

The Impetuous Lawyer

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Jack Hogan was surprised, and a little worried, by a summons to the office of Anne, the Managing Partner, that morning. Among the six-year associates, Jack was near the top in billable hours -- but he knew that the six-years who had connections to the old Indianapolis families, or to the executives at Eli Lilly, had brought in business. More than he had.

And the Managing Partner – the old firm’s first female one, known in the firm (though not to her face) as “The Blonde Eminence” – wasn’t in his management chain. He was laboring in the Litigation Department, and she had long been head of Corporate. The call to see her had come with no explanation. So he felt more than curiosity as he took a seat at her conference table.

The customary offer of coffee was made and accepted. Customary questions about workload, cases, and family followed. All was done with Anne’s “You’re the only person in the world” air that worked so well with clients, partners, and even career bureaucrats. Jack knew all was intended to put him at ease; but given his angst over the meeting, he would have traded courtesy for a quick trip to the point.

Finally, it came: “Jack, you know this year will mark the 100th anniversary of the firm. Of course, we want to celebrate. I remember attending the 75th anniversary celebration as a new associate. I listened to senior partners talk about men who were old when those partners were young. I’m not saying that it wasn’t interesting. (At this, she gave Jack an eye-lock. He was coming to understand how much lawyers could communicate while leaving pristine transcripts.) She went on: “And of course, I’m not saying that the culture and heritage we heard about aren’t important. They are, of course. But I want this event to grab the people who’ll make the firm’s next one-hundred years. And if it were a way for me to learn a little bit about them, well, that wouldn’t be all bad. I know you’ve worked in production at school and in community theater. I think you’re the person to pull together a celebration that honors our past, and looks to our future. Will you do it?”

Jack saw three acceptable answers:

1. “I’m sorry, but I’ve just taken an in-house job with our biggest client.”
2. “I’m sorry, but I’m giving up the law to work on my coming-of-age memoir, *Hoosier Elegy*.”
3. “Yes.”

“Wow. I’d be honored. What framework were you thinking of?”

“I was thinking of a dinner for all the local partners and associates, and the partners and senior associates from the satellite offices. The ballroom at the football stadium is a natural spot – since the team’s a client. We’ll start early, stay late, and offer transportation home afterwards. Some video by the ‘Two Bills’ would be good. And it would be good for Jim Carson to get a little air time.”

Jack got it. Bill Jackson and Bill Goodman were partners at recently “acquired” (the accepted term was “merged”) firms. When lawyers speculated on who would succeed Anne, the two Bills’ names always came up. And Jim Carson had turned around a rough spate for the litigation department. Before him, they had been aggressive in bringing cases, and had managed to lose not only on their clients’ claims, but even on opponents’ perfunctory counterclaims. Carson came in, made smart settlements, and notched wins on the rare cases that went to court.

Anne went on: “More important, I want the younger lawyers to have a forum to communicate something about themselves, to the group as a whole.” The last phrase came with another eye-lock.

No time for demur, Jack thought. “I’m sure we can pull this off. Is there a budget I should work with?”

“I don’t want you to worry about the details of the dinner. We’ll have about 200. I’ve asked Mark Barnes, our HR guy, to handle the logistics of menus, bars, wine, transportation, and the like. Focus on the program.”

“I can do it. Thanks for the confidence.”

“Our date is October 29. The stadium’s been reserved. And on budget: spend up to \$15,000 on video production and other support. Within that, I don’t need reports, unless you want to give them.”

Jack understood. So long as he was within budget, he should show up in Anne’s office only to get sign off on a finished product. If he sought guidance along the way, he might as well write “WIMP” on his forehead on trips to Anne’s office.

Walking to his office, Jack thought about the task. “Getting the associates involved is easy. I’ll dream up some game for the tables. The HR guy probably has a raft of them.”

Roles for the three senior lawyers took more time. For the two Bills’ parts, inspiration came while Jack was watching the hot new reality show, “The Apprentice.” Both Bills’ had a room-filling confidence that brought host Donald Trump to mind. And

Jack knew that in heading their offices, the Bills competed to groom the firm's future leaders. Jack could work with that. For Carson, Jack focused on Anne's phrase "air time." Carson was a litigator, used to presenting under stress. Jack could give him five minutes to warm up the room.

Two months later, Jack was in Anne's office with his proposal. He had a script for the two Bills in an "Apprentice" segment that had them exchanging charge and counter-charge over developing legal talent. Anne would end that with a surprise entrance, announcing "We can all do better in developing our lawyers," and firing each Bill with Trump's signature "cobra" gesture. Anne loved it, except for putting the two Bills in orange wigs: "Just lose that. Orange hair is not believable."

