

Top 5 Mistakes That Young Lawyers Make

By Jennifer L. Brinkley

Law school teaches you how to think like a lawyer. It does not, however, adequately teach future lawyers how to act like one. These are the top five mistakes I have seen young lawyers make early in their legal careers.

1. **Not knowing the local rules.** Nearly every jurisdiction has some form of local rules. Local courts draft rules, outside of the civil or criminal rules, as to how their courts operate. These are not mere suggestions but hard and fast rules. Every young lawyer should spend time reading, not skimming, these rules and then apply them. Judges and clerks are very appreciative of lawyers who follow the local rules.
2. **Not knowing how to question a witness.** Not every young lawyer is going to end up in a courtroom; but if you do, take time to brush up on your trial techniques. After my first bench trial, the judge brought me to the bench and told me how impressed she was with my cross-examination skills. This meant a lot to me and she has liked me ever since. Win favor with the judge by being prepared not only with the facts of your case, but with your presentation.
3. **Not knowing your judges.** Every young lawyer should spend time learning the nuances of his or her jurisdiction's judges. I recommend taking time to sit in on their trials or motion hours and learn their likes and dislikes. If your judge does not like a certain line of questioning, deviate to another. If you know your judge hates cell phones, leave yours in your bag (turned off) or car. If you make a bad impression, your judge will remember it each time you are before him or her, which may adversely affect your client.
4. **Not knowing other attorneys.** Especially if you are a solo practitioner, it is crucial to make connections with other attorneys. You will be sick one day, or a family emergency will arise, and you will need someone to cover your case. Additionally, most malpractice carriers require solos to reach an agreement with another lawyer to cover cases in emergency situations. If you are an attorney in a firm, an in-house position, or a government position, it is also very important to network with attorneys in various fields. Inevitably, you will need someone's help, so make connections early in your practice.
5. **Not knowing when to lay down the sword.** All attorneys keep a mental list of those attorneys who have been rude, too aggressive, or underhanded. There will come a day in your practice when another attorney will throw you under the bus and even back up and run over you again. Do not stoop to that level and forget your own civility. A fight is not always required and often can harm your clients rather than help them. Put your clients' needs first and check your ego at the courthouse doors.

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