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SUMMER ASSOCIATES

Communicate Clearly and Confidently

Convey to your employer that you possess the intellect, dedication and maturity to help serve its clients.

By Jay Sullivan

Welcome, and congratulations! You are now a summer associate, and as such, you are in an interesting, and sometimes awkward, middle ground professionally. While the firm has already chosen to invest substantially in you this summer, and while you will undoubtedly work hard in the coming weeks, you and your firm are, in many ways, still interviewing each other.

While you assess whether the work at your firm interests you and the people at the firm impress you, you want to make sure you convey to the firm that you possess the intellect, dedication and maturity that will help the firm serve its clients well.

Over the last 10 years I have worked with literally thousands of summer associates and attorneys to help them communicate clearly and confidently, both in writing and orally. Effective communication requires specific techniques as well as a particular mindset.



Some of the techniques are covered below. The mindset is this simple: You are more effective as a communicator if you are focused less on yourself, and more on other people.

As a summer associate, you want people to see the quality of both your work and your work ethic. The firm has hired you because it *already assumes* you are smart, so your job this summer is not to show off. Your job is to convey your intelligence and dedication sincerely.

Since many people will interact with you on a cursory level, you will have only a few moments to impress them. Therefore, you must eliminate anything that will detract from or distract them from your content.

Distractions can come in many forms, from inappropriately casual apparel to memos that read like instant messages. This summer, communicating your confidence means conveying credibility.

Most lawyers are haunted by the concern that they are supposed to know all of the answers to client concerns. Although as a summer associate the bar is significantly lower for you regarding your substantive knowledge of the law, you will still feel that you are supposed to have all of the answers to questions that partners and senior associates ask you.

As lawyers, our real value to those we serve is not that we have all of the answers, but that we have the right questions. In other words, when someone asks us about an issue, our job is to understand the concepts well enough so that we can ask the right questions to help us find the right answers.

Later in your career, when you are a highly successful partner, having the right questions means knowing the key components of a transaction or case so that you can gather the correct information. As a summer associate, asking the right questions means that when getting an assignment, you

have to ask certain questions before leaving the partner's or associate's office (see the list of questions below).

Asking questions is a fundamental way of communicating that shows you are genuinely interested in the task at hand, in serving the client, in being helpful to the attorney giving the assignment, and in developing yourself professionally. It will also ensure that when you share the results of your work, you will share information helpful to and on target for the person who gave you the assignment.

An old advertising slogan advised, "You never get a second chance to make a first impression." This summer you will be making countless first impressions. When we first meet someone, we judge that person very quickly on factors that are completely subjective and interpreted through our own personal filters, factors like writing skills, presentation skills, professional interactions—even things as basic as dress and grooming.

These are the "silent discriminators," those factors that people judge us on all of the time, but rarely tell us about. People rarely give us honest feedback on how we have presented information, whether in a formal presentation setting or just explaining the outcome of a research assignment to a senior attorney. And yet, whether you have done a great job or bored your listeners to tears can significantly impact whether that person wants to work with you again.

Writing Tips

During your career, many people will "meet" you for the first time through your writing. They will read an e-mail from you or a draft of a document you wrote long before they meet you in person. Your writing will therefore be the initial impression you make on others. Your written product must stand on its own, and in the long run, is a much more important indication of your potential as a lawyer.

The most important element in your writing is clarity. If you want to be persuasive, be clear. If you want to get buy-in, be clear. If you want a quick response, be clear. A few tips on clarity:

First, write the way you speak, within reason. Writing in a professional setting is different from academic writing.

You are not writing to show someone that you know all of the big words. You are writing to convey specific thoughts. If you can't hear yourself using certain words in conversation, don't put them in your writing. "Heretofore" may be necessary in a contract, but it has no place in a cover letter to a client.

On the flip side, don't write *exactly* the way you speak. I recently received a long e-mail from a client who, at the end of a flow-

of-consciousness diatribe, wrote, "Anyhoo, back to your concern...." Colloquialisms can give your writing color, but they can also make you appear unprofessional if not kept in check.

Second, write relatively short sentences; aim for a maximum of 25 words. Read your sentences out loud. If you are winded at the end, your sentence is too long.

Third, use a standard "subject-verb" sentence structure. Your writing will be more dynamic and easier to read.

Next, give your reader your answer briefly and up front. You're writing a legal memo, not a murder mystery. Don't make your reader slog through a lot of detail before providing the answer.

Finally, edit carefully. Editing does not mean proofreading. You are not looking for typos. You are looking for clarity of thought and logical organization.

Re-read your work from the perspective of someone who has not done all of the research. If at any point you find yourself pausing, pondering and posturing, "Oh yeah, by that I meant...."—stop right there. You must rewrite the passage. You will not be standing over the reader of your

work to explain it. If at all possible, partner with another summer associate. Trade all finished work product with that person before handing it in. If an inexperienced eye can understand your message, you have a well-prepared document.

Presentation Skills

It is highly unlikely that you will be making any major presentations as a summer associate. You will, however, regularly report back to a senior associate or partner on research assignments. In between getting the assignment and giving your final report, you may have to seek clarification or ask for guidance. Here are seven ground rules to help you maintain a professional presence when presenting information.

