

Associate Marketing Checklist

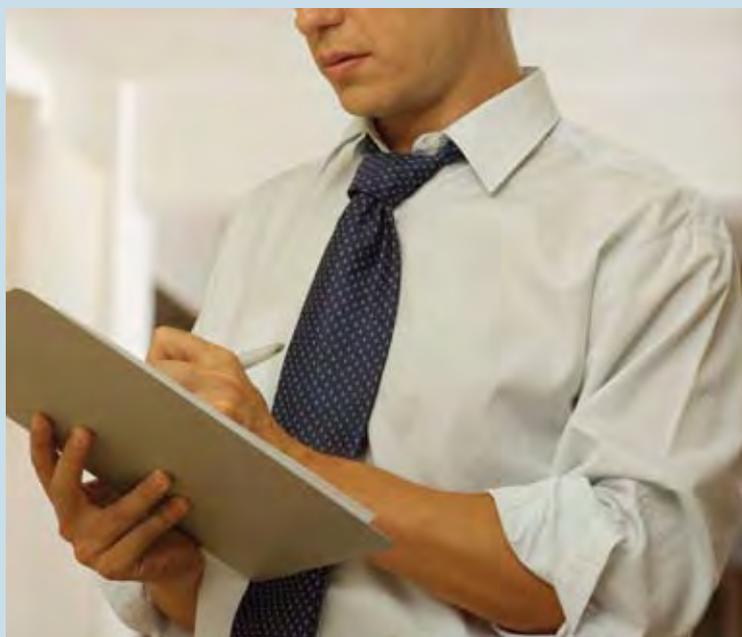
By Larry Bodine

As a young lawyer, you've probably heard a lot about the importance of marketing. Indeed, it is essential to becoming a successful lawyer. But before you can become a rainmaker, you need to lay the groundwork. The following checklist will help you stay on track in building a client base from your first job as an associate to the day you make partner.

First-Year Associates

Your job is to excel at delivering legal services. Don't worry about originating new clients or work right now. Your short-term goal is to start building your network. Your long-term goal is to avoid being a 40-year old lawyer with no clients.

- ✓ Volunteer for assignments and ask your firm's "rainmakers" for assignments.
- ✓ Start visiting your clients in person when possible.
- ✓ Take your client contacts out for breakfast or lunch.
- ✓ Whenever you receive a business card, write three things on the back: the date, where you are, and what you talked about.
- ✓ When you return to the office, immediately create a contact record for the person in your e-mail or firm CRM system.
- ✓ Create a mailing list, and keep it updated.
- ✓ Join a bar association, and learn the law.
- ✓ Scrub your Facebook page to eliminate anything that you don't want a client or a managing partner to find.
- ✓ Go to www.LinkedIn.com, and create a complete profile with a good picture.
- ✓ Send out holiday cards to those on your mailing list.



- ✓ Participate in firm functions where clients are present.

Second-Year Associates

This is the year to start building your reputation. You still shouldn't worry about originating new clients or work yet. New business comes in through relationships. Begin building business relationships now.

- ✓ Find a mentor.
- ✓ When you receive an assignment, ask how the business came to your firm.
- ✓ Get to know your colleagues in your firm. Your best business development ally may be down the hall.
- ✓ Join a committee at the bar association.
- ✓ Ask your clients what meetings *they* go to, and join them.
- ✓ Buy a box of thank-you cards and a roll of stamps. Start a habit of writing short personal notes.
- ✓ Write an article for a partner or practice group.
- ✓ Create a local listing for

yourself on Google. Visit www.google.com/local/add.

- ✓ Join a group on LinkedIn.
- ✓ Read articles about marketing and business development.

Third-Year, Fourth-Year, and Fifth-Year Associates

Now you have some experience, and it's time to differentiate yourself and to start thinking about how to bring in clients.

- ✓ Declare your major. Visualize the kind of person you'd most like to have as a client. Then reflect on the legal work that you most enjoy. Your goal is to find these ideal clients and solve their problems with legal services.
- ✓ Start thinking of yourself as the owner of a business who must bring in business for the company. Stop thinking like an employee who is a worker bee and whose career is to take assignments from others.
- ✓ Develop a 30-second commercial. Develop a concise

■ *continued on page 2*

Time to Hit the Books: How to Prepare for a Technical Case

By Andrew J. Gabel

As a young lawyer who is unfamiliar with construction law, you may find yourself representing a civil engineer in a case involving faulty construction on a bridge. You are sure to encounter complex, technical questions in this case, such as whether the standard of care was met in providing a seismic analysis for the widening of a bridge. How will you prepare yourself for this challenge?

When representing design professionals, such as architects or engineers, you must immerse yourself into your clients' profession. In lawsuits, you may even need to become a subject expert in your clients' field. This requires hard work and being a quick study. Whether it involves learning about a seismic analysis for a bridge widening or learning why your client designed a weather barrier system in a particular way, lawyers cannot let any stone go unturned if they want to effectively represent design professionals.

The hard work, however, is well worth it. As a political science major, I wondered if I could ever master the technical knowledge needed to successfully represent design professionals. But, ever since I took my first technical case, I have not looked back.

Representing design professionals affords me many rewarding moments in my young career. These professionals are leading the way in building an environmentally sustainable future that will not only save millions of dollars in energy consumption but also reduce the impact of such energy use on the environment. I like knowing that by represent-

ing these clients, I am helping build that future.

