FIRST JOB JITTERS: HOW TO NAIL THE FIRST IMPRESSION

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START WITH WHY -- UNDERSTAND THE ASSIGNMENT

- This process can be dependent on your supervisor:
  - May offer clear, concise, simple directives, or
  - Unclear, incomplete, or hurried expectations
- Regardless, try not to leave their office without a standard set of questions answered. Carry form/check list in with you each time so you can ask follow up questions.
LEARNING ABOUT YOUR NEW ASSIGNMENT-- LOGISTICS

- Who is the client?
- What is the expected format of the assignment?
  - Who is the final recipient of the assignment?
- When is the deadline?
- What is the billing/client number (if applicable)?
  - Do you need to code into the billing process/track time, etc.?
- How much time should the assignment take?
- How would the attorney prefer you to follow up?
- Should you spend additional time reading background files?
What are the relevant areas of the law?

Are there any sources (aside from case law) that the attorney prefer you use?

If you are unable to find relevant law in this state/district/circuit, would the attorney like you to check in before branching out?

Is there a specific case that that attorney thinks would be helpful to start your research?
In the Background

- Is this attorney reporting to another attorney in the firm?
- Find out the attorney’s preferences
  - Secretary, paralegal, another associate
  - Document “stalk” – Don’t reinvent the wheel.
- Writing style
- Formatting
Most research is law-to-fact analysis. Therefore, it’s crucial to understand the client’s facts and how they apply to the situation.

Identify if the situation falls within a general rule, or if you need to start developing/exploring exceptions.

Unclear? Ask! Know that attorneys generally want a fact-specific analysis, not a legal treatise.

Assess where you want to go, frame your research accordingly.
UNDERSTAND COST-BENEFIT ANALYSIS

- Your time is being billed to client, give them a product they’re happy to pay for, specifically consider:
  - Possible outcomes for various actions
  - Consequences for some decisions
  - Ways to minimize costs/risk
  - Alternative courses of action
- Supervising attorney will factor this into the conversation, clients should be aware of all risks and your best judgment of a situation
- Be time conscious, you are accountable with your time. If the partner cannot bill it, then the firm eats that time (maybe worth the learning, but maybe not.)
FOCUS ON COMPLETE RESEARCH, MULTIPLE AUTHORITIES

- **First:** What is the question? What is my goal?
- Know your case, review filings, understand prior issues and their disposition
  - Refresh on dispositive issues (if relevant/timely) to keep in mind when proceeding {e.g. summary judgment, SOL issue, etc.}
- **Next:**
  - Is there statutory authority? (Think: Federal, District, Local, etc.)
  - What does the case law/precedent say?
    - Brief the critical cases in the main case you cite for support (Anticipates the next request from your attorney)
  - Other sources that may help?
    - ALI/ABA, Restatement, law review, CLE publications
- Keep a record of all research, and get clear expectations or limitations of legal databases (WestLaw, Lexis)
  - CITE CHECK!
MAKE A JUDGMENT CALL

- Know the balance between expedient solutions as opposed to careful and thorough analysis.
- If asked to provide an answer, give it. There may be a temptation to argue either side, but this doesn’t lend credibility to your ability to analyze and issue decision on the issue. Pick a position and defend it (with evidence and clear, succinct analysis).
- If speculating on unknown facts, present alternative answers and state the factual assumptions you are basing them upon.
  - Give answers up to the brick wall, meaning if there is a determinative fact you need, say so.
Communicate with Supervising Attorney, Early and Often

- Do not delay in seeking guidance on projects, facts, cases. Know the chain of command so you can follow up with someone else in the absence of the supervisor.

- Even without issues, schedule brief and succinct check in conversations to seek confirmation you're heading on the right path.
  - Don’t overdo it – They don’t want to babysit you; but if you ask for general guidance and the project gets off course it helps CYA on your work.
LEARN LOCAL RULES, FORMATS, TEMPLATES (LEGAL ASSISTANT)

- Don’t make attorneys correct basic formatting issues, citation styles, or header issues
- It’s your responsibility to learn the local rules, firm formats or attorney preferences
  - Legal assistants or paralegals are invaluable here!
  - When in doubt, search the server for a prior sample template, and/or ask for one when you get the assignment – Model on a good draft!
- DO NOT reinvent the wheel
  - But!! Don’t over rely on prior copies, they may have typos and mistakes. Once you submit the document it’s your name on the page. Own it.
ANTICIPATE WHAT YOUR CASE WILL NEED NEXT

- Learn the case as best you can, and always look to the next step. If you’re prepping for a deposition, then prepare a list of possible questions, exhibits, etc.
- Reviewing a case? Brief it, and others relevant to the issue or reliant/foundation to the primary case.
- Prepare a comprehensive case timeline so you can understand what’s coming down the pipeline and be prepared for where the case will focus next.
  - Draft of the next document, formatted and started, but hold for further instruction (don’t waste your time)
  - TIMELINE! Both for the case facts, and procedural (what’s done with file date, and what’s coming up next with deadlines)
- Very impressive to already have a case briefed, project started, or half done when it’s assigned.
COMPLETE WORK ON TIME

- Obvious that this practice is deadline driven, do not wait until the last minute to do a project (they often take longer than you anticipate either through issues, or because a supervisor doesn’t get back to you).
- Build in cushion time, or a false-deadline to motivate yourself.
- Turn it in a day or two early (if it’s a solid product) and show you can manage your time effectively
  - Don’t be the kid who finishes the exam first, only to fail because everything is wrong.
- **Critical punchline:** If you are assigned a task, DO IT. Don’t let it fall off your list. If a supervisor asks for something more than two times, you’ve got a major problem.
  - Don’t independently decide it’s beneath your attention or not a priority. Ask if you’re pinched on time.
FOLLOW UP ON THE ASSIGNMENT AFTER COMPLETION

