

American Bar Association Young Lawyers Division The Young Lawyer

Effective Communication Tips for Young Lawyers

By Neil J. Dilloff

Perhaps the most important skill for a young lawyer to develop is effective communication. From the initial job interview to the courtroom or conference room, almost everything an associate does involves some form of communication. Even when you're not speaking, you're still communicating through body language. To communicate effectively and create a positive impression on your listeners, whether they are partners, judges, clients, opposing counsel, or assistants, consider the following tips.

1. **Be courteous to all.** Some new lawyers appear to be instantly taken with their new status—the big salary, the (relatively) big office, the prestige—and, as a result, they develop something else that is big—a big head. Stay humble. Be kind to your secretary, don't forget to celebrate Administrative Professionals Day (Wednesday of the last week of April), say hello to the nighttime janitorial staff when they come to empty your trash, be courteous to the guy from the mailroom, and be nice to anyone else whom you need to survive. One day, you may need someone to make copies for you so you can make it to a deposition on time. Or, what if you need a light bulb changed in your office late Friday afternoon or a dead mouse removed from behind your bookshelf (as a result of eating at your desk or stashing food in your drawer)? Don't let your good fortune at landing a high-paying job make you pompous because "here" today may be "gone" tomorrow, especially in today's legal market.
2. **Less is more.** Young associates who write fifty-five-page memos when ten pages suffice do themselves and their clients a disservice. Clients are paying for your time. Don't beat around the bush—get to the point. The history of contracts is not necessary background to explain why the defendant breached a contract. You will impress your boss with pithy ideas and short, to-the-point suggestions rather than long-winded, Latin-filled speeches or memos. This technique might have worked in law school, but Dorothy isn't in law school in Kansas anymore. Welcome to Oz.
3. **Speak English.** Just as less is more, clearer is better. Unless a Latin phrase is essential to your memo or oral report, don't try to impress anyone with your command of a language that no one else speaks and that most partners never took in college. If your boss must look up a term in *Black's Law Dictionary*, either he is "over the hill" or you are in trouble for trying to unduly dazzle him. Which one do you think he will conclude? When writing, short, clear sentences are best. If you have three or more commas in a sentence, take another look and see if they are all really necessary.
4. **Adopt the good communication habits of your boss or successful senior associates.** Everyone needs a role model. The person who evaluates you and decides how much money you are going to make is a good choice. Read what your boss has written, pay attention to her red markings on your drafts, and copy her vocabulary or word choices (e.g., she never sees "problems" only "challenges"). If done properly, copying another's style and phrasing is an effective form of flattery. It will be hard for your boss to criticize your word choices or grammar if you pretty much sound like her. However, don't be obvious or obsequious about it. If you have another role model or mentor, such as a senior associate, use that person as a sounding board.
5. **Clarify instructions.** The biggest communication problems arise from either a total lack of communication or miscommunication. When I was an associate, I would confirm my understanding of an assigned task in writing to the partner to avoid later misunderstandings. Today, with e-mail, such confirmation is even easier. So do it. Keep a copy of the confirming e-mail as a reference. Moreover, if the partner communicates back to you confirming your understanding, terrific; if you haven't properly understood, you will be corrected before you spend sixteen hours and thousands of dollars on Westlaw. Similarly, put your important directions to others in writing.
6. **Confirm in writing important agreements with opposing counsel.** A corollary to my fifth communication tip is to make sure that all important agreements and understandings with opposing counsel are confirmed in writing. It is quite common for lawyers to forget, misinterpret, or intentionally misconstrue oral communications. To avoid future problems, confirm everything important in an e-mail or letter with the other side. (Take a hint from juries: if it is in writing, it is pretty much a fact; if it isn't, it is suspect. Does "If it was so important how come it wasn't put in writing?" sound familiar?)

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- 7. Keep a hard copy of all important communications and documents.** Call me old fashioned, but I like paper as opposed to electronic impulses that disappear with the combustion of a battery or the loss of electricity. It is wise to create and retain hard copies of all important key documents, agreements, and e-mails to which you need reliable and unfailing ready access.
- 8. Make sure that your assistant knows where you are at all times during the business day.** The legal profession is a service-oriented business. It is important that clients, potential clients, and your superiors and co-workers can find you as necessary. I suggest that you provide your secretary with a duplicate copy of your schedule on a daily basis and update changes in meeting dates, times for conference calls, and other events to keep your secretary informed as to where you are. If your secretary needs you and can't find you, it can not only frustrate her and your boss, it can also cost you an opportunity for an interesting engagement or assignment.

None of these tips are law-specific. They represent commonsense practices in the working world, whether you are a lawyer, doctor, or any other service provider. Following these suggestions will enhance your chances of success in the legal profession or any other.

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