If you find yourself lacking a background in science and facing a new, technical area of law, do not despair. If I could master the requirements for a seismic analysis, you can master the necessary technical concepts in your case. The following tips can help:

- Borrow textbooks from the local university library on relevant subjects. Start with an introductory-level book to master the subject-area terminology, and then move on to the specific issue you face.
- Use your expert. Never be afraid to ask your expert the most basic question. It will not only help you learn, but also will give your expert practice explaining opinions that can be understood by the trier of fact. If you can't understand your expert, how will a judge or jury?
- Take an interest in your client's field. Spend time learning exactly what your client does on a daily basis. This also will help develop a good attorney-client relationship.
- Join a networking organization for young professionals in your client's field. They offer events where you can make contacts with potential clients, and they can be fun.
- Attend continuing education classes in your client's field.
- When in doubt, seek advice from colleagues who represent similar clients.

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Top Five Mistakes Litigators Make in Arbitration

By Charlotte E. Thomas

Arbitration is different from litigation in many respects. First, there is no judge in arbitration; rather, the parties select an arbitrator or a panel of arbitrators to resolve disputes. Second, arbitration is usually more flexible than litigation; it is designed to accommodate the specific needs of parties to disputes. For these reasons and to save money, many parties choose arbitration over litigation. But for arbitration to translate into lower legal fees, the parties need to cooperate to reduce the scope of discovery and motion practice. Litigators who are accustomed to navigating courtrooms can overlook the emphasis on cooperation in arbitration.

Several experienced arbitrators were asked what they see as the most common mistakes that litigators make in arbitration. Their answers may help you in your next arbitration. The top five mistakes are below; to see what mistakes ranked 6–10, visit www.abanet.org/yld/tyl/febmar10. You might be surprised what they are.

1. Attempting to “game” the system to achieve the upper hand. There is no doubt that it is possible to “game” civil practice rules for tactical advantage in litigation; for example, a party with greater financial resources may try to conduct more discovery or motion practice than needed to gain the upper hand over a party with lesser financial means. In arbitration, parties are not supposed to use the relatively flexible rules of arbitration to increase costs or to “game” the system. One arbitrator we surveyed complained about counsel trying to establish a record for one of the limited reasons that could justify an appeal (e.g., a conflict of interest). Another arbitrator we surveyed



stressed the importance of lawyers avoiding frivolous arguments or positions and conducting themselves in an intellectually credible and respectful fashion.

2. Excessive document requests and resisting reasonable document requests. Generally, requesting an excessive amount of documents is only costly to the party responding to the discovery request. But, when one side seeks broad-ranging document discovery, usually the other side responds in kind. Arbitration aims to reduce legal expense by containing discovery costs, including all parties limiting document production to only necessary documents. Some arbitrators we surveyed complained about lawyers using the same excessive and unnecessary document requests as are used for tactical purposes in litigation. Others complained

of parties that resist reasonable document requests; such resistance, according to the arbitrators, causes parties to incur additional expenses for motion practice, attorney time, and arbitrator fees.

3. Failure to cooperate with opposing counsel. Litigators may forget that a high level of cooperation with opposing counsel is expected in arbitration. For example, parties in arbitration cooperate to reach agreement on how certain evidentiary rules should be applied and how to dispense with a form of discovery, such as depositions. Failure to cooperate in arbitration can lead to additional prehearing meetings or telephone calls, which can result in more hours worked by arbitrators and higher bills for the parties.

4. Delay tactics. Some delays in arbitration are unavoidable,

such as when a business is unable to commit the resources to a discovery request. But, experienced arbitrators can see through the smoke screen of strategic delays. Arbitrators we surveyed said they often see delay tactics used by respondents. Engaging in such delay tactics may taint the arbitrator’s perception of the delaying side or result in the arbitrator setting aggressive schedules to overcompensate for the delay.

5. Delays due to lack of preparation. Some of the arbitrators we surveyed said that they have encountered counsel and witnesses who

were not ready to proceed at the arbitration hearing. They pointed to the informal nature of arbitration, as compared with litigation, as a common reason for the lack of preparation.

The “Top Ten Mistakes Litigators Make in Arbitration” were assembled by canvassing the following lawyer arbitrators: Louis Coffey of Coffey Consulting Co., William G. Frey of Gibbons P.C., Jerome J. Shestack of Schnader Harrison Segal & Lewis LLP, James Greenberg of Duane Morris LLP, and Bernard Chanin.

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Associate Marketing Checklist

■ continued from page 1

- description of yourself in terms of (1) what you do (e.g., “I’m a dealmaker,” or “I settle disputes”); (2) what kind of clients you work for; and (3) what kind of problems you solve.
- ✓ Attend a seminar on business development.
- ✓ Present a custom CLE program for a client.
- ✓ Find a hot topic, and present a webinar with a partner.
- ✓ Give a speech to an audience of clients, potential clients, and referral sources.
- ✓ Write articles in industry magazines or Web sites on topics that interest your ideal clients.
- ✓ Use LinkedIn to receive introductions and request recommendations.
- ✓ Offer to be the editor of your practice area’s newsletter.
- ✓ Propose to write a blog.

Sixth-, Seventh-, and Eighth-Year Associates

You are close to being promoted to partner. Now is the time to demonstrate that you can bring in business.

