Success in the Summer

University of Michigan Law School
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Today’s Program

- Hypothetical Situations
- Instructive Anecdotes
- Handout
10 Commandments

1. Do great work and lots of it
2. Answer the question
3. Think, research, and write with precision
4. Deadline begins with ‘dead’
5. Let others brown nose and gossip
6. Protect firm and client confidences
7. Learn from criticism
8. Don’t be a poster child for boorish behavior
9. Bill your time – promptly and accurately
10. Accept your employer’s imperfections – and hope they will overlook yours
Testing the Depths of Idiocy

- Go Jump in a Pool or a River
- No..... golf carts do not float
- Alcohol does not soften the sidewalk
- Grotesque public romantic melt downs
- Horizontal hula in the conference center
- The view from the fire escape
- Not on my watch.....!
- Reverse sexism on a yacht
- That’s what dogs do.........
A project requires more time than originally anticipated or budgeted

- Bill the time / discount your time?
- Stop work when you get to X hours?
- Seek advice before spending time?
- Hit only the high spots on research?
- Write memo that is less than your best effort?
- Finish matter for “most important” partner first
Politics / People / Practice

- Inherent Part of Law Firm Life
- Managing Perceptions
- Don’t Suffer From Death by Anecdote
- Let your work speak for you
- Maintaining a low profile
- What is at stake?
You are asked to work on:

- Tobacco litigation trial preparation
- Death Penalty pro bono matter
- Appellate brief for convicted insider trader
- Corporate matter for paper products company which cuts 5MM trees yearly
- Represent auto company which builds cars with exploding tires or gas tanks
Conflicting Assignments

- If you can’t meet either or both deadlines?
- Who do you tell and when?
- What if you can do both but it requires you to skip summer program/social functions?
- Look 3-5 days over the horizon
A Rush Project Conflicts With

- Department lunch / court house tour
- All hands meeting with Firm Chair
- Dinner at partner’s home
- Important personal social engagement
- It’s given on Friday in an area you know nothing about
- It’s in a practice area in which you have little or no interest
Partner Insists Answer is “X”  
Your Research Shows “Y”

- Case law is in turmoil
- Law has changed
- Partner’s impression is just plain wrong
- Have you overlooked key facts?
Let’s Make It More Complicated
Caught Between Partners

What to do if junior partner on a case says X is the answer and senior partner says Y
- You think one is wrong
- You think both are wrong
Disappointing Review

- Criticism of work product
- Criticism of writing
- Criticism of attitude / people skills / intangibles
- How do you react?
- Do you argue / disagree / explain
- Surviving in a world of impressions
Dealing With Difficult People
Apply Taco Bell Theory 307

- Abusive Behavior
- Taking Credit for Ideas / Work Product
- Condescending / Arrogant / Dismissive
- Inaccessible
- Chronically Cranky
- Hostile toward summer associates
- Constantly Changing Demands / Schedule
A deadline is looming –
And You’re Way Behind

- What’s the worst thing to do?
- The best thing to do?
- Who to approach
- When to approach them?
- Always have a solution in hand….
Daily Reading List
for the Summer and Life

- New York Times / Wall Street Journal
- Blogs.wsj.com/law
- Your local news and business publications
- National and local legal media
- Above the Law
- Whose Vault is it?
- Your firm’s website
- The race goes to the active, the curious, the committed, and the informed
Rampant Rumors About

- Mergers or Firm Finances
- Changes in Compensation
- Partners coming or going
- Attorney terminations
- Other sensitive firm matters
- Personal Lives of others
Working With Old-Fashioned Partners

- Who don’t like e-mail or voice mail
- Who don’t like IM / PDF / PDA / or anything remotely resembling technology
- Who prefer lawyers who wear ties
- Whose starting salary was $7,500
Conflict or Not?

- You are assigned to work on a potential acquisition of a company where your spouse is employed.
- Same but just a girl/boyfriend or parent.
- Same but litigation where family member or close friend is employed or connected with adverse party.
Conflict or not?

- Your mother is CFO of a direct competitor of a firm client – You are assigned to work on a routine litigation matters for the client (not against the competitor)
- Same facts – but litigation is against competitor
- Same facts but relative is stepfather’s son from first marriage who is prominent public figure
1:1 Dinner Morphs Into Romantic Approach By

- Partner
- Client
- Associate
- Your Advisor
- Another summer associate
- Legal assistant / secretary
Protecting Confidences

- Clients
- Matters
- Anything and everything about the firm and its clients should be treated with tact and confidence
- All of us live in “small cities”
Split Summer

- Commitment to City / Practice / Firm
- Presumption for late arrivals
- Broadcasting your bi-coastal ambivalence
- Campaigning too hard for office X v. Y
Stepping on the Third Rail

- Politics
- Religion
- Sex and Sexuality
- Humor
Conflicting Career Advice
From Partners Re

- Practice Areas
- Wisdom of seeking an L.L.M. in tax
- Spending 3 years as a U.S. Attorney
- Working for particular partners
Confusing assignments

- Missing or contradictory facts
- Unclear/confusing issues
- Trouble finding documents/precedents
- How should you gather what you need without causing the assigning lawyer to break out in hives
Social Events

You and a guest are invited to a dinner party at a senior partner’s home 3 weeks from now. What do you do?

R.s.v.p. promptly – attend – enjoy calamari, sushi, and grouper - have a sparkling time and do nothing anyone will remember next week
Or Perhaps… Instead………………

- RSVP and no show
- Don’t RSVP but show up anyway
- Change the name of your guest 3 times
- Bring your “crew” unannounced
- Complain about the food, drink, seating chart
- Decide you may like another partner’s party better and go there uninvited instead
- Get bombed beyond comprehension
- Major meltdown with your s.o. on the patio
Politics and Electronics

- Take care with BCC’s
- E-gossip is destructive
- Joke of the day
- Every keystroke is known
- A revolutionary concept – stand up, turn off e-mail, and walk down the hall
- Boeing CEO or HLS 2L – it’s all the same
Leaving Tracks in the E World

- E Mail
- Blogs
- Voice Mail
- MySpace Facebook and all the rest
You don’t like

- Your office / Your office mate
- Your secretary / advisor
- Your table at a firm dinner
- The city / The firm
- Assignments or practice area
- Computer system / accounting system
- Compensation
“No Offer” At End of Summer

- Handle the meeting
- Learn the reasons
- Disputing the decision
- Requesting your personnel file
- Obtaining references
- Dangers of forum shopping
- Disclosure to firms next Fall
- Discussions With Peers
Death by diction

Dude they were, like, bizarre. Like I’m still so worried. They were full of like, freaks, and, like, strange dudes. I like wanted to get the hell out. I was, like, wow. But, like, the second firm was, like, spectacular. I think they’ll, like, give me an offer, like, today. They’re, like, the best place I’ve seen.
Death by diction 1970’s style

Dude it was so heavy. So far out I’m still jonesin’ about that firm. It was wacked man – a spaz factory full of chumps and cheese weasals. Those zipperheads gotta get real. Just a major bummer – They made me want to book down the street and catch them on the flip side of nothin. But that second firm was so bad they were bitchen – kind of funky they probably know how to freak out. Solid. Mondo cool. Thought I’d get the offer RFN. Tubular. Can You Dig it?