

# The Curmudgeon's Guide to Practicing Law

By Mark Herrmann, published by ABA Section of Litigation (2006), paperback, 138 pages, \$34.95, <http://www.abanet.org/abastore/index.cfm?section=main&fm=Product.AddToCart&pid=5310356>, (800) 285-2221

Reviewed by Tracey Weaver Brame

When I read the first lines of Mark Herrmann's *The Curmudgeon's Guide to Practicing Law*, I wasn't certain that I was the right person to review the book. With chapter titles such as "How to Fail as an Associate" and "How to Enter Time So That Clients Will Pay for It," I thought that this book would consist of little more than inside jokes between law-firm types and would be of no use to a bleeding-heart public interest lawyer like myself.

I was happily proven wrong. *The Curmudgeon's Guide* is the perfect primer for recent law graduates and young lawyers, regardless of their chosen field. Law school and the first few years of practice can be an intimidating, intense, and stressful time.

Herrmann, who affectionately calls himself a "curmudgeon," has written a roadmap for the novice that includes everything from a section on writing a legal memorandum to suggestions for managing an assistant. His sound advice, which evidences his experience in and commitment to the legal field, is delivered in a lighthearted, tongue-in-cheek manner, like taking medicine with a spoonful of sugar.

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Some of the chapters are comprehensive and informative, such as the chapter on presenting oral argument. Others, such as "How to Fail as an Associate," steer young lawyers away from common pitfalls in a facetious, yet insightful way. Lawyers of any ilk will appreciate his comments about billing time, in which he warns associates not to waste clients' money. He analogizes the random billing of time to his children doing everything during their half-hour piano lessons but playing the piano: "Learn to play the piano," he counsels, "don't 'bill time.'" (p 15) The chapter entitled "Dress for Success" is short and to the point, stating simply: "I don't give a damn what you wear. Just make sure the brief looks good." (p 93) Other chapters will make you laugh out loud, such as "The Curmudgeon's Law Dictionary."

There are times when Herrmann comes across as unreasonably curmudgeonly, such

as when he intimates that law school moot court was a waste of time and has little relevance to actual practice. In addition, some of the material is best appreciated by law-firm associates and those in private practice, such as the tedious "Seven Hours Locked in a Room," which teaches the art of the deposition, or his explanation that he loves practicing law because he is a "competitor."

Overall, Herrmann provides an entertaining, smart, and refreshingly inspiring look at the practice of law. Young lawyers will receive much of the advice from others in various forums during the course of their careers. Rarely, though, will they have such fun hearing it. He may not make practice any less intimidating—he expects hard work and excellence from his associates—but Herrmann does relieve some of its stress and intensity. Clearly, he loves what he does, and his "curmudgeon" moniker is a very thin veiling of his labor of love. Pick this one up for the new law graduate in your life, and sneak a copy for yourself as well—it is a good review for all of us. ■



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