- ✓ It’s time to write a business development plan.

- ✓ Complete this statement: “I want to be responsible for bringing in \$_____ in originating collections this year.”
- ✓ List clients for which you are the handling or billing attorney. Enter dates when you will visit them at their offices.
- ✓ List everyone outside of your firm who has referred you a client or business file. Meet with each person face-to-face and set up an express referral arrangement.
- ✓ Pick one trade association and go deep. Attend all the meetings, and aim to get on the board.
- ✓ Write down a list of businesses that you would like to represent. Ask your firm marketing professional to identify the decision makers of those businesses who are in charge of hiring lawyers. Make a pointed effort to meet these target people and develop relationships with them.

To get more career tips on marketing for associates, view the full-length version of this checklist at <http://bit.ly/AKTRv>.

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Life Insurance 101: Know Your Options and Risks

By Reneé Leskiw

As a young lawyer, the last thing on your mind probably is dealing with death and dying. Drafting a will or a living will to protect those whom you would leave behind is likely on your to-do list but not at the top. It generally is a topic that is uncomfortable. But, to ensure you're on solid financial ground, you should consider what is going to happen to those whom you love after you are gone.

In the event of your death, you probably want to ensure that family members who are dependent on your income are cared for after you are gone. If nothing else, you'll want to have arrangements for your end-of-life expenses, including funeral and burial fees. If you have any debt, including a mortgage, that debt is transferred to your estate. If you have a spouse who was jointly liable on one or more debts, he or she then becomes solely responsible. Can your spouse pay that mortgage alone? Did your parents co-sign for your student loans? Can they pay these loans without dipping into their retirement funds?

An easy and inexpensive way to ensure that these final expenses are accounted for and that your dependents are financially secure is to purchase a life insurance policy. A life insurance policy will secure an amount of money that is to be paid upon your death to those whom you designate to receive the money. This money then can be used to settle debt and to provide financial security for those dependent upon you.

Even if your employer offers some life insurance coverage, you should ensure that your life insurance portfolio protects all of your financial obligations. In most cases, employer coverage is one to two times of your annual gross income. However, the average amount of money needed to pay for after-death expenses and to settle debts can be 5, 10, or 20 times of your annual gross income.

There are many types of insurance products that you can consider purchasing. Choosing which option is right for you depends upon what level of risk you feel you have, whom and what you are trying to protect, and how much you are willing to pay for insurance.

Term life insurance is perhaps the most basic and least expensive form of life insurance. It provides protection for a specific period of time, such as the same period of time as your mortgage term, while children are in the home, or when children will be going off to college. Level term life insurance offers premiums that are locked in during that time period, usually for 10, 15, 20, or 30 years, during which premiums rates will remain level.

Permanent life insurance offers life-long protection but with higher premium rates than term life insurance. Permanent life insurance may have the option of earning dividends, although not guaranteed, that can be applied toward the premium.

Whole life insurance offers protection throughout your entire life if premiums are paid. It also includes living benefits by allowing loans or withdrawals against the value of the policy while you are still living. Any withdrawals or loans are counted against the death benefits. Premiums remain level throughout the life of the policy, with rates usually higher than term insurance.

Universal life insurance provides permanent life insurance protection that pays the benefit amount if death occurs before the policy maturity date or pays the cash value (which accumulates through premiums paid over the life of the policy) if the insured is living at the maturity date. Premiums increase each year based on your age.

Whatever choice you make regarding life insurance, now is the time to consider applying

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for life insurance. For the initial application process, you will likely be required to provide your health history. If you apply for life insurance now, when you're younger and probably most healthy, you may receive lower premium rates throughout the life of the policy.

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NEXT STEPS

■ Established by the American Bar Association in 1942, the American Bar Endowment (ABE) is a §501(c)(3) not-for-profit organization that, among other activities, provides all ABA members

with the unique opportunity to purchase quality, affordable insurance from trusted insurers while giving back to the good works of the legal profession. The ABE sponsors Group 10- and 20-year Level Term Life Insurance plans at affordable rates exclusively to ABA members. Learn more at www.abendowment.org/yld.asp.

Justice for Four Little Girls: The Bombing of the Sixteenth Street Baptist Church Cases

By Doug Jones

On September 15, 1963, four young African-American girls, Denise McNair, Addie Mae Collins, Cynthia Wesley, and Carol Robertson, died from a bomb blast that ripped into the ladies lounge of the Sixteenth Street Baptist Church in Birmingham, Alabama. The shockwave created by this senseless tragedy was felt around the world and proved to be a pivotal point in the struggle for civil rights in this country. But it was not until May 1, 2001, that a jury in Birmingham convicted Thomas Edwin Blanton, Jr. of murder for his role in the bombing. A year later, on May 22, 2002, another Birmingham jury convicted Bobby Frank Cherry, who was the last surviving suspect in the crime. I had the privilege of prosecuting both cases.

The first of the Sixteenth Street Baptist Church bombing cases was actually prosecuted in 1977 by then Alabama Attorney General Bill Baxley. As a second-year law student, I cut classes

died in prison. It was not until May 2000 that a state grand jury indicted Blanton and Cherry, who were later separated for trial.

The Blanton and Cherry trials took jurors on a journey back through history. Some of the jurors had lived during the time of the bombing, while others had only learned about it in school. The prosecution used black-and-white video footage and photographs to walk jurors through the black-and-white world of 1960s Birmingham, a constant, albeit subtle, reminder throughout the trial of a once-segregated city.