As for Carson -- he had been totally wrapped up in defending class-actions that had been dumped on Lilly. He was running up major fees, and good outcomes were essential for the firm's future, so Jack couldn't get Carson to commit to a script, or outline, for his remarks. Carson couldn't even assure that he'd attend. He did say that if he did, he'd be ready and able to charge up the room: "I do it for a living."

Jack explained Carson's situation to Anne, who signed off: "It is what he does for a living. How bad can five minutes of Jim Carson be?"

For the group event, Jack described the game that Mark the HR guy had recommended: each table of ten would share within their table stories of embarrassing moments. The table would then vote for its winner. The table winners would share their stories with the whole group, who would vote for the overall champion. Anne wondered whether that game might yield too much ... information. Jack had asked the same of Mark, who had assured him that people who had gone through as many screens as the firm's lawyers would come up with stories like "It was so embarrassing to be the most beautiful *and* the smartest person in school." Mark also said that the game had worked in other firms. Mark was ex-Navy. His final point was "Damn, Jack, none of these guys is going to get up and spill it about getting caught shooting up in the law school head." Jack passed Mark's assurances on to Anne without his last point. She signed off on it all.

On the big night, Jack saw that Mark had done a great job with the event's details. The firm logo was projected on every wall, and headed the three-course menus in place on each of the twenty tables. Six bars were open for the ninety minutes of cocktails. Jack thought it was a good idea that rides from the event were on the firm.

The pre-dinner program opened with the video of the two Bills. Seeing them getting "fired" seemed to please the crowd – almost too much. One well-lubricated partner went on loudly about "Anne the Cobra," but Jack thought things were going well.

Carson nodded to Jack, who thought Carson looked a little redder in the face than usual as he stepped up and took a mike. “Colleagues, Anne’s asked me to say a few words appropriate to this occasion. Let me ask, how many of you joined the firm after Anne became managing partner? Show of hands!”

About two-thirds of the group raised their hands. Carson went on, now with drink in hand: “Look! This is the house that Anne built. Let’s raise a toast to that.”

The toast was made. Jack thought Carson would sit down. He didn’t. “And now, let’s celebrate a little more, the house that Anne built. Please respond to me with ‘That live in the house that Anne built.’ These are the lawyers who win the cases, that please the clients, who ...” The pause was a tad long before Carson got “Live in the house that Anne built.” OK, cute enough, thought Jack. Carson went on: “These are the lawyers, who draft the clauses, with artful dodges, who ...” “Live in the house that Anne built” came back with less brio. Jack started counting. Fifteen freaking verses. Finally, Carson said, “Thank you all, and thank you Anne!” and sat down to meager applause.

Jack looked toward Anne’s table. She was in lively conversation with the junior lawyers there, no bad mood showing. “OK, still so far so good.”

Dinner was delicious. As Anne had predicted, the wine pairings were fabulous. And the pours were generous and frequent. As dessert was served, Jack rose to explain the night's contest. It was welcomed with smiles as he returned to his table.

The stories at Jack's table were pretty much as Mark had predicted. One of Jack's table mates asserted embarrassment that the sole reason his clients weren't intimidated by his brilliance, was his own studied humility. Jack wound up winning his table by telling how he won over his earliest clients through the one thing they had in common – a love of beer. When he retold the story to the larger group, it seemed to go over well.

Next up came Fred Haney, a healthcare lawyer. Jack was surprised. Fred was known as a worker-bee with a low profile. He began: "My story goes back to my courting days. My now-wife Amy is from a little town here in Indiana. When I went there to meet her parents, everyone spoke about her mom's father, and how close he and Amy were. The next day, as we drove around the town, she pointed out the graveyard where her grandfather was. I said 'Amy, let's go visit.' Her look told me I'd done well. We paid our respects at her beloved Grandpa's grave. It was beautiful early evening, and walking back to our car, we passed a little grove of trees. What can I say? We were young and in love. We took advantage."

Jack thought he heard the sound of jaws hitting tables. Fred went on: “Well, the light was fading, and I guess we didn’t pay enough attention in that grove. I got the worst case of poison ivy on my backside. All along my backside.”

Silence ruled. Fred went on: “But the most embarrassing thing of all (*Jesus, thought Jack, how’s he going to top this!*), when I confessed my problem to my dad two days later, his reaction was “What kind of idiot son have I raised? Freddy, don’t you know when you do it outside, you stay on top?”

Seconds passed. Finally, the room erupted in laughs. Mostly, Jack felt, out of relief that Fred had finished. Fred won the vote.

And Jack made partner. At another firm.