

**Bridge the Gap Mentoring Program  
Introduction to Office Politics  
Resource 26**

This resource will start a discussion about office politics, including appropriate networking, socializing, and personal behaviors.

- If mentoring Inside, discuss the type of social climate that exists in the office, including whether staff is expected to be formal or informal with each other, whether there are social functions that the new associates are expected to attend, the types of expenses for which it is appropriate to file an expense report, the personalities of partners, colleagues, and other staff, the appropriate and expected attire at the office and other firm events, etc.
- If mentoring Inside, discuss the preferences and expectations of the new lawyer's supervisor. Share tips that the new lawyer could use to impress his or her supervisor.
- Suggest appropriate ways for the new lawyer to socialize and get to know other attorneys and judges in the community.
- Discuss the types of social or office behaviors that could be perceived as detrimental for a new lawyer's career, both with colleagues Inside and outside of the new lawyer's office.
- Read and discuss the suggestions in the attached excerpts. Walton, Kimm. *What Law School Doesn't Teach You: But You really Need to Know*. Chicago: Harcourt Legal & Professional Publications, Inc., 2000.
- Explain to the new lawyer each non-lawyer employee's role in the mentor's office/firm, including the employee's title, job duties, and relationship to the new lawyer (if any) if in an Inside mentoring relationship.
- Discuss the importance of having support staff on your team and treating them with respect.
- Share suggested "do's and don'ts" of dealing with support staff, colleagues, and those more senior than the new lawyer.
- If the new lawyer has an assistant, secretary and/or paralegal, explain the types of tasks that are appropriate (and inappropriate) to ask each of them to do.
- Discuss the importance of asking for help before taking action about which you are not sure and of obtaining assistance when you have made a mistake. Give the new lawyer examples of problems you have encountered and tried to solve without help and discuss the consequences that occurred.

Resource 26

- If mentoring Inside, discuss the office culture with regard to decision-making and the new lawyer's authority to do so.
- Talk about how to develop appropriate support systems of persons with whom the lawyer can discuss problems when they arise.

find yourself open to opportunities down the road that you can't anticipate right now.

Comfort yourself with the thought that summers do end, so your agony is temporary. John F. Kennedy used to say that he could tolerate any pain if he knew it would come to an end. And in Alcoholics Anonymous, people are advised to "look past the drink"—look at the long-term benefits of restraint now. So if you're miserable at work, focus on a time when you *will* be happy, when the bad experience *will* be over. It's so much easier, and more productive, than wallowing in misery.

**38. Be *careful* when you're asked to critique the summer program.**

Don't think that if you make it unscathed to the end of the summer, you're home free. Many employers will have you fill out a critique of your summer experience. As NYU's Gail Cutter advises, "Be selective in the comments you make! Present any suggestions in a positive and constructive spirit. You are still under evaluation; here, your judgment, diplomacy and tact are under scrutiny. It's not unusual for firms to uncover disgruntled employees or people with perennially bad attitudes from critiques."

The same rule applies for critiques you are asked to do for any outside source. Be judicious about what you say; if your comments are too pointed or specific, they can easily be traced back to you. Remember where your bread is buttered. No outside source will decide whether or not you get an offer. Your employer *will*.

**F. SOCIALIZING—HOW TO GET TO KNOW PEOPLE WITHOUT SHOOTING YOURSELF IN THE FOOT**

Work isn't all your summer clerkship is about. What you show your employer about your personality is just as important. They want to know a couple of important things in order to be comfortable making you a permanent offer. Do you get along with the people at the office? This query goes by a number of names. William & Mary's Fred Thrasher calls it the "Atlanta Airport" test—if they were stuck with you for hours at the Atlanta Airport, would they mind being with you? This compatibility is what employers are talking about

when they talk about "fit." You've known all your life that you get along with some people more than others. When you're going to be spending lots of time at work, it's important not just for them, but for you as well, to feel comfortable.

Of course, there's more going on than "internal compatibility." Your employer will also be looking at your personality to see how well you'll represent them to clients, other lawyers, the outside world. Certain kinds of employers have even more specific requirements. If you're working at a prosecutor's office, they'll want to see how well you think on your feet. At a public defender's office, how do you interact with needy clients?

So when you interact with your summer colleagues socially, they're looking for a variety of traits and if you want to receive a permanent offer, you're going to exhibit those traits. Before you get chesty about this, I want to remind you of something very important: I'm not going to be telling you how you ought to behave *all* the time—only when you're around people you work with, whether it's lunch, a dinner at a supervisor's home, or an employer-wide event. Employers don't care about your personal life and whether or not you misbehave on your own time (although it probably wouldn't be a good idea to get arrested). If you want to put a sheep in a garter belt in the privacy of your own home, your employer doesn't care. The ASPCA might. And the sheep. But not your employer. So when I tell you how to behave socially, I'm not talking about your entire life—I'm talking about what's evident to your employer. So don't be resentful if you feel as though I'm trying to step on your freedom. I'm not. I *am* going to make sure that you don't do anything socially that stops you from receiving an offer.

