



Young Lawyers Report

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Young Lawyers Division: Developing Lawyering Skills

Being a young lawyer in today's world is not easy. In law school, we learn how to analyze case law, how to write a brief, and various other "law skills." However, there is so much more to practicing law than analyzing and applying case law. Practicing law also requires lawyering skills. While law school teaches us a useful set of "law skills," it does not always teach us practical "lawyering skills" that are necessary to actually *practice* law. Below are a few "lawyering skills" that will help young lawyers build successful practices.

Never be afraid to ask questions. Young lawyers can sometimes feel bombarded and overwhelmed with assignments. This feeling is compounded when a young lawyer feels unsure of where to begin on their assignments. Rather than putting the assignment off or spinning your wheels, ask the assigning partner or associate questions. Partners and other assigning lawyers appreciate you taking the time to ask detailed questions to fully understand an assignment instead of receiving an assignment that is incomplete or off the mark. Another option is to ask a senior associate what the partner is looking for in a particular assignment if they have worked for the partner and have done the same or similar assignment. Remember you are on the same team as your supervising attorneys, they were new once and certainly want you to succeed.

Never go to a deposition unprepared. Young lawyers can be very overwhelmed when they get their first or second deposition assignment. I have attended more depositions than I can count, and I still get nervous before each one, despite the fact that I am prepared. My advice to young lawyers is to go into every deposition well prepared. Read through the pleadings, write down questions that are important to ask to defend your case, research the client you are representing, and know how you will handle unfavorable questions that may arise. When you prepare your deposition questions, be cautious when asking questions to which you do not know the answer and anticipate how you may need to respond. Also, always know why you are asking a question, what you anticipate the answer will be, and the significance of the answer to your case. It can be easy to rely on an outline like a life raft; however, every seasoned lawyer will tell you that your outline is a guide, not a script. It's okay to rely heavily on an outline, but be sure to listen to the answers you are given and to ask thoughtful follow-up questions accordingly. Be confident in running down an off-script line of questioning until you are satisfied that you fully understand the response, and have asked the deponent all the logical follow-up questions that lead from it. Only then, should you return to your outline. Seasoned attorneys will also tell you that many times lawyers skip over really great questions because they are so invested in following their outlines that they do not take the time to really listen to the responses that are given.

Never take on more than you can handle. As young lawyers we are eager to take on as much as we can in order to impress the people we work with and move up quickly in our careers. With accepting all assignments that are thrown your way comes the responsibility of getting all of them done in time. It is very important to be honest with the partners you work with and tell them if your work load is too overwhelming. It is always better to be honest about your work load than not get your assignments in on time.



Being a young lawyer and finding your way in your practice is certainly stressful, but putting in the time to hone your lawyering skills will help ease the transition from law student to lawyer. Remember, do not overwhelm yourself, always be honest with the partners you work for and your work load, do not be afraid to ask questions, and never be unprepared.

About the Author

Sheina R. Franco is an associate in the Minneapolis office of *Foley & Mansfield*. Ms. Franco focuses her practice on personal injury, products liability, and premises liability, with an emphasis on the defense of toxic tort/mass tort claims. She has represented clients including premises owners, individuals, and product manufacturers from initial complaint to trial prep. Ms. Franco received her J.D. in 2014 from Liberty University School of Law. While there, she interned with the Madison County Circuit Court in Illinois, where she researched, compiled, and compared legal documents for Madison County Civil Court judges.

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