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Heads Up! Pitfalls ahead. **Think before applying orientation advice and information.**

By Diane Costigan

Talented attorneys and quality work product are a law firm's most valuable assets. As such, law firms today have a keen appreciation of how crucial it is to equip first-year associates with the tools, information and guidance they need to get up and running quickly.

Providing concrete legal skills training to new associates early on is essential, but another element of an associate's success is mastery of the softer skills of process, packaging and customer service. Accordingly, these softer skills are increasingly becoming a major focus of orientation programs.

For example, as first-years you may hear orientation advice that can range from generally telling you not to be afraid to ask questions to how imperative it is to accurately record all of your time. In addition, you may be taught about various aspects of a firm's culture like dress code and "face time" (sticking around the office after hours to keep up appearances), as well as information about policies and procedures such as how to request vacation.

That all sounds simple enough, right? Surprisingly, after implementing this advice or following the enumerated policies and procedures, many first-years may find themselves perplexed to hear negative feedback for doing exactly what they were told.

What could account for this unjust paradox? Is it some twisted form of first-year hazing?

Absolutely not. The training and guidance given to new associates is certainly well-intended. Unfortunately, some first-years, eager to live up to expectations, may blindly apply their new-found knowledge with a resulting inadvertent negative impact. Set forth below are some sample scenarios and suggestions about how to avoid such pitfalls.

Before navigating through these examples, however, remember to consider the following factors about advice in general, and the context of a lawyer's first year in a law firm.

Advice and Context

First, no advice, no matter how well-intended, is going to safeguard against everything that will arise. Each situation is going to have a different context, and the players within each context come with their own personalities, predispositions, previous experiences, preconceived notions, etc.

Thus, as with any advice, you should be mindful of applying it absent an interjection of some good old-fashioned common sense, observation, analysis and understanding of the situation itself. You should also listen to your instincts. Keep in mind that the application of each of the above has served you well previously and are, indeed, the fundamental skills of any effective lawyer.

Second, remember that no one is expecting you to reinvent the wheel. Law firms provide new associates with living, breathing examples of how to execute effectively the guidance you receive (*i.e.*, senior attorneys who have walked in your very shoes). Just look to senior attorneys (preferably ones perceived as being successful and well-regarded – and you will know who they are quickly) and model their work habits.

More specifically, most firms will assign you at least one mentor who is a designated resource throughout your early career. Mentors are a vital resource but do not rely on them to always come to you – it is your responsibility to seek them out.

Third, it is important to keep in mind that law firms are professional service organizations for which customer service is a key element. Firms thrive when partners and senior associates work diligently to keep their clients happy and attract new business.

In a sense, this notion applies to first-year associates as well but with one significant difference: your clients are partners and senior attorneys. Approaching your law firm career with this mindset will serve you well. In addition to delivering top quality work product, placing a premium on your customer service skills will help solidify a solid stream of internal, repeat business.

Finally, a wise partner introduced me to a concept called the credibility bank (or, an overdeveloped sense of responsibility) that can be invaluable to first-years. She makes the point that all of the hard work, initiative, dedication and quality work product that an associate puts forth (*e.g.*, canceling plans, being flexible with your schedule, catching a mistake and bringing it to a partner's attention, indefatigable work ethic, etc.) is, in effect, a deposit into your credibility bank. If you have enough credibility deposited, it is perfectly acceptable to make a withdrawal from time to time to attend to things in your personal life.

You may not always find yourself working with the same group of people as you move from project to project, but positive press on associates travels quickly (and negative press even faster!). However, it is always good to front-load your deposits as early as possible.

Here, now, are a few examples to show how common sense, the resources of senior attorneys and mentors, a customer service mentality, and the credibility bank can be helpful navigational tools during your first year.

Scenario 1: The Business Casual Dilemma. While most law firms are still officially business casual, in reality, many senior attorneys and partners have gone back to business attire. As a result, when junior associates are casual in the office, the perception can be that they are still in “school mode” and not fully committed to making the transition to practice. I have a lot of sympathy for junior associates on this one because many times they are dressing within the confines of the stated business casual policy.

Suggestion: Do your market research. Pinpoint partners and senior associates with whom you want to work and observe and mirror how they dress.

Ultimately, they are going to give repeat business to whomever they feel comfortable putting in front of their clients. Once they are impressed with your professional, savvy style, you can take a time-release approach to dressing in a more casual manner.

If you are going to dress down, contemplate waiting until the end of the week or after a big project is over. It is always important, however, to show senior attorneys that you know when it is imperative to dress in business attire without them having to tell you (client meetings, closings, etc.) so that they know that they can trust your judgment.

At a minimum, keep a suit in the office for that surprise meeting and always make sure to look neat, professional and wrinkle free.

Scenario 2: You Get Four Weeks of Vacation. In reality, even though you may be entitled to it, vacation time is not always that straightforward.

If careful consideration is not given to the timing of, and your approach to, vacation, you may end up with some unhappy clients – particularly if the senior attorneys on your projects have not yet had a vacation and you are requesting one after only a few months. Even worse, you may leave them with a perception that you are disinterested in or not committed to their work.

Suggestion: Particularly if you have been working hard and making substantial deposits to the credibility bank, it is prudent to recharge your batteries. However, it is a good idea to be realistic about when you can take time off, how much and for how long.

To frame it more positively, think of vacation requests as an excellent opportunity to practice your customer service skills. Make sure to give sufficient advance notice and pose your request for time off as a question rather than a definitive statement.

