



# **2024 Future Leaders Practice Group Seminar**

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**What Every Young Lawyer Should Know  
From a Senior Company Representative's Perspective**

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### Building Relationships with Managing Partners

Building a relationship with a mentor can be a crucial step in advancing your career. An effective way to do so is by expressing a willingness and desire to be mentored by being open to new adventures, being thorough, taking initiative and being honest about your ability to commit to additional work.

*When able just say, “YES!” but do not over commit.*

Young associates should be willing to say yes when work presents itself. By doing so you will broaden your chances of handling different types of cases. Ways to accomplish this include volunteering to partake in drafting a motion on an area of law that is new to you, conducting an oral argument, drafting an article or blog post, attending CLEs, and offering other assistance as requested. These actions demonstrate a helpful work ethic and demonstrate that you are interested in learning and growing as an attorney. Caution: beware not to over volunteer for tasks that you do not have time to complete. This can lead to a less than sufficient product or frustration from the client or managing partner.

To this point, be aware of scheduling conflicts and communicate those with the partners to avoid having too many competing tasks due at once. One thing young associates tend to forget is that there are times you’re going to be extremely busy and times you’re not going to be busy, so things you can get done today should not be left for tomorrow because you do not know when emergencies are going to arise<sup>1</sup>. When given a task that may interfere with other already assigned tasks consider offer a solution (i.e. “I cannot get to this today, but I could get to this in the next two weeks. Is that sufficient?”) Keeping these lines of communication open with the managing partner will demonstrate that you have good time management skills and set reasonable expectations from the outset.

*Avoid Wasting the Managing Partner’s Time.*

When asked to draft motions, letters, or other written material there is no reason to reinvent the wheel but be careful of common mistakes that can cost valuable time from managing partners. It is often common practice to utilize motions or letters that have already been drafted in other similar matter and it is fine to do so. However, be sure to research cited laws and caselaw to ensure that the argument is still valid, and importantly, check for silly mistakes. Often when flipping over a document for a new case, young lawyers can make sloppy mistakes like using the wrong pronouns, not changing index numbers, or – and it does happen – not updating the parties’ names. These types of mistakes, although innocent enough, will leave the managing partner feeling like they must constantly overlook your work to ensure its accuracy and, in many cases, will leave them feeling like their time is wasted.

While you should not be afraid to ask questions, be mindful of the managing partner’s time and do not be afraid to take initiative. For instance, if you have a question about legal procedure that can be answered through legal research – DO THE RESEARCH. Often, we learn and retain information when we are the ones who do the work to get there. Sure, asking a managing partner what the time frame to file a cross appeal may be is a simple and quick solution, but you will likely lose the retention of information. Doing it yourself will show initiative and provide you with retainable knowledge. If, after your own research, you are unable to find the answer, pose your question to the managing partner with the research you have already conducted. This will send the message that you have taken the initiative and could even help the managing partner navigate the answer.

With all of that said, of course you want to be mindful to consider the client’s billable time. If you have found

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yourself going down a rabbit hole on updated caselaw or research for an answer that seems it should be relatively straightforward, do not be too afraid to go to someone else for advice. In many instances, there are great opportunities to go to a midlevel attorney within the firm to ask guiding questions, but again, be sure to present the issue with the efforts already expended to find the answers.

## Managing Client Expectations

*Communication, Communication, Communication*

Ethics rules and regulations mandate that we have reasonable communication with the client as it is necessary for the client to effectively participate in representation. Effective communication leads to better case outcomes, higher client satisfaction, more realistic client expectations, and reduced likelihood of malpractice claims. The following tips will help you abide by ethical obligations and keep your clients content.

1. **Set Clear Expectations from the Start.** It is beneficial to make clear expectations with your client from the outset. Consider providing your client from the very beginning of the representation the days and hours you are available to interact, how often clients should hear from you or your team, who is on your team, the means in which you may be communicating and the means of communication you or the clients prefer. If your client has guidelines to these effects, make sure you are familiar with them and abide by them.
2. **Make yourself available to your clients.** A helpful way to go about this is to carve out time for phone calls or email communications within your day – but more on that in the subsections below.
3. **Regularly Update Your Clients.** Every client should have periodic updates, even when the case has not progressed. If you stay silent long enough for the client to request an update, you may have already fostered some negative feelings. You never want a client asking for an update or an updated report. If you specified cadence of case updates from the outset it is imperative that you abide by those. The same is true if the client has set such guidelines.
4. **Connect Personally with Your Clients.** You are a living, breathing person. Often, we respond to clients as if we are a machine. Let your professional guard down to connect with your clients on a personal level. This will help you understand that particular client's needs (do they need a little more handholding, do they just want someone to vent to, do they want their day in court, do they want to minimize risk). Once you connect with clients on a personal level, they are likely to be more understanding and loyal.
5. **Put Yourself in Your Client's Shoes.** Take the time to understand the client's feelings and perspectives. Keep an open mind, be prepared to listen, and ask clarifying questions. We are called "counselors" for a reason. Often time your client is experiencing a stressful situation and leans onto you for support or has other people that they have to report to,

causing added pressure. Understanding that allows you to be personal with your clients and helps you meet their needs.

