

Foreword to the Second Edition

David Lat

Founding Editor, Above the Law

Thirteen years have passed since publication of the first edition of *The Curmudgeon's Guide to Practicing Law*. In today's rapidly changing legal profession, that's an eternity.

These thirteen years have seen three presidential administrations, half a dozen new Supreme Court justices, one Great Recession, the rise and fall of major law firms, and a plethora of transformative technologies. Like so many other fields, the practice of law has been advanced and disrupted by innovations like artificial intelligence, Big Data, and blockchain, to name just a few.

Many aspects of practicing are far easier today than they used to be. Just ask any lawyer who can remember what it was like to review documents in hard copy instead of on a computer screen, or what it was like to file briefs by delivering them to the courthouse instead of clicking a button.

But in some ways, the demands on lawyers are higher than ever. With great technology comes great responsibility. Thanks to all the new programs and platforms at their disposal, lawyers are expected to get more work done, more quickly and more accurately, than ever. Thanks to all the new methods of communication available to them, not just phone and email but now

Skype and Slack, lawyers are expected to be more responsive to clients than ever.

Many lawyers still bill clients based on time, so the work just expands to fill the time available (and then some). The tools and instrumentalities used for specific tasks have changed, but the modern lawyer's work is never done.

Over these years, *Curmudgeon's* author Mark Herrmann has changed as well. Since the first edition, he left the large law firm where he was a partner for many years and now serves as a senior in-house lawyer for a major international company. Now partners as well as associates live in fear of disappointing him.

But some things never change. And these things make *The Curmudgeon's Guide* as useful and relevant as ever.

There's a reason why *Curmudgeon* is the best-selling book in the history of the ABA Section of Litigation. It has helped tens of thousands of people succeed in the practice of law (or run away from it screaming). The Curmudgeon's advice to new lawyers is clear, concise, convincing—and timeless.

The tools used by lawyers to do their work have changed over the years, but the requirements for being a great lawyer have not. Succeeding as a lawyer still requires professionalism, commitment, collegiality, and integrity. And if you want to learn how to achieve these values, then you're reading the right book.

Millennials now represent the largest segment of the U.S. workforce, and research shows that they differ in notable ways from past generations. But these differences in no way undermine the Curmudgeon's wisdom; if anything, they underscore it.

Millennials switch jobs more often than members of past generations. In a Gallup poll, 21 percent of millennials reported that they had changed jobs within the preceding twelve months, more than three times the figure for non-millennials.¹

If you're going to be at a job for just a few years, and if you want to ensure that your next job is better than your current one, then you need to make the best impression that you can in the limited time available to you. The Curmudgeon shows you how.

Millennials value work-life balance more than past generations. According to a survey by the World Services Group, work-life balance is the top career priority for millennials. They want reasonable hours, and they want flexibility in terms of where they work those hours.²

If you don't want to spend lots of "face time" in the office, then you need to be efficient when in the office, and responsive when not in the office. The Curmudgeon tackles these topics.

But non-millennials can also learn from the Curmudgeon (and enjoy his dry, sly sense of humor). Attorneys of all generations—including those yet to come—must know how to write well, manage effectively, argue persuasively, and dress appropriately. They must also (eventually) learn how to land clients, to service clients, and to bill clients. The Curmudgeon demystifies all of these subjects.

1. Adkins, Amy, *Millennials: The Job-Hopping Generation*, GALLUP (2016), <https://www.gallup.com/workplace/231587/millennials-job-hopping-generation.aspx>.

2. McCabe, Sean, "Work-Life Balance" Top Priority for Millennials, *Global Survey Finds* (Jan. 23, 2018), <https://www.accountingtoday.com/news/work-life-balance-top-priority-for-millennials-global-survey-finds>.

There's a reason why Mark Herrmann is one of the most widely read columnists at Above the Law, the legal website that I founded more than a dozen years ago, with millions of pageviews to his credit. He's not just smart and insightful; he's honest.

In some precincts of the profession, such as certain large, white-shoe law firms, there's a culture of gentility that too often manifests itself as indirection. A partner, worried about hurting an associate's feelings, won't give the associate honest feedback—which means that the associate never learns what he's doing wrong and what he can do to improve.

That's not the Curmudgeon's style. He explains, with clarity and candor, how young lawyers succeed—and how they fail. He tells it like it is—which is why he has such a large and loyal following, both online and off.

The Curmudgeon's Guide to Practicing Law is a classic. Read it, reread it, and live (or at least work) by it. Take care of this book, and it will take care of you.