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## *Mark Twain's Guide for Young Lawyers (and Older Lawyers Seeking a Review)*

**By Nina Cortell**

*The more things change,  
the more they stay the same.*

Samuel Clemens (*aka* Mark Twain) probably did not foresee a world filled with PCs, the Internet, and 400+ person law firms. Still, his wry commentary provides great insight for young lawyers who are searching for the tools that will enable them to achieve their career goals, whether that be partnership in a law firm or a position in government, the judiciary, a university, or elsewhere. As for us older lawyers, it is never too late for a refresher course!

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*"The miracle, or the power, that elevates the few is to be found in their industry, application, and perseverance under the prompting of a brave, determined spirit."*

*"It usually takes three weeks to prepare a good impromptu speech."*

There is no substitute for a good work ethic. Preparation is key and in-depth preparation is a differentiator. But it is also important to spend those long hours wisely. Too often hours get lost chasing rabbit trails based either upon a misunderstanding of the assignment or lack of knowledge of the bigger picture. Remedy? Be sure to have a firm understanding of the assignment at the outset, its context, and the timetable. If the assignment is not given in written form, then confirm it in writing, or at least verbally. Also, check in periodically with the person who assigned the project to see if you are on the right track. An additional benefit of continuing dialogue is that the assignment might change based upon your input. Make no mistake, your input, even as a beginning lawyer, can be invaluable, which leads to another important point. Take ownership of the project and exhibit a "can-do" attitude. Perform your task as if your work product were going directly to the client or the court, as that very well might be the case and in any event will assure the highest quality work. Also, be sure to meet all deadlines, or get an extension.

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*"A man never reaches that dizzy height of wisdom when he can no longer be led by the nose."*

Seek mentoring. Find one or more persons whom you want to emulate and adopt them either as "direct" or "indirect" mentors. A "direct mentor" would be a mentor from whom you seek and obtain direct feedback and advice. An "indirect mentor" would be mentor who, although not available for one-on-one counseling, is someone from whom you can learn by example. Also, seek feedback from those with whom you work, whether or not you consider them a mentor. Be a "sponge," soaking up all of the advice and experience that is available to you. Learn the business of law as well as the practice of law. Law school gave you the building blocks; the lawyers with whom you work will teach you how to use those blocks to build a career.

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*"It is best to keep your mouth shut and be presumed ignorant than to open it and remove all doubt."*

One of the hardest moments for a young lawyer comes when the client asks a question on the phone expecting an immediate response, and the lawyer on the other end of the call lacks an answer. One friend's wistful cure: a "static button" that would cause immediate static on the phone line, giving the lawyer an excuse to call back "as soon as possible." But since we don't have "static buttons," a substitute solution is required! Hedge. If you can, explain what you think the answer might be, but add that you will need to check a few sources and get

back to the client. Or, just say you will need to get back. The client will understand. The same advice obtains in other contexts as well. There will be times when the proper answer to a judge or partner is, "I do not know, but I'll check and get back to you on that point." That's really OK. Your law degree is not a warranty of full knowledge on all topics.

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*"The difference between the right word and the almost right word is the difference between lightning and lightning bug."*

A corollary to hard work is: pay attention to the details. Ensure the accuracy of your citations and case or transaction recitations and, for goodness' sake, avoid misspellings — particularly of your clients' names. Seems obvious, but such errors are amazingly commonplace. It is often said, and it is true, that your client may not appreciate the amazing insights contained in your work, but he or she will readily notice (and be exceedingly aggravated by) a misspelled name.

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*"Always acknowledge a fault. This will throw those in authority off their guard and give you an opportunity to commit more."*

Better to confess a mistake than not. In most circumstances, mistakes are correctable, and nothing is worse than your supervisor learning about a mistake when it can no longer be cured.

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*"Don't go around saying the world owes you a living. The world owes you nothing. It was here first."*

No elaboration required!

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*"Clothes make the man [and woman!]. Naked people have little or no influence on society."*

In this era of "casual dress," remember that professional appearance is still important. What that requires will vary depending upon the situation. Hopefully gone are the days when a federal judge can throw a woman out of the courthouse simply because she is wearing a polka-dotted dress. But there are still boundaries and expectations. Try to be cognizant of those and act accordingly.

