keep her informed about the work you are doing? Maybe you have, but this particular client is needier than the average client. Or perhaps this client's matter slipped through the cracks and you need to tweak your system of managing your task list to ensure that such a mistake doesn't happen again.

If a judge compliments your brief on a motion, do not take it personally. However, consider what in particular the judge liked about your brief and remember it for the next time you appear in front of that judge. Having worked for several judges as a law clerk, I can confidently say that judges are like snowflakes—each one is different. No two judges approach their docket the same way. They each have different likes and dislikes. If you are going to appear in court often in your practice, you will

appear in front of many different judges. It is important to get to know what works and what doesn't work with each particular judge. Again, don't take it personally. You will better serve your clients by catering to a particular judge's preferences.

Conclusion

Being an attorney is a privilege that each member of the State Bar of Michigan has earned through years of hard work and study, and it is a rewarding profession. The practice of law involves interacting with human beings and, therefore, involves confrontation, emotions, and strong opinions. Consequently, every attorney must deal with both negative and positive experiences with clients, the courts, and other attorneys.

The practice of law can be made more enjoyable by being impeccable with your word and not taking anything personally. Speak only the truth. Be known as an attorney who delivers on a promise and whose word or handshake is just as good as a signature on a piece of paper. Be immune to the opinions and actions of others, which have nothing to do with you. Otherwise, you could drive yourself crazy trying to achieve the impossible goal of pleasing everyone. However, take time to reflect on your experiences and interactions with clients and adversaries and consider what works and what doesn't in your practice.

Lastly, for any judges offended by my comparing them to a snowflake, remember: don't take it personally. ■



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ENDNOTES

1. State Bar of Michigan, *Young Lawyers Section: Bylaws* <<https://higherlogicdownload.s3.amazonaws.com/MICHBAR/5108a0c8-4139-48c1-b965-34dabae4a975/UploadedImages/pdfs/bylaws.pdf>> (accessed October 9, 2015).
2. Ruiz, *The Four Agreements: A Practical Guide to Personal Freedom* (San Rafael: Amber-Allen Publishing, Inc, 1997).
3. van Warmerdam, *Living the Four Agreements: A Life Changing Journey* <<http://www.tollecspirit.com>> (accessed October 9, 2015).
4. *Id.*