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Business of Law

By Frank Michael D'Amore¹

If I Had Known Then What I Know Now...Part One

Note: As difficult as this is to acknowledge, I turned 50 in the past year. This has triggered some reflection on what has been learned through 25+ years in the legal profession. It has also led me to ask others who have recently passed this milestone, or are approaching it, about what they may have done differently “if they had known then what they know now.” This is the first of a multi-part series on this topic that will run throughout the year. Readers are encouraged to share their insights by sending an email to fdamore@attycareers.com with their lessons learned. Thank you.

Lesson One: Build Networks Early and Maintain Them Throughout Your Career

Although a lone wolf effort can vault one to the top for a brief moment, the business world is driven by an ever shifting mosaic of relationships, which, if mastered, better pave the way to sustained success. Even a sole practitioner, after all, does not operate in a vacuum, as a range of clients, contacts, lawyers, and others are interconnected with his practice.

A good network is an invaluable resource that serves many important purposes. For some, it is what separates a “Partner” from his lowercase “partner” brethren, as the network serves as the foundation for becoming a rainmaker. For others, a network provides a valued group of persons who can provide advice, support, and perspective at key times throughout one’s career. For still others, the network will be the link to getting a job at various times, as statistics show that about 80% of persons find a new position through their personal connections.

It is easy to lose sight of the importance of a network. Early in one’s career, when there barely is time to sleep after seemingly working around the clock, life can be dominated by a tight group of persons. Building and maintaining relationships with others outside this narrow slice of life may seem pointless.

Forsaking networks is not just the province of the young, as I have seen many new in house lawyers, who just left law firms, abdicate strong networks that they took years to build. These lawyers exhale as they mistakenly believe all those contacts they

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primarily nurtured for business development purposes are no longer important. As things change quickly, they often learn too late just how helpful those persons could have been when a job transition or other development occurs.

Build your network, make it as broad as possible (include lawyers in other firms and companies, business contacts, friends from all stage of life, and others with whom you have formed relationships), and make it a point to stay in touch. This will pay dividends to you many times over.

Lesson Two: Don't Hold Happiness Hostage

I often ask lawyers if they enjoy what they are doing and are happy. Over the past few years, I increasingly have been hearing the following type of answer—you can determine if you have uttered similar sentiments:

‘I will be happy when this trial [or deal] is over.’

‘I should be able to relax and be happier when I make partner [or become General Counsel].’

‘I will be happy if I get this new client [or new matter].’

‘If my compensation reaches _____ this year, I’ll then be happy.’

There are, of course, almost limitless variations on this theme of withholding happiness until some other event occurs. The common denominator is that the persons who most often utter these phrases are among the most successful persons I know. They hold their own happiness hostage and use the prospect of releasing it later as a goal to drive them to even greater success.

This inability to stay in the moment can be self-destructive. There are many developments that occur along the path toward that big goal that merit celebrations or at least positive acknowledgments. Forsaking these even brief moments of joy make the journey much more grim and difficult. This is especially true for those who immediately move on to the next goal before taking a momentary respite to soak in some much-needed positive reinforcement.

Setting targets and being disciplined and determined enough to go after them is what separates elite lawyers from those who are more complacent. As happiness can be fleeting, but can have such a profoundly positive effect, there is no reason to intentionally keep it at bay.

Lesson Three: Overcome the Grip of Inertia

It was Justice Learned Hand who so aptly wrote that: “We accept the verdict of the past until the need for change cries out loudly enough to force upon us a choice between the comforts of further inertia and the irksomeness of action.”

I often see this played out in a recruiting context, as most partners I have placed tell me that they wish they had moved two or three years ago. This is not restricted to lateral moves, though, as lawyers in quite a few other situations idly sit by even though they instinctively know some type of change is needed. This can apply to the in house lawyer who knows that his company is likely to be sold, but waits until that is about to happen before taking steps to secure his future. Similarly, a partner may realize that his practice area is being deemphasized or that changes are afoot in his firm, that he could help influence, but takes no action in the hope that the problem or challenge will somehow go away (which it rarely does).

Most lawyers are risk averse, and, even when they intuitively know that a change (of any type) is needed, fool themselves that the safer play is to keep the status quo. I see this most often in law firms, as there is a peculiar inertia that grips attorneys who otherwise are more proactive in other facets of their life. Lawyers are masters of routine and thus can feel a false sense of security by choosing not to interrupt those habits. Unfortunately, the greatest risk can simply entail standing still: “Playing safe is probably the most unsafe thing in the world. You cannot stand still. You must go forward.” (Robert Collier).

Even those who believe in reincarnation would concede that we will never have another opportunity to live and work in this world as it is currently constituted—it is our one shot. It would be a real shame to look back later in life and realize that you didn’t really stretch the bounds of your full promise because you were bested by inertia—a foe that you should have been able to conquer.

Lesson Four: It’s Not All About You

We are in a profession that is populated by exceptionally bright and driven persons—the winnowing process at every step helps to ensure this. It is made even more competitive by the reality that another crop of hungry and talented law school grads, which contains some of the stars of tomorrow, enters the field each year. It thus is not surprising that those who rise to the very top often have healthy egos, as that can be a byproduct of confident personalities who are not afraid of competition and have the courage to take risks.

I have found though, that a common trait of those who are most successful, and especially those who have the most staying power, is an ability to keep their ego in check. Rather than talk about their latest success, they understand the importance of getting others to talk about themselves, their companies or firms, family, and other interests. This not only deflects attention away from them, but provides a veritable goldmine of information that can be used in a conversation or meeting and can also help to cement a relationship. Studies have also shown that those who are on the receiving end of such inquiries also feel much more positively about the person who has listened to them, as they appreciate the sincere interest in them.

Similarly, quite a few persons have extolled the virtue of helping others, even when this has entailed significant extra effort, has generally gone undetected by most others, and has meant putting themselves second. This is most often fueled by the belief that it is the right thing to do, but also creates “good karma” that may find its way back to them when needed. They also note that those who eschew helping others are much more likely to experience a precipitous fall if they suffer a misstep, as there will be few persons who will be inclined to assist them.

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