### 1. Get to know as many people at work as you can!

You want to see if you'll like working with them, and you want them to know *you*. It's hard to do that on the clock. Carlton Fields' Eric Adams said that as a summer clerk himself he made a point of highlighting every name in the firm phone directory of everyone he met. "I made a point of chatting with them at social events, weekly happy hours, observational groups with people I didn't know." If you're going to be a lawyer in a private firm, ultimately your business development skills depend on just this kind of behavior. Get a jump on it in your summer clerkship!

**2. Your employer will use social events to evaluate you. Don't *ever* let your guard down around colleagues.**

Don't ever, ever underestimate the value of socializing with your summer colleagues. Fred Thrasher advises that "just as many decisions are made about you socially as at work." John Marshall's Bill Chamberlain adds, "It's a bottom-line thing. They want to know, how will you deal with clients? In court? You're always being sized up." Kentucky's Drusilla Bakert agrees, "It's amazing how many students tank their summer not in the office, but at social events. Don't do **anything** that reflects poorly on your overall judgment or your interest in the organization."

McGuire Woods' Pam Malone points out that "The attorneys want to see how you interact with partners, associates, other summer associates, staff. They want to see if you'll be a team player. They want to see how you'll handle clients. Are you offensive? Too loud? Do you drink too much? Do you bother to show up at all? And if you do come, do you stand alone in a corner?" "Attorneys are forming opinions about you and evaluating you even in casual settings," agrees Willcox & Savage's Joni Coleman Fitzgerald. "If you're well known and well liked by the employer's attorneys, that can work in your favour," she adds. So the effect of attorneys' decisions about you socially can be the make-or-break element in whether you get an offer. That means that when it comes to socializing, "You don't want anybody to remember anything that stands out about you **other** than your work and your great attitude," says Milbank Tweed's Joanne DeZego.



**SMART HUMAN TRICK . . .**

Summer clerk at a large firm in Texas, goes to a party held at a partner's home, where there are a number of partners, associates, and all of the summer clerks. They engage in a lively game of charades, at which this particular summer clerk excels—he's quick with his guesses and acts out the phrases with great skill. After the game is over, one of the senior associates takes him aside and says, "Congratulations. You passed the creativity test." The summer clerk says, "What are you talking about?" The senior associate

says, "The partners like to use the game to see how quick-witted the summer clerks are. You did great."



### CAREER LIMITING MOVE . . .

Summer clerk at a large firm in the Midwest. The firm holds a lavish costume party, encouraging clerks to be creative with their costumes. There are pirates and people in togas, and one clerk even comes dressed as "Mrs. Palsgraf," from the famous Torts case, with a fake broken scale stuck to her head. Shortly after the party starts, one of the summer clerks walks in wearing a jacket on which he has written the words "F\*\*\* the Draft," just like in the freedom of expression case—but he didn't use the asterisks. Everybody at the party is in shock. The managing partner walks over to the recruiting coordinator and grabs her arm. "Don't let this guy out of your sight for the rest of the summer," he demanded. "God only knows what he might get it into his head to do."



### CAREER LIMITING MOVE . . .

Female summer clerk at a large firm in a Southern city. She goes to a baseball game after work with a group of male clerks and associates. It's a very hot day. At the ballpark, the men get up to take off their jackets.

She stands up and, in full view of the crowd, removes her pantyhose.

Sometimes it's the employer that does something involving questionable judgment. The following story isn't really instructive at all—but I wanted you to see it. It's just too good to leave out.

### STUPID EMPLOYER TRICKS

Large Midwestern law firm. Several years ago, they decided to give their summer clerks something a little "different," so they took them

to a skeet-shooting range. Somehow, a gun went off accidentally and two of the clerks wound up having to be taken to the local emergency room to have pellets removed from their posteriors. Thereafter, the firm decided to eliminate from its summer schedule any events involving live ammunition.

**3. Don't treat social events as though they're typhoid carriers. Give your colleagues a chance to get to know you outside of assigning work to you.**

Your employer learns just as much about you by socializing with you as they do working with you. The fact is, if the only exposure a person has to you is in assigning you a writing project, they're not exactly getting a broad view of your personality. William & Mary's Fred Thrasher advises that, "they don't just want you to crank out briefs and memos." It's a mistake to tell yourself "I don't have to socialize. My work will speak for itself." You can't afford to lock yourself away in the library. As McGuire Woods' Pam Malone points out, "As a summer clerk, you aren't self-sufficient. Don't be self-focused. Get to know the other associates, both summer and permanent. They need to develop trust in you. Some summer associates come to work thinking, 'This is about me and proving myself. The other associates don't count.' They couldn't be more wrong!"