The juries' historical journey started in Birmingham in 1957, when Rev. Fred Shuttlesworth attempted to enroll his children in the all-white Phillips High School. He was met by an angry mob of white men, about ten of whom proceeded to attack Rev. Shuttlesworth and his wife in front of the school. The scene

able wearing overalls in the garden than wearing a suit sitting in a courtroom. Witnesses identified Cherry, however, in the thick of the mob attacking Rev. Shuttlesworth and using what appeared to be brass knuckles. Beginning with opening arguments, jurors were shown what Bobby Frank Cherry was like as a 33-year-old man in 1963: a member of the Ku Klux Klan (KKK) who resorted to violence to stop integration.

Jurors then learned through photographs and testimony that 1963 and the months leading up to the bombing were pivotal times for the city of Birmingham and the civil rights movement. In the spring of 1963, the famous "children's marches" were organized by Dr. Martin Luther King, Jr. and others to integrate the public facilities of downtown Birmingham. Civil rights leaders and marchers protesting segregation faced Birmingham Public Safety Commissioner Bull Connor's high-pressure fire hoses

judge in Birmingham approved the school board's desegregation plan.

On September 10, 1963, five days before the Sixteenth Street Baptist Church bombing, two African-American students, Dwight and Floyd Armstrong, enrolled at Graymont Elementary School in Birmingham. For the first time, Birmingham had an integrated school system; Blanton and Cherry saw their segregated way of life eroding. It was, I believe, no coincidence that five days after the schools were finally integrated a bomb was placed under the steps of the Sixteenth Street Baptist Church on a Sunday morning as young church members prepared for a youth worship service.

The evidence that was introduced in the Blanton and Cherry trials had many similarities. Testimony from the victims' families and from those on the scene was essentially the same in both trials, but the evidence that pointed to the guilt of each defendant was considerably different.

The Blanton jury heard evidence of the defendant's hatred for blacks and his membership in the Ku Klux Klan. Tapes were played of conversations between Blanton and an informant in which Blanton joked about "bombing my next church." There was testimony by James E. Lay, a former civil defense worker who identified Blanton and Chambliss as the men he saw standing by the side of the church at 1:00 a.m. two weeks prior to the bombing. The man Lay identified as Blanton was holding some type of satchel and standing next to the steps where the bomb was eventually placed. Investigators who had interviewed Blanton following the bombing testified about Blanton's inconsistent statements concerning his whereabouts the weekend of the bombing. Finally, the jury heard Blanton himself, on tape, admitting to being part of meetings where the bomb was planned and made.

In the Cherry trial, there were witnesses, including an ex-wife, a granddaughter, and a former co-worker, who came forward and gave compelling testimony about Cherry's admissions to them over the years. Like Blanton, Cherry also gave many conflicting statements about his whereabouts the Saturday night before the bombing. His latest version of where he had been that night was that he was home early because his wife was dying of cancer and that he always watched live studio wrestling on television at 10:00 p.m. However, the prosecution introduced medical records proving that Mrs. Cherry was not diagnosed with cancer until 1965, two years after the bombing, and that there was no Saturday night wrestling on TV in 1963. Most significantly, Cherry admitted to being at the Modern Sign Shop with Blanton and Chambliss on the Friday night before the bombing—the same Friday night and location where Blanton said on tape that "we" had planned and made the bomb.

In both trials, the prosecution's case concluded with our most powerful witness. There were actually five little girls in the ladies lounge of Sixteenth Street Baptist Church that Sunday morning. Sarah Collins Rudolph, Addie Mae's sister, was the lone survivor of the bombing. As our last witness, she testified about walking to church that morning with her sisters and going into the basement and the ladies lounge with Addie. As she went to wash her hands, she turned around and saw Addie tying the sash of Denise's new dress. The explosion then trapped her beneath rubble, which caused her to be unable to move and see. While testifying on the witness stand, I asked Sarah what happened after the explosion. "I called out for my sister," she said. "What did you say?" I asked next. "I called out Addie, Addie, Addie," her words echoing in a silent courtroom much as they would have thirty-eight years earlier in

■ continued on page 6

I never imagined that twenty-four years later I would stand in the same courtroom as the United States Attorney for the Northern District of Alabama and finish prosecuting the Sixteenth Street Baptist Church bombing cases.

and watched from the balcony of the courtroom as the trial of Robert Chambliss unfolded. I never imagined that twenty-four years later I would stand in the same courtroom as the United States Attorney for the Northern District of Alabama and finish prosecuting the Sixteenth Street Baptist Church bombing cases. Chambliss was convicted and

was captured on 8mm film and is standard footage in most civil rights documentaries. The footage of the mob beating of Rev. Shuttlesworth also had additional importance in the Cherry case.

To the courtroom spectator, Bobby Frank Cherry appeared to be anybody's grandfather: a 71-year-old man more comfort-

and police dogs. In the summer of 1963, the national civil rights movement also gathered steam with the March on Washington, where Dr. King delivered his famous "I Have a Dream" speech. That same summer, the United States Court of Appeals for the Fifth Circuit ordered Birmingham's schools to integrate, and on August 19, 1963, a federal

The Birmingham Pledge: A Call to End Racism Now

By Jim Rotch

In October 2009, I had the privilege of speaking at the ABA Young Lawyers Division Fall Conference in Birmingham, Alabama. My topic was the Birmingham Pledge, a biracial, grassroots effort that began in the Birmingham community in 1997 to eliminate racism wherever it exists, one person at a time. That talk led to this article.

