WELCOME LETTER FROM THE COMMITTEE CHAIR >>
By: Charles Coffey
A welcome address from this year’s Law Practice Committee Chair.

ARTICLES >>

How to Get Where You’re Going: Networking 101
By: Alyssa Barton
Networking advice to help effectively create and leverage your network to your advantage.

Deposition Techniques: Open Doors with Strong Rapport
By: Abbigail Webb
How to utilize rapport rather than intimidation to garner information in depositions.

NEWS AND ANNOUNCEMENTS >>

WANT TO MAKE THE MOST OF YOUR ABA MEMBERSHIP?
Then visit the ABA Everyday membership initiative found here: http://www.abaeveryday.org/

UPDATE FROM YLD PUBLIC SERVICE PROJECT
Information on the inaugural outreach project this October.

UPDATE FROM DISASTER LEGAL SERVICES TEAM
Updates regarding the new team and how to prepare yourself for any upcoming disasters.

UPCOMING EVENTS
A list of exciting events including a Twitter Chat, CLE Webinars, and the upcoming ABA YLD Fall Conference in Little Rock, Arkansas for members to participate in this year.
WELCOME LETTER FROM THE COMMITTEE CHAIR

Welcome to the Law Practice Committee of the Young Lawyers’ Division (YLD)! I will strive to do my best to make this year a productive one for our membership, where we will have unique and valuable educational and professional development opportunities. These include CLEs, networking events, and print and electronic updates. It is my goal to give all of us the opportunity to grow in our professional knowledge and competence and make valuable personal and business connections. I strongly encourage participation in committee conference calls (the first to be scheduled in the near future) and ask that you e-mail me with suggestions for programming and other valuable committee activities.

One great way for you to be involved is to write an article for our next newsletter or for the website. If you are interested in writing or want more information, please contact Lauren Marsicano (lauren.a.marsicano@gmail.com).

If you have any questions about the Committee, would like to learn how to get involved, or would like to offer any suggestions, please feel free to contact me.

Before I go, one shameless plug: the Committee is co-sponsoring a program at the ABA YLD Fall meeting on October 16, 2015, entitled “The Technological Edge: iPad for Lawyers (CLE).” It is a great way to learn how to use technology to bolster the efficiency of your practice.

Thank you,

Charles Coffey (cscoffey@thebarplan.com)
How to Get Where You’re Going: Networking 101
By: Alyssa Barton*

It can’t be emphasized enough how important networking is to all attorneys, young or old: whether you’re entering a new practice area, seeking to establish your business, or building your client base, networking is a critical component to success. The following are some tips, in no particular order or hierarchy, that I’ve learned over the years and try to put to practice when it comes to meeting lucrative business contacts:

1. **Attend events. Lots of events.** A basic rule of networking is to attend events related to the field you’d like to practice or are practicing in currently. Prepare a 1-2 minute elevator speech about yourself beforehand to effectively sell who you are and what you do, or want to do, while at the event. I’d also come prepared to thoroughly discuss your resume: jobs held, cases you’ve worked on, types of clients you’ve represented, articles you’ve published, or for young or new lawyers, any internship experience, research projects, or volunteer work relative to the field. The name of the game is sell sell sell. Mix, mingle, shake hands, and exchange lots of business cards to get your name and face out there in the relevant business community.

2. **Be Positive.** Everybody knows that people network for a specific business related purpose—it’s not to make friends or for entertainment. In fact, many business professionals dislike networking. But if you act as though you’re a soldier following orders or if you can’t stop dwelling on the fact that you’re having a bad time and keep thinking “I’m only here because I have to be here,” you’ll come across as rigid and unapproachable. Don’t let yourself have a “bad” time, but be yourself. If you let your true personality show, it can also help you warm up and come across as a more genuine person. Young attorneys or those first venturing out into a field might not be able to wow with wisdom and war stories, but a friendly and positive personality will generally make a better impression than a cold or bad tempered individual.

3. **Reputation is everything.** Remember that your reputation is everything—it will stay with you forever. It takes years to build up but just one false move to ruin it. This is why I’d recommend socializing as much as possible in as many forums as possible to hone skills like filtering, speaking eloquently, responding smoothly to unexpected questions, and speaking in front of an audience. I’d also recommend dressing conservatively in a freshly pressed suit and abstaining (to the extent possible) from drinking or smoking cigarettes at networking events. Your appearance and mannerisms can build your reputation with people who may never even meet you but simply see and judge you from across a room.