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*"Always do right. This will gratify some people and astonish the rest."*

*"Let us so live that when we come to die even the undertaker will be sorry."*

Riddle: Once lost, never regained. What is it? Your reputation. This is something you begin working on the first day of your career and build on every day thereafter. As you begin your career, think about how you want to be regarded 50 years down the road and act accordingly. This will permeate how you

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### **Sarah T. Hughes And Ma'at Justice Awards Nominations Sought**

In 1992, the SBOT Women and the Law Section established the Sarah T. Hughes Award to honor the accomplishments of women whose outstanding achievements as attorneys helped pave the way to success for other women lawyers. The award criteria honors a woman attorney who has achieved professional excellence and has: 1) Influenced other women to pursue legal careers, or 2) Opened doors for women lawyers in a variety of job settings that historically were closed to women, or 3) Advanced opportunities for women within a practice area or segment of the profession, or 4) Otherwise served her profession and community in a manner which has benefited the legal profession.

In 1995, the Women and the Law Section established the Ma'at Justice Award to recognize and celebrate a female attorney or an association of attorneys who have contributed to the furtherance of justice in our society. Ma'at, the Egyptian goddess of justice, symbolizes truth, order, righteousness, and the emergence of order out of chaos. Nominations for the award should discuss how the nominated individual or association actively addressed needs and issues that affect women in either the legal profession or in the community.

Nominations must be received by April 18, 2005. The awards will be presented during the Section's annual meeting on June 24, 2005.

Nominations should include no more than five typewritten pages and should be mailed to: Sarah T. Hughes Award or Ma'at Justice Award, c/o Kathy Casarez, State Bar of Texas, P. O. Box 12487, Austin, Texas 78711. For further information contact Teresa Oxford at 210-227-3200.

### ► TWAIN CONTINUED

interact with other lawyers, clients, courts, and the community at large. It can be your greatest asset as the years progress. As a side benefit, this will allow you to avoid (or at least minimize) fee disputes, sanctions, and client grievance complaints.

*"The secret of success is to make  
your vocation your vacation."*

Last, but certainly not least, have fun! No doubt, a legal career brings with it long hours and big-time pressures, but it also provides wonderful opportunities for exciting, stimulating work and interaction with a broad spectrum of persons and events. The trick is how to take advantage of all that law has to offer without burning out. The answer — seek balance — is far easier to state than achieve. It certainly requires vigilance (*i.e.*, you have to make it happen), and it also requires patience (sometimes your work schedule will be out of kilter, requiring that you defer your personal time). It is often said that a legal career is a "marathon, not a sprint." To make it to the finish line, you must save time for family, friends, and other interests. Sometimes this "other time" will be intertwined with your career (such as when a community service effort dovetails with a business development objective), but sometimes it will not. Either way, this is the fuel that will enrich your life as well as your career.

Good luck — a legal career is a great, rewarding adventure!



#### **NINA CORBELL**

is a partner in the appellate section of Haynes and Boone, L.L.P. in Dallas. She has been a member of the firm's executive committee and has chaired the firm's diversity and attorney development program.

*This article originally appeared in UT Law, the alumni  
magazine of the University of Texas School of Law.*

#### **RECOMMENDED READING**

The quotations in this article, and more, can be found at  
[www.phnet.fi/public/mamaa1/twain.htm](http://www.phnet.fi/public/mamaa1/twain.htm)  
and [www.quotationspage.com/quotes/Mark\\_Twain](http://www.quotationspage.com/quotes/Mark_Twain).

Kimm Alayne Walton, *What Law School Doesn't Teach You ... But You Really Need to Know* (Harcourt Legal & Professional Publications, Inc. 2000).

Thane Josef Messenger, *The Young Lawyer's Jungle Book, a Survival Guide* (The Fine Print Press 2000).

Karen Clanton, *Dear Sisters, Dear Daughters: Words of Wisdom from Multicultural Women Attorneys Who've Been There and Done That* (ABA Publishing 2000).