Racism has been a plague upon our nation throughout our history. It has caused untold misery and suffering in our country and around the world,

The Birmingham Pledge has helped facilitate that process.

The Birmingham Pledge was created in November 1997 on my drive home to Birmingham from a leadership retreat in Mobile. As I drove, I became inspired by the retreat and reflected on a lifetime of encounters with racism in my native state of Alabama and beyond. I wondered how we as a society could ever free ourselves of racism's bondage. I began to collect my thoughts on a legal pad. The words I wrote that day, which focused on the inherent

Birmingham Pledge organization would then record and publicize the signed Pledges. Publication of those who signed the Pledge would produce two important results: (1) to bolster the resolve of those who signed the Pledges to keep the commitment and (2) to encourage others to follow their lead.

In January 1998, the effort to spread and implement the Birmingham Pledge was launched publicly at the annual Dr. Martin Luther King, Jr. Unity Breakfast in Birmingham. At the breakfast, approximately two thousand

young girls who were killed in the Sixteenth Street Baptist Church bombing in Birmingham.

Today, the Birmingham Pledge movement is led by the Birmingham Pledge Foundation, a not-for-profit organization that initiates and coordinates projects intended to promote civil dialogue about race and advance the cause of eliminating racism. Projects include Pledge drives, youth programs, teacher training, poster and mural programs, educational materials development, subject-related conferences, and many others.

As a young lawyer, **you** can provide the leadership necessary to achieve true racial harmony in this country and across the globe. You can become actively involved in the struggle to eliminate all vestiges of racism and to promote a national, civil dialogue on race and prejudice by utilizing the Birmingham Pledge within your own realm of influence. There are many ways to do that: Visit the ABA YLD Web site www.abanet.org/yld for detailed information about projects that can be undertaken in your community. Visit the Birmingham Pledge Foundation's Web site at www.birminghampledge.org to sign the Birmingham Pledge and learn more about the work of the Birmingham Pledge Foundation. The information on those two Web sites may cause you to think of other creative projects.

Since the American civil rights era began, great strides

have been made in eliminating racism. Laws that are designed to provide very basic human rights, e.g., the federal Civil Rights Act of 1964 and the federal Voting Rights Act of 1965, have played an important role in combating racism. These laws are reasonably effective in modifying people's actions, but laws alone cannot change people's hearts and minds—*something more* is needed before racism can end in this country. Racism is not just a black/white issue. With changing demographics of our country, Hispanics and others experience its ugly effects on a daily basis. We must have highly effective tools for appropriate dialogue on the difficult issues of race. The Birmingham Pledge, with its motto "Sign it, Live it," is one of those tools.

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NEXT STEPS

■ Visit www.abanet.org/yld/thadt/ to learn about the ABA YLD 2009–2010 Public Service Project "They Had a Dream Too: Young Leaders of the Civil Rights Movement," which is designed to educate 11th and 12th grade students about the civil rights struggles that have occurred since the 1950s and to inspire them to become future leaders.

THE BIRMINGHAM PLEDGE: SIGN IT, LIVE IT

- **I believe** that every person has worth as an individual.
- **I believe** that every person is entitled to dignity and respect, regardless of race or color.
- **I believe** that every thought and every act of racial prejudice is harmful; if it is my thought or act, then it is harmful to me as well as to others.
- **Therefore**, from this day forward **I will** strive daily to eliminate racial prejudice from my thoughts and actions.
- **I will** discourage racial prejudice by others at every opportunity.
- **I will** treat all people with dignity and respect; and I will strive daily to honor this pledge, knowing that the world will be a better place because of my effort.



and it underlies many of the problems we face as a society today. Racism in our country is not as overt or widespread as it once was, but we know it persists. We still find it difficult to talk about the subject; therefore, all too often we don't. Until people are able to talk openly, honestly, and civilly with one another about racial issues, racism in this country will continue. Part of the solution is to create and sustain a national, civil dialogue on race.

worth of every person and the dignity and respect to which every person is entitled, were in a short time adopted by the Birmingham community as the Birmingham Pledge.

After composing the Pledge, my strategy to implement its words was simple: expose as many people as possible to the Pledge, challenge each person to commit to its words, and ask them to sign the Pledge and then send it to a Birmingham Pledge organization. The

people stood and read the Pledge aloud. From that humble beginning, the Birmingham Pledge, which was boosted by the concurrent growth of the Internet, quickly spread around the world.

In 2000, Congress passed a Joint Resolution in support of the Birmingham Pledge. In 2002, President Bush issued a proclamation that declared the week including September 15 as National Birmingham Pledge Week. September 15th is the anniversary of the death of four

In Order to Make Rain, You Have to Know How to Gather the Clouds: Tips for Young Lawyers on Client Development

By Myra L. McKenzie

Young lawyers who want long, successful careers in private law firms must work to exceed supervisor expectations, satisfy billable hour requirements, and please clients in the hopes of one day becoming partners and rainmakers. However, these efforts alone do not automatically equal rainmaking. As we know, in nature, rain does not appear spontaneously; rather, the atmosphere must be right, elements must be aligned, and clouds must be present for rain to fall. Likewise, in business, client development requires multiple steps and a focused effort. The ten tips below can assist lawyers who are trying to figure out how to gather the clouds needed to make rain.

