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TEAM EDITION

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When I started teaching this past fall, I was surprised to learn that students wanted to hear more about my prior work experience. I had assumed “war stories” were for trial lawyers with decades of experience, not someone like me, who was lucky enough to enter academia—my dream job—after practicing for six years as a litigation associate at two international law firms and a law clerk for two federal judges. But when I paused to reflect on what I could share with students from my practice, dozens of memories cropped up. The trouble was that none of my memories fit in to the made-for-TV mold. Or at least I haven’t seen any scenes like these on TV...

Me, sitting in a shared office with my co-clerk, swapping ideas about why another judge on the panel had returned certain edits to our judge’s opinion that were wrong and how we would approach discussing this with our judge later that day.

Me, sitting in the gallery of the courtroom, watching the partner argue a motion for our client, listening to him artfully raise an argument I had helped craft that was based on authority I had researched.

All my share-worthy memories are winding stories that revolve around interactions with my colleagues. I had high moments, like when a supervisor praised a draft of my writing, and

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low moments, like when a peer identified flaws in my work product. Simply put, the people I worked for and with shaped my experiences as a young attorney.

Although most of the major assignments my students complete in their first-year legal research and writing course involve independent work, I explain to my students that they will likely do these types of tasks—or use these types of skills—in a team setting when they are in practice. I aim to prepare students for the highs, lows, and all the moments in between that come from working as a member of a team. My hope is that in doing so, I not only help students prepare to be excellent attorneys, but also help them prepare to find satisfaction in their careers and maintain a healthy perspective about their own self-worth.

Research Rigamarole

I talk at length with my students about the importance of developing efficient processes and record-keeping habits for their research because in practice, “research” often means divvying up discrete questions amongst a number of associates. Each associate toils away on their own, leaving no stone unturned in searching for the answers to their assigned questions; each associate then shares their findings with the team; and then some associates double (triple, quadruple) check their findings when creative colleagues have thoughtful follow-up questions about those findings. Oh, and of course, those steps usually all happen on a tight deadline.

To function and excel in this kind of workstream, lawyers need to be able to articulate a plan for the sequence of steps they will follow, and they need to be able to defend the strategy or theory behind their plan to colleagues who are working alongside them and counting on them to complete their portion of the work. I warn students that it is normal for colleagues to “kick the tires” and “look under the hood,” so to speak, when discussing each other’s research results. I want students to know that these follow-up questions are

often routine, so students shouldn't interpret such questions to mean their colleague distrusts their findings. And I warn students about how frustrating it can be to have to retrace your steps when a colleague asks a clarifying question that you can't answer because you don't have a clear record of what filters you used and what types of sources you reviewed to arrive at your answer. Having a good record-keeping system is key. Connecting this skill to practice can help students understand the method behind legal research assignments that can otherwise seem tedious.

Easy Edits

Like all legal writing professors, I provide extensive individual feedback to students on their writing. The feedback process is one of my favorite parts of the job. But I tell my students that receiving feedback on their writing will look quite different in practice. For starters, most of their written product in practice will not be solely their own. Even if they are the lead drafter on a project, other attorneys (and certainly the client) will have input. Typically, team writing involves at least one associate expending significant time and effort on a written work product, sharing what they thought was a near-final draft with a colleague, and without fail, the colleague making a zillion edits to that near-final draft. Rinse and repeat a few times, depending on the size of the team. (I spare my students the rant about some colleagues refusing to track their changes and flouting all document version control efforts.)

I don't sugarcoat it; I'm honest with students that it can be discouraging when you share thoughtful, thorough, error-free work with colleagues, only to receive a sea of changes in return. But I tell them to always expect edits because even the best writing inspires edits. I coach my students to adjust their expectations and be an "easy edits" associate—someone who doesn't flinch at every suggestion or change. Adopting that mindset will save them a lot of handwringing. Then, they can channel that extra energy towards the

real work of deciphering the reasons behind their colleagues' edits and using those lessons to continue improving their own writing. Viewing constructive feedback as a gift, not a personal affront, is the secret to enjoying the practice of law.

Conclusion

The most rewarding moments of my practice were made possible because of the talented and special people I worked for and with. But it can be difficult to find your place on a “team” as a young attorney. I hope that in addition to offering my students the critical legal analysis, writing, and research skills they need to succeed as attorneys, I also provide them with the tools to meaningfully contribute to the team—and have confidence in the value they add to the team—so that they can enjoy the journey along the way.