6. **Listen to Understand, Not Reply.**
7. **Be Curious and Gentle.** Sometimes our clients need some persuasion. Say there is a settlement opportunity that you think is in the client's best interest but the client initially disagrees. Persuasion involves positioning a message so that it resonates with the audience. Being curious and gentle help accomplish that.
8. **Automate Communication When Appropriate.** When you are out of the office on a long vacation, or even for back-to-back depositions, update your email response to include an away message. Be sure to also put this message on your outgoing voicemail greeting. This limits confusion as to why there was a delay in a returned communication. Even better, don't be afraid to preemptively warn clients that you will be away. This is a good line of communication with clients but also limits the flooding of messages to your inbox while you are out of the office.

## Time Management

### *Keeping up with Email, Voicemail, Paper and other information*

When dealing with the daily flow of information your goal should be to handle each item as few times as possible. If it's possible to fully process an item the first time you deal with it, do so! This means when you receive an email, voicemail or other correspondence decide whether to (a) delete it, (b) respond immediately (c) respond later or (d) file it. Typically responding immediately should be done if it means it can be completed in less than six minutes (or a .1 of billing). However, if a quick – less than six minutes response – is likely to illicit another follow-up email, consider responding to the email with a quick phone call. A lot more can be accomplished over the phone in six minutes, than can happen via email and it will be a lot less cumbersome.

Should it take longer than six minutes to respond to an email, respond later when you can perform the necessary tasks associated with handling the correspondence just *once*. Create a tool that works for managing those communications which you determine to be “respond later”. Some helpful tools are “flagging” emails which turns them red, leaving emails as open windows on your desktop, or adding emails to task list. If the email is from a client and you cannot immediately substantively answer, consider sending a quick (less than six minutes) note providing the client with a reasonable timeline as to when they can expect a substantive response. Leaving a client “on read” so be avoided at all costs.

Another useful task is carving out time to handle communications so that they do not build up and go unmanaged. Do so in a way that works for you. Some attorneys make phone calls at the start of their day on Mondays and Wednesdays, or carve out time to manage emails at the beginning or end of every day. Find something that works for you, but do not let the voicemail and email inbox number tick so high that the idea of handling them becomes daunting – or even worse, leaves a client unresponded to. Similarly, do not let the demands of email derail your productivity.

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### *Keeping Accurate Time Records*

The only way to keep accurate time records is to keep track of your work AS YOU GO. You can do this by utilizing timers in your billing system, writing down start times, or whatever other method works best for your needs. But be sure to put in the time as you complete the task. A good way to check this balance, is to circle back to your timer or note pad at the end of the day to ensure all of your tasks are accurately captured for the day.

An important step to maintaining accurate time records is to minimize interruptions. This includes phone calls, emails, or interoffice interruptions. If you are working on a larger task that you anticipate will take a significant amount of time, consider closing your office door, or turning off the inbox alert sound to your email, while you complete this task. Often the sound of your team at the water machine or coffee maker can be an unintentional distraction as well as the constant dinging of your inbox.

If possible, utilize a cloud-based program to manage billable hours. This allows you to enter time when you are not physically in the office, and let's face it, as attorneys we can spend significant periods of time traveling, at the courthouse, at inspections, at crash sites or at other law offices conducting depositions. Being able to capture this time as you go maintains accuracy.

If you are unsure if your time is "billable" enter it anyway then be sure to read the client guidelines or speak with the managing partner as to whether this is a billable entry. Many software products allow you to enter the time, but later mark it "unbillable". This is a great way to show the client, that you are not afraid to go the extra mile on something even if it is not on the clock. And, as a bonus, some firms may even give you this credit towards your billable target. Even if the entry gets removed, it is better to enter and remove than forget to enter it at all.

### *Dos and Don'ts of "Multitasking"*

Multitasking is actually "the execution by a computer of more than one program or task simultaneously" or "the concurrent performance of several jobs by a computer". This is because the human brain actually cannot multitask. Dr. Edward Hallowell, a Massachusetts-based psychiatrist who specializes in the treatment of attention deficit/hyperactivity disorder and has written a book with the self-explanatory title [\*CrazyBusy\*](#), has been offering therapies to combat extreme multitasking for years; in his book he calls multitasking a "mythical activity in which people believe they can perform two or more tasks simultaneously." In fact, when you think you are multitasking you're really task switching, paying continuous partial attention, or background tasking.<sup>ii</sup>

Task switching is when we switch rapidly from one similar task to another such as tasks that involved speaking, reading or writing. These tasks use the same part of the brain and so they compete with one another for your attention. Continuous partial attention is a state in which a person's "attention is on a priority or primary task, while, at the same time, scanning for other people, activities, or opportunities and replacing the primary task with something that seems more important."<sup>iii</sup>

There are some circumstances where multitasking is a reasonable strategy. For example, some unavoidable activities that can be done almost by habit such as exercising are logical ways to pair with the more palatable tasks such as listening to music or an audio book. But by far, you should almost never multitask if you want to be efficient, when you want your work to be accurate, and/or when the task requires serious thinking. Some techniques for minimizing multitasking and increasing concentration include committing to single tasking at least three tasks a day, not responding to texts or emails immediately unless it is necessary, carving out as much time as possible for focused work, varying your tasks, and delegating when you can.