Do good work and always add value. As a young lawyer, your first priority must be to learn the practice of law and become a very good lawyer. To be a very good lawyer, you must deliver timely and quality work product, put forth extra effort, and be indispensable to your firm. Showing how you add value to work will help you develop a good reputation within your firm and legal community and build goodwill amongst clients and potential clients. A good reputation is critical to the art of rainmaking.

Find out if you have a client development budget and use it. Determine if your firm has an associate client development budget. If such a budget exists, apply for and strategically use such funds. Importantly, you should keep a clear record of how you use the funds. This can assist you in receiving more funds in following years as you increase your client development efforts.

Be strategic. Create a strategic client development plan. Present your plan to mentors and partners, and refine the plan based on their feedback. Create timelines and

implement your plan.

Perfect your professional presentation. Most law firms have Web sites that are viewed by potential clients. Have you looked at your Web biography lately? Does it reflect all your accomplishments? Does it tell potential clients what you have done and could potentially do for them? Does it reflect your activities in your community? It should make you look competent, well-rounded, and capable. If it does not, revise it.

Research your potential clients and their needs. Create a list of people you know or would like to know who own businesses, are decision makers in companies or organizations, and/or have excellent social and professional contacts where you live. Invite those with the greatest potential to give or refer business to lunch or a social outing (using funds from your client development budget). Talk about what you do. Ask about what they do and who they know. Start developing rapport with them, but understand that such rapport, like rain, isn't created instantaneously. Ease into discussions about their legal needs, and suggest how you might be able to assist them.

Carry business cards and use them. Giving and receiving business cards is an excellent way to expand your network of potential clients. Create a database and use it to send out: electronic alerts regarding new legal developments, case filing notifications, holiday cards, and invitations to firm-sponsored events. People always appreciate "freebies" and special attention. They will remember your efforts, kindness, and communications when they are faced with selecting counsel.

Speak and speak often. Take advantage of opportuni-

ties to speak at local, state, and national legal conferences or bar meetings. The main audience for these events is other lawyers who can be excellent referral sources. If you have spoken on certain issues and have a reputation for being competent, you may be the lawyer who receives that next referral instead of a costly partner. Your experiences as a knowledgeable and effective public speaker will help build your brand as a trustworthy, intelligent lawyer.

Get active in the bar. Consider joining local or national bar associations. Become a committee member and take a leadership role in those associations. Certain roles within bar associations come with high visibility and can assist in establishing you as a leader within your legal community. Plus, some clients will be impressed with your leadership roles within bar associations as they suggest a high level of peer acceptance.

Attend events frequented by in-house lawyers. If you can choose CLE events to attend, consider ones where in-house lawyers speak and/or attend. Simply being present in those environments can yield dividends. In addition to hearing great sessions, you may receive some "face time" with one or more in-house lawyers and expand your network of potential clients. Keep in touch with those whom you meet. In-house lawyers who are responsible for national case or issue management sometimes use outside counsel. With communication, competence, good billing rates, and a great pitch, you may become preferred outside counsel for them.

Learn to "pitch." After all your "leg" work is complete and decision makers are considering giving you legal work, you have

to close the deal. You need to know how to "pitch." Learn how by asking to be taken along to pitches that your supervisors or mentors are giving. Ask them advice when crafting your own pitch. Practice your pitch. You want your pitch to be good so as not to reflect poorly on your firm and lose potential business, but you will never be a rainmaker if you can't pitch. So be confident in your ability and go for it!

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"In Order to Make Rain, You Have to Know How to Gather the Clouds: Tips for Young Lawyers on Client Development," by Myra L. McKenzie, 2009, Young Lawyers Division 101 Practice Series. Reprinted with permission.

Justice for Four Little Girls

■ continued from page 4

the rubble of the church. "Did she answer you back?" I asked. "No," she said softly. "Did you ever see her alive again?" I then asked. "No," she said as she wiped back tears. The State of Alabama then rested its case.

It took the jury only two and a half hours to find Tommy Blanton guilty on four counts of first-degree murder. It took the Cherry jury about six hours to reach the same result. Blanton and Cherry were immediately sentenced to life in prison and were whisked out of the courtroom by sheriff's deputies.

It is impossible to express the emotion felt by the prosecution team and the satisfaction gained from being a part of these cases. I have said many times that I wish every lawyer, at least once, could work on a case *that* meaningful to so many



NEXT STEPS

■ Enhance your law practice *for free* with articles on a broad range of useful, practice-oriented tips for young lawyers from the ABA YLD's 101 Practice Series: *Breaking Down the Basics* and 201 Practice Series: *Beyond the Basics* at www.abanet.org/yld/101practiceseries.

people. The Blanton and Cherry cases remind us that we as lawyers work in a service profession. Our job is to seek justice for our clients no matter what the obstacles or delay. Justice delayed does not have to mean justice denied.

While you might never litigate a case that has such a nationwide impact as the Sixteenth Street Baptist Church bombing cases, every case that you do work on has an impact on your clients. Each of your clients, whether they are injured children, defrauded consumers, or the families of victims, deserve as much attention and effort as Carol, Cynthia, Addie Mae, and Denise.