Hiding behind your work is also a cop-out. You don't have to be the most outgoing banana in the bunch to fit in. There are always personalities at work that you'll get along with. You've *got* to give them the chance to like you! One large firm rejected a summer clerk with very strong paper credentials. They said, "We do what everybody does. We look for a 'fit' in personalities. When you work the kinds of hours we work, you want to be around people you like. With this woman . . . we just didn't like her. Actually, it was more that she didn't seem to like us. So what was the point of making her an offer?" Another firm echoed that experience, talking about a summer clerk who was "Aloof. He didn't seem to enjoy it or want it. He avoided all of the social events. We didn't invite him back." A Midwestern firm talked about "Summer clerks who come in, they want to work twelve or fourteen hours a day. They get

competitive. Being too competitive can hurt you! One summer clerk actually complained to our managing partner that he thought there was too much pressure to socialize. It was a strong black mark against him."

So whether you want to or not, you have to plan to spend at least *part* of the summer socializing with your colleagues, whether it's informal lunches or firm-organized social events. Whether you're not a social person, or you're loaded down with work, or you'd rather keep your social life private, bite the bullet at least *sometimes* so that people get an opportunity to know you and like you. As Hamline's Vince Thomas explains, "In a private firm, they won't get to know you on the clock. It's too expensive. It'll be at night or weekends. If you tell yourself 'I don't owe them time outside of work,' you're making a mistake."

Beyond giving lawyers a chance to get to know you, there are at least two other reasons to attend social events. First of all, as Betsy Armour explains, "Large firms spend *lots* of money to provide social events for summer clerks. They'll resent it if you seem ungrateful." Second, and most importantly, you need to get as many advocates as you can, so that when it comes time for the firm to make offers, you'll be a shoo-in. John Marshall's Bill Chamberlain stresses, "Don't just meet the people you work for! The more people you know, the safer you are. Some people are more powerful, and they'll shield you." Valparaiso's Gail Peshel agrees. "You can't keep your nose to the grindstone and avoid parties. You need to see partners so they know you and can vote for you."



#### CAREER LIMITING MOVE . . .

Summer clerk, D.C. firm. Very bright and capable, but he believed if he worked like a demon he could blow off everything else. He worked until the early hours of the morning on a regular basis on projects that didn't need it. He was very formal and serious, answering his phone, "Mr. Hale of Spade and Marlow" (not the real names). As the hiring partner said, "He overlooked the fact that the idea is to get to **know** people. You need to be a hard worker **and** a nice person, and give people a chance to get to know and like you."



4. If you work at an office with a huge number of social events, don't feel you have to go to *everything*. You don't . . . but ask for advice about what you can skip.

If you're at a large firm that puts an emphasis on entertaining summer clerks, you're going to be reminded of the fall of the Roman Empire. Parties, lunches, dinners, movies, concerts . . . it can be overwhelming. If you're not much of a socializer, you're bogged down with work, or you have a family, you may start wishing you were at a less generous employer. The good news is, you don't have to go to *everything* that your employer offers. But you do have to be savvy about what you turn down. As Arizona's Mary Birmingham advises, "Be up front! Don't be afraid to ask the question: 'If I can't do all of these, which should I attend?' Ask the recruiting coordinator directly, 'Does the firm expect us to go to everything?' If their schedule isn't overwhelming, they may expect you to go to everything. But if they go overboard, they're expecting you to pick and choose. Follow the recruiting coordinator's advice about which events you need to attend." The recruiting coordinator at one large firm told of a summer clerk who was told that the firm wanted to take her to the NFL draft. "That's the last thing I want to do!" she said. "I don't care about football. I want to be at home with my family." The recruiting coordinator told her, "There aren't a lot of events you really *have* to go to here, but this is one of them. It's a big deal to the partners."

If you are reluctant to socialize because of your workload, speak up about that, too. No large firm wants you to miss every social event because you've got too much work to do. By the same token, if you *do* have a pressing assignment, that comes first. Boston University's Betsy Armour advises that "The work does take precedence over play. There are real pressures and real deadlines. But when you're not sure about whether you can go to a social event or not, *ask* about it. Often a mentor or recruiting coordinator will run interference for you." The bottom line is, it's a mistake to miss social event after social event. For one thing, you'll miss out on a lot of fun. And secondly, you won't give attorneys a valuable chance to get to know you—and you'll deny yourself a chance to get to know them!

