



**“The longer you practice, the more it becomes clear that being an effective lawyer is about more than drafting an exceptional motion or presenting the perfect closing.”**

# Young Lawyers

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## IMPROVING YOUR “DESK-SIDE MANNER”

Among the most important skills an attorney can possess are good communication skills. You can have the best, most perfect legal theory for your case, but if you cannot cogently and effectively communicate the reasons your client should win, you will not be able to convince the court. As attorneys, we spend a great deal of our time constructing and honing our formal communications, through pleadings, motions, discovery requests, transactional documents, settlement agreements and the like. We litigators spend countless hours crafting arguments, choosing words and polishing our delivery in front of mirrors and spouses. Yet how many of us use that same effort and precision in our day-to-day communications with clients, opposing counsel and others we work with? Being an effective attorney requires that we communicate well with others in and *out* of the court house.

### Clients are people too

One of the most daunting but important responsibilities for young lawyers can be communicating with clients. You may sometimes wonder if those three years in law school taught you anything about actually practicing law when faced with an actual client. The reality is that you have spent your entire life learning how to effectively communicate; you just need to apply those skills to your client relations. It may surprise a new associate when a partner casually shoots the breeze with a client instead of getting

right down to the nitty -gritty and dispensing legal advice. But what the partner knows is that clients are people, and people want to work with people they like. When you know and care about your clients beyond their current legal matters, and they know and care about you, you form a relationship that can span years and legal issues. That client will return to the firm and ask for your help because he or she knows you do good work – because you care about them.

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### Know your audience

One of your main duties when representing clients is to use your legal expertise to explain to your clients their options, and how their matter is being handled to achieve their goals. It may be tempting to prove you went to law school by

sending your client an opinion letter full of legaleze, citations and equivocations. Avoid such temptations. Specific citations to applicable law are often necessary; however, strive to make certain that this specific client, sophisticated litigant or tender novice, truly understands your advice. If the client is not actively participating in the discussion, make sure to invite questions. It can also be tempting to fill every second with your pontifications on the application of the law in your matter; nonetheless, if you never take the time to take a breath, you may not notice that your novice clients are too confused or shy to make their voices heard.

The same holds true with witnesses and experts. Keep in mind to whom you are talking, and take the time to ensure they feel comfortable with the task ahead. Remember, not everyone is as familiar with the legal system as you are. Some people are terrified by speaking



in public, or the case may be extremely upsetting for them. Most people new to litigation will not know the purpose of a deposition. Make sure to take the time to explain what they can expect: the nature of the proceeding, who will be there, etc., so that when the time comes, your witnesses and experts are as effective and comfortable as possible. Also, make sure that your expectations of them are clear. Don't just assume your witness will show up prepared, ahead of time and professionally dressed.

## Be old fashioned

Just a couple months ago you gave yourself carpal tunnel syndrome signing the 10,000 impersonal Christmas cards your firm sends out every year. But when was the last time you wrote a personal thank-you note and sent it using snail mail? Because personal, hand-written notes are becoming less and less common in the age of e-mail and text messages, they are all the more effective. Get yourself some nice stationary. The next time an expert witness testifies for you, a seasoned practitioner presents an excellent CLE or your assistant stays late to help you with a project, write them a note. Old fashioned letters and thank you notes stand out. When you take that extra bit of time to personally thank someone who has helped you, it not only builds your rapport with that person, it humanizes the practice of law.

In sum, the longer you practice, the more it becomes clear that being an effective lawyer is about more than drafting an exceptional motion or presenting the perfect closing. This is a people business that requires you to help real people through their legal matters. For many, you are helping guide them through one of the most difficult times in their lives. So focus on, and improve, both your formal and informal communications, and you will move, not only your career, but also your clients, toward success. ■