Doug Jones is a partner in the firm of Haskell Slaughter Young & Rediker in Birmingham, Alabama. He was the United States Attorney for the Northern District of Alabama from 1997 to 2001. He can be contacted at gdj@hsy.com.

Seeding the Clouds: The Delicate Art of Rainmaking in a Drought

Like many associates right now, Perkins Coie associate Kanika Chander (KChander@perkinscoie.com) wants to know what she and other newcomers to the practice of law can do to “make rain” in these dry economic times. She asked experienced rainmaker and Perkins Coie’s chair of business practice Stewart Landefeld (SLandefeld@perkinscoie.com) for his advice, as he has managed and developed significant client relationships (from the Mariners to Washington Mutual and from cell phone companies to Coinstar) over the past twenty-five years. Mr. Landefeld offers young lawyers the following tips:

Is it really practical for young lawyers who are new to the practice of law to try and build relationships and develop new business, especially during the midst of a lingering recession?

Stewart: Absolutely. In fact, for rainmaking purposes, there are many advantages to being at the start of your career! Like investments, developing relationships yields the best results for bringing in future clients over a long horizon. Your peers today will be the business leaders of tomorrow and possible future clients. You also will find that the professional relationships that you build at the beginning of your career, whether they develop into new clients or long-standing friendships, will keep your career fresh and fulfilling.

As for the economy, it is possible to think of a recession as a “gift” that only comes along once every six to eight years (thank goodness!). There are always many ways in which you can take advantage of having a little extra time on your hands that will leave you positioned to excel in your career once the economic tides turn.

Do you have any concrete examples of what I can do today to start rainmaking?

Stewart: Different rainmaking techniques appeal to different people. The most important thing is to choose the technique that makes you comfortable. If you are a “people person,” consider attending local fundraisers or bar-sponsored networking events and act as a liaison for the next generation of attorneys at your firm or office. If that seems outside of your comfort zone, focus on staying in touch with your current colleagues and former classmates. Keep tabs on what they’re doing, stay in contact as they move, and think of ways to collaborate across firms, practices, and industries.

If you enjoy writing, then another great way to forge business relationships is to author (or co-author) articles. This is an especially good use of time during slow times at the office. You should keep an eye out for

relevant changes in the law or interesting current events and offer to write something for one of the legal publications in your area. When you are published, even in an internal client update, send out copies of your work to as many people as you know and especially to clients whose businesses may be affected by the topic. Current and prospective clients will remember your consideration and will think of you as an “expert” on the subject if they need help in the future.

As I spend most of my day reading and writing about law, what are some ways to develop business that involve going outside of the office and away from my computer?

Stewart: While my favorite lunch is a bagel alone in my office, it’s a waste of business development time *not* to have breakfast or lunch with peers, existing clients, or potential clients. If you can’t schedule a meal with pleasant people, at least schedule it in a pleasant place. Each of us should be out in the community for at least five meals, coffees, or meetings

each week.

Being involved with local organizations is another excellent way to meet community leaders, give back, and pursue outside interests. Plus, you’d be surprised how many groups would love to have a lawyer of any experience level on their board. But no matter whether you’d prefer to be behind your desk or out in the community, long-term loyalty and personal devotion to your existing clients are critical. Stay knowledgeable about your clients’ businesses and keep in touch with them even when you aren’t doing work for them. It can be as easy as scrolling through your contacts to find someone who would appreciate a quick phone call.

Any final words of advice about rainmaking for young lawyers?

Stewart: I can’t stress enough the importance of doing what’s comfortable for you. Beyond that, make sure that you “Just do it!”—Try out as many rainmaking techniques as possible until you’re certain that you’ve found your sweet spot. And good luck! ■

Could Human Rights Law Be Your Passion?

By Laura A. Young

It was just a little over a year into my work for The Advocates for Human Rights when I landed in West Africa to interview Liberian refugees about the human rights violations that they suffered during the civil war in that country. While I listened to their devastating stories of killings, rape, torture, family separation, and other losses, I also listened to courageous, forgiving, and enduring people who were true survivors. Meeting them is one of the most powerful experiences in my career as a human rights lawyer.

A career in international human rights law can take many forms. Like me, you might work for a nonprofit organization based in the United States. Or, you might be employed by in-

tergovernmental bodies, such as the United Nations, government human rights agencies, academic institutions, or, in a few cases, private law firms. No matter where you work as a human rights lawyer, you will focus on promoting and protecting the rights of all people as outlined in the Universal Declaration of Human Rights adopted in 1948 by the United Nations.

Many people choose human rights work in part because they love to travel, but there is much work to be done in our own backyard. Many human rights issues in the United States, such as civil rights, women’s rights, and the death penalty, can be addressed as global human rights concerns. Understanding treaty law and other international law concepts can be important to ef-

fective advocacy regarding these domestic issues.

If international human rights law interests you, consider these tips for starting your career:

- No one goes into human rights law for the money. Keeping your debts and other expenses low can give you the flexibility to pursue a rewarding career that pays substantially less than practicing law in the private sector.
- Despite the lower pay, human rights organizations typically receive hundreds of applications for a single open position. You’ll need to establish your credibility in the field by demonstrating extensive coursework or other experience in human rights and/or

by volunteering at a human rights organization.

