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Disruptive Public Meetings and the First Amendment



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YOUNG LAWYERS

PATRICK BAKER, *City Attorney, Charlotte, North Carolina*

Ten Things Every Young Lawyer Should Know

February 11, 1997 was a Tuesday. Beyond an afternoon meeting with one of the four partners in the firm, I couldn't tell you much about that day or how I was feeling about my career which at that point had spanned three and one-half years. I had participated in individual meetings with each of the partners before and there was nothing about the timing of this meeting that concerned me. Little did I know this meeting would be one of the two or three most important meetings in my professional career.

The memo I received in that meeting was titled "Performance Concerns": Six and one-half single sided and double-spaced pages in length but figuratively weighing as heavy as a whole ream of paper. The first page and one-half of the memo consisted of three introductory paragraphs to set the tone for the remainder of the memo. The four partners used the final introductory paragraph to make clear that they all believed I had a great deal of potential and that if I had faith in myself, the identified problems would improve within the to be established timetable set out in the end of the memo. The "What Are The Problems?" section comprised the next three and one-half pages of the memo and fell into four main categories: planning and organizational deficiencies, perceived unreliability, lack of assertiveness and self-confidence and lack of financial productivity/billable hour deficiencies. The "Where Do We Go From Here?" section of the memo made up the final page and one-half. The suggestions included closer supervision by one of the partners to improve workflow management, improved billing techniques and participation in Toastmasters or a Dale Carnegie confidence course. The memo ends with an acknowledgement that these problems affect my future with the firm and that I was being allowed twelve months to turn things around.

Long story short, I didn't need the full twelve months to turn things around. I left the firm four months later to become an Assistant City Attorney in the Durham North Carolina City Attorney's Office. My career progression from that point forward includes being named Durham City Manager in 2004; Durham City Attorney in 2008; Charlotte City Attorney in 2019 and IMLA President in 2020. Despite the professional success I have enjoyed since February of 1997, I have not forgotten about the memo. It has been beside me literally and figuratively every step of that 25-year journey having been tucked inside the front drawer of every office desk I have worked behind during that time. Just a reminder of how far I have traveled on this professional journey to keep me focused on continued improvement.

Based on a now almost 30-year career of a few lows followed mostly by highs, below is a list of ten of the most important things (in no particular order) I have learned over this journey that I think every young lawyer should know.

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1. **Be relevant and present –** Assuming you are with a firm or legal office, you should appreciate the fact that somebody thought enough of you to hire you in your current position. From your first day on the job, you should be thinking about the impact you have on the office. While your initial assignments may not be particularly impactful or exciting, you are building now for your future assignments and opportunities. Take these early assignments as an opportunity to show that your work matters and that you matter in your workplace. Get noticed in a positive light.

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2. **Do really good work –** You spent three grueling years in law school and you passed the bar exam. Now is not the time to let off the gas. These first three to five years in practice will be the foundation for the level of success you will have for the remainder of your career. Though you are in your least competent stage of your career, it is critically important for you to get your career off to a good start. No matter how small or seemingly unimportant your initial assignments are, they are the most important assignments you have ever had in your career thus far. Treat them as such.

3. **Set reasonable expectations for yourself –** Pick your business cliches and drop them in here: Rome wasn't built in a day. Your career is a marathon, not a sprint. Bottom line is if your 30-year career peaks in years one through five, then you will probably not have a successful career. Give some thought to what you want to accomplish in your first few years in the profession. What would reasonable success look like from your perspective? What does success look like from your supervisor's perspective? Make sure they are aligned if at all possible.

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4. **Do not be afraid to ask for help –** If I was ranking these suggestions based solely on my early career, this would be at the top of my list. Your supervisors were not born in their mid-40's with 15 or so years of legal experience. They all started off just like you. They know you don't know everything and may need some additional guidance or assistance in completing your assignments. Understand that you don't get extra points for trying to do it all by yourself, particularly if the result does not meet expectations. To be clear, your supervisors are not expecting you to sit in their office and essentially pepper them with so many questions that they effectively are completing your assignment for you. But if you show that you are putting in the work on your own, the occasional questions and check ins will likely be well received and will certainly increase the chances that the final product will hit the mark.

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5. **Be aware of your reputation and accept constructive criticism –** The biggest problem with the memo is that I did not see it coming after a little more than three years with the firm. Sure, this should have come up in my previous evaluations and my supervisors acknowledged they could have done a better job identifying and addressing these issues earlier in my career. The cold reality though is that the memo was ultimately a reflection on me and not them. Take full advantage of opportunities to get honest feedback and don't feel like you have to wait for your annual performance review to get this information. This leads me to the second part of the recommendation which is to seek out and accept constructive criticism. There will ALWAYS be something in your performance that can be improved, and you must be willing to constructively receive and accept this information. I am not suggesting that you have to enjoy hearing negative comments on your performance. But if your clients or your supervisors have an issue with your work performance, you need to know it and address it as soon as possible. Otherwise, the issue becomes a permanent part of your reputation which could have a negative impact on your career path and progression.

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6. **Pay attention to your LQ (Likeability Quotient) –** The best thing I had going for me professionally on February 11, 1997 was that all four of the managing partners genuinely liked me. Interestingly enough, I have always felt that their personal feelings for me prevented them from sharing their professional concerns with me earlier in my career. It is easy for lawyers to discount subjective interpersonal skills in favor of more objective measures such as work output, billings and results. But make no mistake about it; a disagreeable co-worker can kill overall office productivity and morale regardless of their level of individual productivity or experience. Whether they know it or not, difficult employees have lower career ceilings. I am not suggesting that you have to be the office social director or Mr./Ms. Fun. I am suggesting that you not be seen as the office cancer. If you get negative feedback regarding your interpersonal skills and affect, address it as quickly as possible.

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7. **Don't assume time will always be on your side –** I get it. You are in your late 20's or early 30's. You are 25 or so years younger than me and you have plenty of time to figure things out. The perception of time moves a lot faster than you think and there will be plenty of distractions heading your way that will deceive you into putting things off and dealing with them later. Resist that urge and pay close attention to your career now. Set some one, three, and five year goals and keep track of them as you go. If adjustments need to be made, make them sooner rather than later. Just trust me on this one!!

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8. **Cherish your family, friends and your health –** The sooner you can find your work-life balance, the better it will be for you and those you love. All of the professional accomplishments and accolades in the world will not be nearly as impactful if you don't have anybody to share them with … or you are not around to fully appreciate them. Take vacation days when you can. Develop healthy eating, sleeping and exercise habits. When you are with family and friends, be present and in the moment with them. The work will be on your desk waiting for you when you are in the office.

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9. **It's never too early to think about your legacy –** None of us are promised tomorrow. Each day is an opportunity to add a brick or two to your legacy. How do you want to be thought of today and remembered tomorrow? What is the legacy you want to leave in the profession? In your community? In your family? And what are you doing about it now?

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10. **Say thank you to those along your path and always remember the Golden Rule –** This one is self- explanatory but so incredibly important. Over the course of your career, there will be dozens of people that will make an impact on you. Some obviously more than others. Show your appreciation for them when you can. It's the right thing to do. ML