4. **Join related groups.** Whether you’re volunteering with a non-profit or joining a group with a paid membership, it’s important to get out into your community and engage in activities related to your field. Working on a non-profit board can help build invaluable team, leadership, and business organization skills. Working on a committee of the bar in...
your state can also help expose you to movers and shakers in your field. If you can’t get on a board or committee, almost every type of law practice has a group or division of the bar designated for it that will hold networking events. Your extracurricular activities can and likely will matter to a future employer, so it’s important to have at least one relevant activity on your resume.

5. **The informational interview.** Getting to know other attorneys who practice what you want to do is essential. Talk to everyone you know to see who they know and if they can connect you with their contacts. If you expend those resources, then use the bar resources available to you in your state, or the all-knowing Google, to find commonalities with local attorneys who practice in your field so that you can use those commonalities to connect. For example, if you went to the same undergrad or law school, are from the same hometown, or clerked for the same judge, these types of commonalities can be the foot you need to wedge in the door to gain access to an attorney for an informational interview. Send a professional email requesting to speak to them by phone for 15 minutes, or offer to treat them to lunch or coffee if you’re close enough to meet conveniently. Do your due diligence about a contact before any interaction with them so that you can focus your time together on getting a feel for what they think about their job and field, or if you already know that that is the field you’d like to practice in, then focus on selling yourself while gaining insight as to what tactics they think will help you better position yourself to land the job of your dreams.

6. **Maintain the connection.** Send Thank You’s and follow up meaningfully with contacts so that they don’t forget who you are. It is important to maintain relationships and build on them—don’t just send one email and never speak to the contact again. Attend conferences and events where you can re-introduce yourself to lucrative contacts. Provide updates about yourself or about events or issues in the community that you’re working on or involved with to make sure you stay in people’s minds. A job opportunity may not be available right now in your field but one may pop up months or a year from now, so whether or not you get the job could turn on who remembers you when it comes up.

These tips should help you get started on the path to where you want to be. If there is any other advice to give, it’s “start now.” It’s never too soon to start networking, and in fact, the earlier you get out there, the better off you’ll be.

*Alyssa Barton is the sole member of Barton Law LLC, a firm established to provide legal assistance to other attorneys and law firms engaged in environmental and land use related law in South Florida. Her goal is to support the sustainable use of our natural environment and resources through the practice of environmental, land use, zoning, governmental, and real estate law. Alyssa has four years of combined litigation experience in property insurance and association law, as well as three years of management experience and four years working on the Board of Directors of an environmental non-profit, including most recently as President. She worked for 18 months as a legal fellow with National Parks Conservation Association and also takes on pro-bono cases on behalf of local environmental non-profits in her spare time.*
Deposition Techniques: Open Doors with Strong Rapport
By: Abbigail Webb

You have likely seen attorneys use a harassing, aggressive, interrogative approach to their depositions. Besides being borderline unethical, this approach does not best serve your case and ultimately your client.

Deponents who feel like they are under attack will close up, and may even become hostile. Instead, your goal should be to make the deponent feel more comfortable. If you successfully develop a rapport with the deponent, he or she will open up to you and give you better and more thorough testimony.

Here are a few of my own tips for developing rapport:

Before the deposition begins:
- Smile and shake hands.
- Ask the deponent if the temperature is ok with them, if they would like a coffee or a water, if they had any difficulty finding parking.

Once the deposition begins and you are on the record:
- Thank them for being there.
- Tell them that if they need a restroom break or a glass of water or anything, just let you know and you will pause the deposition for them.
- If case appropriate – tell them that you are there to understand “their side of the story.”

During the deposition, sit back and really listen to the witness’s answers. Give them all the time they need to respond. Pay attention to feelings. If you can tell that they are angry about something, ask them if they are angry and find out why. If they are sad, allow them to feel comfortable enough to share their feelings. Provide the witness with tissues if necessary, and be sympathetic. Give them their space. A surprising number of witnesses feel like they are not being “heard” during the litigation process. Allow them their opportunity.