People respect and are attracted to confidence. Yes, you are only a summer associate. You may be concerned that you are grossly overpaid for what you bring to the table and therefore a little insecure. But now is not the time to be meek. Confidence conveys credibility. Let them know you have what it takes, even if you're still in the developmental stage.

The flip side is to avoid being overly

Before You Leave That Room...!

One of the key elements to completing assignments well is to understand the parameters. When a partner or senior associate delegates a task to you, don't be afraid to ask questions to clarify the assignment. Then, make sure you ask, at a minimum, a few questions that will help you demonstrate you are aware of issues of efficiency and economics. Ask:

By when do you need this? (If the response is "By the end of the day," make sure you know at what time the person is leaving.)

How much time should I spend on this?

How do you want the answer—a written memo or just an oral report?

Is there a particular format for memos that you prefer?

Are there sample documents that I should review first?

What is your schedule between now and the due date for this assignment? (In other words, are you around if I have any questions?)

Who else is working on this project? (other associates and paralegals)

Whom should I speak with about this if I need any guidance?

Remember—questions don't make you seem stupid; they make you appear conscientious.

confident. Remember, you are only a summer associate and are grossly overpaid. Don't let the wining and dining go to your head. No one respects a cocky, obnoxious summer associate.

The best way to appear confident and committed is to maintain eye contact. No one likes to talk to someone while staring at the top of that individual's head. When you are receiving an assignment, it is important to take notes. But don't stay buried in your yellow pad. You are not taking dictation. You should be listening carefully enough to jot down a few words that capture the kernel of each sentence conveyed to you.

Likewise, when you are reporting back on an issue, do not read from your notes as if you were reading from a case book. Organize

your notes with easy-to-read headings and subheadings. Then use bullets for all key points. Keep the writing in the center of the page and use lots of white space. It will be easier for you to get the information without talking to the pad.

The goal here is not to adopt a Charles Manson manic stare. Because there will be plenty of times when you will break eye contact, it is important to be conscious of maintaining it when you can. Otherwise, you will not have any eye contact at all.

When presenting information to someone, don't stiffen up. Just be yourself. Feel comfortable to gesture naturally when explaining a legal concept. Don't think of the exchange as a formal, structured interaction. Treat it instead as a simple conversation.

If you are naturally a very animated person, bring some of that to the meeting. Your challenge in presenting information as a lawyer is to make abstract legal concepts concrete for your audience. Gestures, facial expressions and some vocal variety will help you accomplish that task. I'm not suggesting that you play charades and act out what you are saying, only that you act naturally and speak with enthusiasm.

Professional Interactions

This summer you will interact with many people at the firm in ways large and small. Make every interaction count. Here are some guidelines.

Rule #1: Treat everyone with respect. I have always been surprised by people who

The Confidence-Humility Paradox

Or, how to maintain a healthy perspective and a normal-sized head.

One of the challenges that you will face as a summer associate is the same challenge you will face throughout your career—how to appear confident and credible without appearing cocky and self-absorbed.

Law school will prepare you to think and reason.

Your experience at your firm will help you understand your role servicing clients. Because of your intellect, you will have the privilege of helping clients solve complex issues that will allow them to move their professional objectives forward. You will provide a service of the highest order, requiring an intellectual rigor required of few other professionals.

And yet the law is a service industry—not unlike many of the perfunctory industries that allow the rest of the world to get on with its business.

You will have an easier time throughout your career understanding your role if you maintain your perspective between the content of what you offer and the part it plays in the greater scheme of things.

You Are Not Always the Star

This summer you may find yourself standing in a conference room late at night, helping a Fortune 500 company close a deal that will appear on the front page of the paper the next day. If that happens, read the varying accounts of the transaction in the papers.

In the *New York Law Journal* or *The American Lawyer*, the role of the attorneys will be featured prominently, with listings of the firms involved and the attorneys by name.

The same transaction will be reported in *The Wall Street Journal* or *The New York Times* without mentioning the firms or lawyers at all. How dare they! As if the deal could have happened without you! What gives?

To the greater business world we are the necessary evil. We facilitate the deals happening, and they certainly couldn't happen without us. But we are the functionaries.

When you are standing in that conference room late at night,

watch the catering service bring in the food and drinks. Watch the cleaning staff come in to empty the trash. We are all bit players in the transaction ballet.

In 1988, KKR bought RJR Nabisco. It was the largest leveraged buyout to date and a major event. I was a paralegal at one of the key firms involved in that deal.

I spent the evening in a cab shuttling documents between two law firms and KKR's offices, getting signatures and conveying messages (I was very important.) And yet, I would not have been missed at all if I had arrived in one spot 10 or 15 minutes late.

However, when the coffee ran out in one of the conference rooms at 2 a.m., it was very clear that the guy refilling the coffee station was far more important than I was. In fact, given the reaction of one of the partners in the room at the time, you would have thought we were on "ER" and the blood supply had just run out in the middle of the operation.

It's All About Perspective

So how do we keep the balance between recognizing our own contribution and keeping a level head? Perspective.