### *Minimizing Procrastination: Thirty One Ways to Attack Procrastination<sup>iv</sup>*

1. Start anywhere.
2. Start even when you're not in the mood.
3. Start imperfectly.
4. Realize that unpleasant tasks don't get easier over time.
5. Realize that the only way to quell the anxiety associated with procrastination is to start working on the project.
6. Work no more than fifteen minutes at a time.
7. Schedule a catch-up day. Every month or so, set aside a day devoted entirely to those small tasks you have been putting off.
8. The "drive yourself crazy by doing nothing" approach.
9. Ways to deal with writers' block: begin in the middle, outline after you draft. Write out your analysis stream of consciousness style, the letter writing approach.
10. Make a detailed to do list of all the different subdivision of your project and see if there are any subtasks that do not make it sound too horrible and start with those.
11. Don't try to do it all at once.
12. Begin with an "instant task" that takes no more than five minutes, but moves you along the path towards completion of a larger project.
13. The "cut the salami" technique. Cut huge projects down into management pieces, then do a little at a time.
14. Start your day with your most difficult task.
15. Anticipate the pleasure of getting the project done on time.
16. Establish an environment conducive to action.
17. Give routine matters only the time they deserve.
18. Ask yourself if you REALLY need to do the particular task or can you delegate?
19. Search for and then enjoy the pleasure of the task. Make tasks as enjoyable as possible with use of colorful folders, inviting work environment, listen to music/talk radio, or anything else that brings you joy.
20. Do a cost benefit analysis by writing down the benefits of doing a task as well that consequences of not doing it.



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21. Make it a game to see how much you can accomplish in one hour.
22. Don't assume a task will take as long as you think it will.
23. Keep a log of your reasons for procrastinating and you'll likely soon discover that "it's always something".
24. Keep a list of enjoyable procrastination techniques and use them as rewards for yourself after a task is completed.
25. Develop the compulsion to completion. Stay the course and avoid a new task catching your eye.
26. Develop decisiveness in decision making.
27. Make a commitment to yourself to stop working at particular time and refuse to permit yourself to stay late to catch up on the tasks you procrastinated with during the day.
28. Honor your leisure time. Paradoxical though it may sound, making sure you have a reasonable amount of time for rest, relaxation, and just plain fun is one of the best ways to deal with procrastination. It is all too easy to adopt the mindset that we will let ourselves play only after we have finished all of our work. However, work before play is best applied on a daily or weekly context, not monthly or yearly basis. Forcing yourself to work all of your waking hours for weeks on end or feeling as you should be keeping up at that pace, leads to inefficiency, stress, depression and **burnout**. You can be more productive over the long run if you treat your work life as a marathon rather than a sprint and pace yourself accordingly.
29. Attain and maintain a high energy level by investing the time to take care of yourself by following the timeless principles of good health.
30. Set SMART goals
  - a. Specific
  - b. Measurable
  - c. Activity Oriented
  - d. Reasonable
  - e. Time limited
31. Use an *unschedule*<sup>v</sup>. Instead of scheduling time for the very thing you're procrastinating on (work), you *first* schedule fixed commitments (e.g., sleep, meals, commute, showering), self-care activities (e.g., exercise, meditation, yoga) and guilt-free play (hobbies, meeting friends, socializing, reading) – and lots of it, including at least one hour of play a day and one full day off per week. In fact, you never even schedule any work. It only goes on the schedule only *after* you've spent at least 30 minutes of quality, focused time working. And when does it happen? In-between your fixed commitments, self-care activities, and play. Instead of creating a week full of work interspersed with play and leisure, you create a week full of play and leisure interspersed with work. Your calendar changes from a list of unrealistic and overwhelming expectations to a place for fun stuff and a record of your achievements.

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<sup>i</sup> [27 Tips for becoming a 'superstar' associate \(americanbar.org\)](http://americanbar.org)

<sup>ii</sup> <https://www.thenewatlantis.com/publications/the-myth-of-multitasking>

<sup>iii</sup> Linda Stone quote.

<sup>iv</sup> Manage Your Time, Manage Your Stress: Time Management Skills of Lawyers, M. Dixon, October 2012, at p. 18, available at [https://www.americanbar.org/content/dam/aba/publications/franchising\\_past\\_meeting\\_materials/2012/p1.pdf](https://www.americanbar.org/content/dam/aba/publications/franchising_past_meeting_materials/2012/p1.pdf)

<sup>v</sup> <https://www.beyondbooksmart.com/executive-functioning-strategies-blog/time-management-tip-the-unschedule>