- If you want to work internationally, it is important to demonstrate that you have international experience gained through living, working, or studying abroad. Proficiency in other languages is always a plus, especially if you speak one of the official languages of the United Nations (Arabic, French, Chinese, Russian, and Spanish).
- Remember that you can volunteer on human rights projects even if you aren’t able to practice human rights law full-time. Many human rights organizations have very small staffs and depend on volunteers for a substantial portion of their work. For example, attorneys who volunteer with The Advocates for Human Rights (www.theadvocatesforhumanrights.org) represent individuals in

asylum cases, conduct legal research, travel overseas to monitor human rights issues, assist with trainings, and help draft legislation, reports, and recommendations for a variety of entities. Spending your pro bono time on an international human rights project is a great way to start in the field! A good place to find opportunities is www.ushumanrightsonline.net.

Working on international human rights issues can be rewarding, difficult, and inspiring all at once. For many, it can be a life-changing experience. Take the plunge and become involved in promoting the fundamental rights of all people. It might become your lifelong passion!

Laura A. Young is a staff attorney for the International Justice Program of The Advocates for Human Rights in Minneapolis. She can be contacted at lyoung@advrights.org.

YLD CALENDAR & CONFERENCES

FEB. 1	50TH ANNIVERSARY OF THE GREENSBORO FOUR SIT-INS <i>See special Spotlight on Civil Rights on pages 4-5.</i>
FEB. 4	 STARK LAW BASICS
FEB. 4-6	2010 ABA YLD MIDYEAR MEETING ORLANDO, FL
FEB. 15	2010-2011 YLD LEADERSHIP APPOINTMENT APPLICATION DEADLINE
FEB. 24-26	WHITE COLLAR CRIME 2010 MIAMI BEACH, FL
MAR. 2	 ANATOMY OF BUSINESS LAW: NON-PROFIT ORGANIZATIONS
MAR. 11	 ANTI-KICKBACK LAW BASICS
APR. 20-22	ABA DAY IN WASHINGTON WASHINGTON, D.C.
APR. 22	 FUNDAMENTALS OF TAX-EXEMPT HEALTHCARE
APR. 29-30	WOMEN IN LAW LEADERSHIP (WILL) ACADEMY PHILADELPHIA, PA

Visit the ABA YLD Calendar for additional information:
www.abanet.org/yld/meetings.html

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How I Use Social Media to Enhance My Practice

By Brian Flock

I'm biased. I use social media every day. My firm represents social media clients, and I advise clients routinely on social media issues. I'm a young, iPhone®-toting, upstart associate with a passion for technology who is eyed suspiciously by those who view social media as a flash-in-the-pan.

To be honest, a few years ago, I agreed with them. But when my friends, family, and clients started using social media, I quickly concluded that ignoring these outlets was not an option. Instead, I embraced it. For me social media is a powerful tool with a dual purpose—it helps me stay connected in my personal life despite the demands of my profession, while also enhancing

my legal practice.

You should not discount the benefits that social media can have for your law practice.

How can I use social media?

To start, there are many Internet social media providers to choose from, such as Facebook and Twitter. A list maintained on Wikipedia catalogs more than 150 active social media Web sites (which is surely an underestimate). See http://en.wikipedia.org/wiki/List_of_social_networking_websites (last visited Dec. 17, 2009). You might be thinking: "I don't know anyone on these Web sites." That might be true. However, the number of Facebook users grows

each day and as of December 1, 2009, Facebook reported having more than 350 million users worldwide. <http://blog.facebook.com/blog.php?post=190423927130> (last visited Dec. 17, 2009). If you do become a Facebook member, you might be surprised at who you can find on the site.

You also can use sites like Facebook and Twitter to connect with people you want to meet or who share your interests. Twitter, for instance, allows millions of users to read what you have to say. People will take notice and "follow" you on Twitter if you "tweet" something interesting or show you care about topics that they also care about, regardless of whether they know you personally. I know only a handful of my growing rank of "followers" on Twitter.

Can using social media help me build business?

Many of your clients and your competitors have likely already figured out how social media can help them and are likely

using social media right now to build brands, connect with new customers, and enhance their current customers' experiences. In a recent survey, 55 percent of CEOs responded that they "are using or plan to use social media to market and/or publicize their business." www.vistage.com (last visited Dec. 17, 2009). There's no reason that lawyers cannot do the same ethically. On my Facebook and Twitter pages, I routinely post URLs to legal articles that interest me. Some of these posts have become conversation starters both online and offline, and some have led to meeting new friends. In turn, I also actively monitor the posts of those whom I follow on these sites, including my clients. Commenting on others' posts is just another way to stay connected.

Social media should not replace in-person networking.

Should social media replace "face time?" Absolutely not. But

it's impossible to have lunch, dinner, or drinks with everyone you know on a regular basis. Social media provides an easy way to stay in touch and interact with your network, even when you're busy. It also can help you prioritize "face time" with those whom are most in need of direct contact, while allowing you to stay in touch with others.

Social media is not for everyone. To make it worthwhile, you must actively participate. Social media is like a cocktail party: hanging out in the back of the room won't be nearly as rewarding as diving into a conversation near the bar. You may choose not to participate in social media, and that's OK. The important thing is to make an informed decision because, for many, social media can enhance a practice—not bog it down.

Brian Flock is an associate with the Labor & Employment Group at Perkins Coie, LLP in Seattle. Follow him via his fan page on Facebook or on Twitter @brianflock.