Being a service provider means keeping the focus on the clients and their needs. It's never about you. It's always about the client.

When you communicate, keep the focus on the other people. You want to make it easy for them. Simple language that communicates the idea clearly will highlight your helpfulness. Language chosen to show off will highlight your sense of self-importance. In short, always err on the side of being smart rather than appearing smart.

Short answers that deliver bottom-line information are the most helpful to your clients. Follow up with the line, "What additional information would be helpful to you?" Let the clients determine the level and type of detail they need.

When you provide the service without the "self-service" you add your value. Don't worry—we both know the deal couldn't have happened without you.

—Jay Sullivan

spend a great deal of time trying to figure out who they have to be nice to and who “doesn’t matter.” It takes a lot less energy to be nice to everyone than to figure out who is worthy of basic courtesies.

Secretaries can save your skin or make your life at the firm miserable. They are professionals. Treat them with the respect they deserve. If you get a bad reputation with support staff as a summer associate, it will haunt you well into your career at the firm.

Associates’ reputations make the rounds through secretary networks at a pace that makes e-mail seem like the Pony Express. I know a first-year associate at a major New York City law firm who, only three weeks into her job, was voted “Most likely to be assassinated in the elevator” by support staff. She didn’t last the full year at the firm.

“Please” and “Thank you” go a long way with everyone, including secretaries and paralegals.

In addition, don’t abuse deadlines. Not everything is a rush. If you cry wolf with every word processing job, you will destroy your credibility with support staff and will find yourself without a key document or piece of information at a true crunch time.

Rule #2: Never walk into a more senior attorney’s office with “a problem.” Your job isn’t to pass difficult problems off to someone else. Instead, present possible solutions and seek advice. It’s never, “I don’t know what to do.” Instead, try, “I’ve thought through this matter. We could take position ‘A’ or position ‘B.’ I’m leaning toward ‘A’ but thought I would get some guidance first.”

No one will fault you for not knowing an answer. But everyone will be annoyed if you do not put the effort in first to consider your options. In addition, people will be impressed that you have the confidence to offer your opinion.

Rule #3: Always carry a pad and pencil when you walk into a more senior associate’s office. You will always look ready to work. If you are there to present information, don’t be afraid to use notes. People appreciate that you respect their time and want to stay on

track. No one ever said, “Please, come into my office and ramble.”

Rule #4: When answering questions, give yourself some thinking time to articulate a better answer. We speak at about 135 words per minute. Our brains can provide information at 10 times that rate. Use your mind’s power to your advantage.

By repeating or rephrasing the questions, or using a lead-in such as “Good question,” or “Key point,” you can buy your brain a few precious seconds to figure out not just what you want to say, but how you want to say it.

Some people think of this as a stalling technique. It’s not. It is actually a more efficient use of everyone’s time. You will give a better answer to the question, and the listener will leave with a better understanding of the issues. The alternative is greeting a question with that “deer in the headlights” look that says not only, “I’m not sure,” but “And I just forgot my own name,” as well.

When will you come up with the best answer to a question a partner asks? On the subway on the way home. In the shower the next morning. Right after you walk out of her office. In all cases, that’s too late. At least by buying yourself a few seconds, you improve the chances of coming up with a better answer than if you just blurt out the first thing that comes to mind.

Rule #5: Listen. Listen carefully. Listen with everything you’ve got. You will do a much better job on an assignment if you get the assignment right to begin with.

In working with partners and senior associates, I hear stories all the time about junior attorneys who did great research but on the wrong topic or with the wrong focus. In doing so, they have wasted their own time as well as that of other attorneys. In addition, the firm often has to write off the time billed, which makes everyone miserable.

Do not be afraid to ask for clarification of an assignment. It means you are conscientious about everyone’s time and about doing a good job for the firm. The attorneys you work with will appreciate that.

Dress and Grooming

Our dress and grooming are often the first factors others consider in forming an opinion of us, and yet the last things they will ever comment on directly.

For example, no one is likely to tell you that you look like you just rolled out of bed. And yet people don’t hesitate to comment behind someone’s back, “Why does she arrive at the office every day with wet hair? She always looks like she just got out of the shower.”

Undoubtedly, like many of you, I am “fashion-challenged.” I wear a plain white shirt every day because I cannot figure out what kind of shirt goes with what tie and which suit. If being up on the latest styles is important to you, consult an expert at Barneys or Brooks Brothers—and lean toward the conservative.

If your firm has a casual dress code, remember, “casual day” doesn’t mean “slob-fest.” Everyone is watching. Impress them with your creative legal thinking, not your creative tattoos.

Have Some Fun

You have a lot to learn this summer. Keep your eyes and ears open. If you communicate openness to learning and eagerness to working, you will be richly rewarded.

You have already done well for yourself in life by getting through college, most of law school, and the on-campus interview process. Now, be yourself. Let your personality be reflected in your work, and make each first impression a lasting one. •

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28 West 44th Street, New York, NY 10036

Phone: 800.394.1700 Fax: 212.684.2688

info@exec-comm.com

www.exec-comm.com