Pay attention to your own body language. Make eye contact and mirror the witness’s body language. If appropriate, tilt your head to the side, and lean in. Do not scribble a bunch of notes while the witness is speaking.

If you have to go into a subject that is uncomfortable, address and acknowledge it. For example, “I’m sorry, but the next few questions may be uncomfortable for you. But because the complaint includes a loss of consortium claim, unfortunately, my job requires me to ask you these questions.”

If someone’s house burned down, you could say for example, “I’m really sorry for your loss. And I know it must be painful to discuss. So the next few questions may be uncomfortable for you and I want you to know you can take all the time you need to answer them.”

Ask open ended questions that allow the deponent to tell their story. For example:
- “What happened after you opened the front door?”
“How did you feel once you first smelled smoke?”
“What ran through your mind when you heard John shout?”
“Help me to understand what you mean when you say you were ‘defrauded’.
“Explain to me why . . .”

Once you have the entire story on the record, then you can go back through with the razor sharp questions so that you have a better question/answer record. If you ask sharp questions during the time the witness is telling the story, couch the question as follows: “I just want to make sure I understand. Specifically what did you do when . . .”

I recommend ending a deposition with the following questions: “I came here to hear your side of the story. We’ve sat for several hours and discussed what happened. Is there anything that you want to clarify that you said earlier and just didn’t have time to finish your thought? Is there anything that you’d like to add to make sure that I am understanding the whole picture? Is there anything that you would like my client to know that we haven’t discussed already today?” In 25% of my depositions, I learn valuable information from these last questions.

In summary, be caring, kind, and considerate and pay attention to creating a rapport. Aggressive tactics are not only unprofessional but they do not ultimately aid your client in procuring a better result.

*Abigail Webb is an attorney at Liebler, Gonzalez & Portuondo, a 60+ attorney firm based in Miami, Florida. She practices litigation across the state of Florida handling civil and commercial lawsuits in both a defensive and offensive capacity. Ms. Webb received her Juris Doctor cum laude from the University of Miami School of Law, and received an LL.M. in international commercial law with merit honors from King’s College London. Ms. Webb may be reached at AEW@LGPLaw.com.

**NEWS AND ANNOUNCEMENTS**

**Want to Make the Most of Your ABA Membership?**
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**Update from YLD Public Service Project:**
Inaugural Outreach: The Public Service Team will hold its inaugural “World Wise Web” outreach on Friday, October 16, 2015 at 9:00 a.m. at Henderson Middle School in Little Rock, Arkansas. This outreach is in conjunction with the ABA YLD Fall Conference. If anyone is interested in volunteering for this outreach, please contact ckannenb@fclaw.com.

**Update from Disaster Legal Services Team:**
New Team for 2015-2016: The DLS team welcomed three new members to its team for this bar year: Karl Bach, Victor Flores, and Victoria Nedospasova. Returning to the team from last year is Wendy Ellard, Kim Goins, and Matthew Vlasman. Former DLS Director David Nguyen was appointed as Special Advisor and is helping the incoming DLS Director, Andrew Van Singel, transition into his new role.
A Disastrous Start to the Bar Year: The DLS team responded to an unusually high number of disasters in a short period of time (four, to be exact) in Texas, Wyoming, Saipan (I had to google where that was) and Kentucky. To put things in perspective, last year DLS was implemented only once, for the flooding in Michigan. The DLS team dodged the proverbial bullet as several hurricanes in the Atlantic and Pacific bypassed U.S. soil. Despite the volume of disasters, the DLS team responded swiftly and quickly to help disaster survivors get the legal help that they need.

Resources: Everyone should be thinking about disaster planning, whether it’s to help out the YLD DLS team, or in your own personal or professional life. Visit Ready.gov for ways you can prepare yourself for disaster. Also, don’t forget to check out the ABA Disaster Legal Services website as well as the Disaster Legal Aid website for up to date disaster-related information.

**UPCOMING EVENTS:**

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<th>Program Name</th>
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<td>10/14/2015</td>
<td>Addressing Mental Health Stigmas in the Legal Profession</td>
<td>Twitter Chat</td>
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<td>Hosted by ABA YLD and Rachael Barret of The Dave Nee foundation (@Neefoundation)</td>
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<td>10/15/2015-10/17/2015</td>
<td>YLD 2015 Fall Conference</td>
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