Also, include a clear understanding of your role on the project, a sincere willingness to be flexible and available while away, and your ideas for minimizing disruption before, during and after your absence. If you are moving on to a new project, make the new group of attorneys aware of your previously planned vacation and ensure (while being flexible) that it will not pose a problem.

Undoubtedly, your attentiveness to your client (in addition to your previously established reserves in the credibility bank) will yield high customer satisfaction. Again, a mentor can be a great resource in situations like this to bounce ideas off of and even to help practice what you are going to say and how you are going to say it.

Scenario 3: Face Time Is Not Important. This concept is generally true to the extent that you are already working hard and producing high quality work (*i.e.*, you have substantial deposits in the credibility bank).

The tricky part for first-years is that it can take time to build that type of reputation. You may also have an inconsistent work flow or not always be fully staffed on projects that utilize all of

your time (although the current market is suggesting that this is less likely). In the interim, as you are trying to have a disciplined approach to building credibility, face time can be important.

Suggestion: Again, do your market research and try to be in the office by the time the partners for whom you are working (or for whom you want to be working) generally arrive.

A good amount of work can get assigned early in the morning (especially if others are not around to help out). It can be a great way to get additional responsibility on your current projects or to pick up new work from other partners seeking assistance. This step, when not overdone to the point of annoyance, is good customer service for the partners for whom you are already working and great self-promotion and marketing to the partners with whom you would like to work. The same argument can be made for staying a little later at night, which can be a great time to pick up assignments from mid-level and senior associates seeking help.

If you do not have billable work to perform while putting in some face time, you can record your hours from the previous day or work on articles and client alerts (which, although non-billable, can be a great way to get your name out there and very often leads to billable work). This level of initiative may usher in longer days, but helps front-load your credibility deposits which will benefit you tremendously in the long run.

Scenario 4: Accurately Record All of Your Time and Do Not Give In to the Temptation to Discount Your Time. This is absolutely true and indeed the foundation of how law firms make their money. However, in taking this example to heart, some first-year associates may end up with reputations for being “heavy on the pedal.”

This designation could prevent repeat business. Partners neither like to write time off of their bills, which can impact their realization nor, in the alternative, do they like to explain to clients why the bill is so high. Accordingly, partners will be reluctant to use or reuse associates who they think are liabilities in this regard.

Suggestion: Be fastidious in recording all of the time that you actually spend working for the client. Meaning, if in the course of getting an answer for your client you do some background research, learn about a particular area of law in general, or familiarize yourself with the client’s industry, divide that time out from your actual client billable hours.

Next, discuss that time with another associate on the project, your mentor or directly with the partner for whom you are working. Many times there will be another appropriate place to put these hours such as training, professional reading or even shadowing so that they are still reviewed in some meaningful way at the end of the year.

If, when accurately recording all of your client billable time, you still feel that you have billed too much, listen to your gut and, similarly, discuss it with someone before either discounting or recording all of it. Taking this step will show initiative that you are looking out for both the actual client and the partner for whom you are working.

Scenario 5: Making Sure to Ask Questions, Particularly When It Comes to Making Sure That You Understand an Assignment. The flip side of this advice is that sometimes you can ask too many questions and make partners and senior attorneys lack confidence in your ability.

You never want your clients to be in doubt that you will deliver anything less than the product they are expecting. The challenge is to strike the appropriate balance when it comes to asking questions and seeking guidance.

Suggestion: A good practice is to repeat back an assignment or request as you receive it. This technique can be an effective way to avoid miscommunications or misunderstandings early on. After beginning the project, to the extent that you have major substantive questions, you should definitely go back and clarify so that you can course-correct if need be – indeed, this initiative is usually appreciated. However, when you notice yourself repeatedly asking questions of the partner, take a moment to step back and ask:

1. is the answer within the information I already possess,
2. is there another associate on the assignment who may be able to assist me, or
3. could my mentor be of assistance?

If the answer to all of these questions is no, then by all means go back and ask the partner, but try to limit your exchange to one visit by bringing a list of organized questions.

Scenario 5A: There Are No Stupid Questions. The problem is that while there may not necessarily be stupid questions, there are some that show poor judgment – the perception of which may stay with the person to whom you ask the question.

For example, (this has been slightly modified and can also be applied to theater or sports tickets): “It looks like, due to work, I will have to miss my very expensive therapist appointment. Is this something the firm will reimburse me for?”

Now, with no reflection whatsoever on the validity of therapy, it is perhaps unnecessary to share that level of personal detail with people from whom you are seeking repeat business and who are in a position to evaluate your workplace performance.

Suggestion: If you are concerned that you are about to ask a potentially stupid question, instead of asking the partner or senior attorney directly, reach out to your mentor, office mate or some other neutral, non-judgmental party. You may even frame your question as being “potentially stupid” and for which you are seeking their honest guidance.

Another approach is to ask yourself if there is a more appropriate way to pose the question. In our example, you may simply ask to be reimbursed for an appointment that you have to miss. On the other hand, you may consider paying for the missed appointment yourself (even though it seems unjust), and plan future appointments at more realistic times, as this could increase your credibility bank balance.

You Have All The Tools You Need

While these are examples of potential pitfalls that can happen in your first year, the more positive message in each is that you have an abundance of tools and resources at your disposal to successfully avoid them. The external resources of mentors and senior attorneys are

excellent complements to your own internal resources that have brought you this far along your path – do not forget to make use of all of them.

Finally, while always focusing on producing quality work, do not underestimate the importance of perfecting your customer service skills. Most important, when you do make mistakes (and it is inevitable), view them as learning opportunities that will ultimately help you advance in your career.

Be kind to yourself on your journey and have fun!