- Be available for critique, ask for red lines/review on your work after you turn it in.
- Know that you’re new, of course your work is going to need refinement, seek that guidance so you can improve!
- Never let an attorney give you same critique twice!
  - Attorneys (like most people) hate wasting their time. If you keep repeating the same error, attorneys will simply give up and correct the errors themselves. This is bad for you.
  - Keep old drafts to refresh
- **Helpful hint:** When you get a red line, date it at the top, and staple the fresh document (with corrections & the date submitted to the attorney) on top so attorney can see the progression of the work. Also, if they re-correct their first correction you have documentation.
  - Digital? Then Save-As and track changes is your friend. Keep copies!
MAKE A COMMITMENT TO LEARN

- Ignorance is your greatest enemy, which is to say, what don’t you know?

- It’s understandable to be insecure, you’re new, but in many ways, this is a strength capitalize on your newness to learn! You can’t (or shouldn’t) need to ask some of these questions 5 years into practice.

- If you don’t know the word/statute/legal concept, ask a few questions for additional details or context, then do your research – find the answers! Still stuck? Ask your attorney to fill in the blanks.

- Note: Too much silence is bad. If you were getting work, now you’re not, then it’s possible they’re frustrated and over trying to help. Get proactive in fixing the problem.
AVOID MISTAKES THAT RESULT FROM LAZINESS, MISCOMMUNICATION OR POOR JUDGMENT

- You’re going to mess up. Don’t let it be a silly error.
- Cite-check, watch for names, be clear which position you’re arguing, spelling and PROOFREAD!!
- Don’t miss the forest for the trees, pay attention to details, but look up to gauge the big picture so you don’t miss something obvious.
DON’T OVER-COMMIT

- Being the new hire, you will serve many masters; as such, it’s normal to have multiple assignments. If one attorney assigns a task, keep a clear timeline/calender of your tasks and obligations so you can communicate effectively when the next attorney gives you an assignment.

- Try to take on as much as you can but know your limits! It is disastrous if you take the task and fail to deliver (or deliver a bad product), much worse than saying you’re over booked on the front end.
  - Also hurts the attorney who is now working late to correct and file the assignment (read: very unhappy supervisor)

- Timeline crunch on two projects? COMMUNICATE!
HANDLE MISTAKES PROPERLY

If you discover the mistake, work to remediate the error and communicate it to the primary contact on the case, when necessary.

Take responsibility! Don’t minimize or offer excuses; speaks to stronger integrity if you’re willing to take the hit and learn, rather than distract and avoid.

Work hard to mitigate the harm from your mistake.

Overall: Learn from the error! Make adjustments so you don’t repeat the mistake.

“If we learn from our mistakes, shouldn’t I make as many mistakes as possible?”
USE OTHER STAFF AND INTERNS AS A SUPPORT NETWORK

- Treat other interns and associates as colleagues, not competitors. Focus on producing a good product, not upstaging your co-workers. It’s obvious and generally off putting to your supervisors.

- Support staff are the keys to the office, they can be a tremendous asset, or a huge roadblock. Treat them with respect! They know far more than you about the office, attorney preferences, etc.

- The quality and accuracy of your work is your responsibility, not theirs.

- Try to avoid office politics, gossip and negative individuals.
Most firms bill by the hour in 15 min increments. It's important that a client can read the billing statement and understand what you've been doing.

- Be complete and accurate in your descriptions.
  - Helpful Hint: “Thinking” is not enough...
- Don’t discount your time if you feel you’ve been inefficient or are embarrassed it took you so long, a supervising attorney will do that as they see necessary.
- Record throughout the day, don’t do it at 5:00, you will miss time.
- Many programs provide timers, use them!
- Ask to see supervising attorney’s notes/records for guidance!
  - Also a great way to see a timeline of the case; an office manager can usually pull a complete invoice with little trouble.
SUMMER POSITIONS:
THIS IS AN INTERVIEW – IF NOT HERE, ELSEWHERE

- Know that you are being evaluated by both attorneys and staff throughout your time with the firm, in and out of the office.

- Social drinking: It’s ok to have a drink at a social function, limit to one, maybe two. Never drink during the work hours, nor should you feel pressured to drink at any time if that is not your preference.

- Even if this job ends (summer, leave to next position, etc.) your future employer will call to ask about you!
  - Guard your reputation!!
NETWORK: WORK WITH ATTORNEYS IN THE FIELD YOU’RE INTERESTED IN

- Opportunity to explore an area of the law you’re interested in, take advantage!
- Not getting that work? Ask for more, or to attend court/client meetings/depositions with them.
- Ask good questions, follow up!
SEEK FEEDBACK

- Often firms will represent they offer great mentorship and feedback, but you’re the bottom of the priority list, so make yourself heard!
- Don’t wait until the end of the summer, or your annual review to speak up or find out someone is dissatisfied with your work.
  - Beware of too much silence
- Follow up on completed assignments for feedback and review.
  - Solicit one good attribute or strength and one area for improvement if you learn an attorney is reluctant to give feedback
- Early feedback gives you time to remediate before a review and lends credibility to your professionalism.
QUESTIONS? CONCERNS?

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