**5. If you play sports—tennis, softball, golf—play with your colleagues.**

Many law firms participate in local softball leagues and/or charity golf tournaments. Employers recommend that you get involved in as many of these activities “as you have the energy for.” Why? “Besides the schmooze value, you’ll have fun and get to know the people you work with in a non-pressurized atmosphere. You’ll be happier and you’ll do better work.”

**6. Don’t continually blow off invitations to lunch or to the homes of lawyers.**

Sometimes you may be tempted to turn down social invitations from associates and partners. After all, you can get tired of being on good behavior. You may want to go out with buddies from law school, your spouse, or other friends instead. But you shouldn’t make a habit of saying “no.” As Kentucky’s Drusilla Bakert advises, “If you continually turn them down, they’ll get the impression that you are not very interested in getting to know them. If you’re asked out to lunch by one of the lawyers and for any reason can’t accept, be sure and return the invitation later on.”

If a partner or associate invites you to their home, you might feel uncomfortable. You might feel you have nothing in common with them, and you’ve got other things you’d prefer to do with your time. Remember: it’s just as much of a stretch for them. They don’t know if you’ll be a lot of fun or a real stiff. They’re taking a risk, and you should, too. There are very, very few people who are truly unbearable socially, and you’re unlikely to get a social invitation from one of them!



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**SMART HUMAN TRICK . . .**

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Large law firm and an African-American clerk. A partner in the firm invites the clerk over to his house. The clerk recalls, “The partner lives in a very white, very Irish Catholic town near the city where the firm is located. He wants me to have dinner with his family Friday night, and

then go with them to a high school football game at a local Catholic high school.

"My first reaction is, 'Are you crazy? I couldn't care less about this game. I'm not Irish or Catholic. I'm not even crazy about the town where this guy lives. I already give the firm sixty hours a week. Isn't that enough?' But I think about it some more, and my better judgment takes over. So I accept the invitation. I show up with a hostess gift for his wife, I play with the kids. We have dinner, and then we leave the house to walk to the game.

"When we get to the stadium at the high school, I feel like I've stepped into a parallel universe. The only other African Americans at the game are the players. It's not my ideal night out on the town!

"But that night, they really made an effort to get to know me. They asked me about my family and where I grew up. They took an interest in me. That night taught me a valuable lesson: it doesn't pay to be aloof or reluctant. People will write you off. Don't give them a chance to leave a void where your personality ought to be. Create a reality for them. It'll pay off. That partner was a big supporter of mine after I spent that evening with him and his family. He invited me to a number of things during the rest of the summer. And when I had to turn him down for some of them because I had work to do or prior commitments, he knew I wasn't trying to avoid socializing with him."

**7. Remember that employers are hierarchical. Be nice and respectful to everybody, but hang out with your fellow summer clerks and attorneys.**

It's true that anyone's opinion of you at work can make or break you, so it's important to be respectful to, and appreciate of, everyone. As many lawyers point out, it's easier to replace a summer clerk than a treasured secretary. But having said that, watch who you hang out with on a regular basis. As South Carolina's Phyllis Burkhard says, "In an increasingly egalitarian society, it's upsetting to a lot of students to acknowledge that there are lines of status, particularly at large law firms. Although the runners may be the closest people in age to you, they shouldn't be your best

friends at the firm. If you want the lawyers to see you as a lawyer and future colleague, you need to associate primarily with the other lawyers and summer clerks. Snobby? Probably. Realistic? Yes. If you keep your eyes open, you'll see that most of the time the lawyers lunch with each other or with the clerks, the secretaries lunch together, and the paralegals do the same."

**8. Don't forget to RSVP invitations to firm events.**

If you get a formal invitation to any employer-related event that requests an "RSVP," then make **sure** you respond in a timely manner—and that means a yes **or** a no. As Milbank Tweed's Joanne DeZego says, "Little things mean a lot. RSVP means 'no' as well as 'yes.' If you're asked to respond—respond!" There's a sound practical reason for this, which I happen to know because I was recently married. When you have a catered event, the caterer will charge you by the person. And it can get expensive, especially in the large cities. So having an accurate head count is crucial. If it's a party at an attorney's home, then it's just downright impolite not to give them an idea of how many people they need to provide for.

On that same note, if you say you're going to attend an event, go. If you don't, they'll pay for you anyway. And they won't be happy.

And if you need any further encouragement to make your social responses ship-shape, remember that the person you're torquing off if you **don't** respond is the recruiting coordinator, who inevitably has the partners' ears when it comes to considering offers. Not a wise person to annoy, **especially** not over something so easy to avoid!

**9. If you're not sure what to wear to social events, ask someone at work. And if you *are* sure, ask someone at work anyway.**

In an era when the words "business casual" strike fear in the hearts of young professionals everywhere, it's almost impossible to know what to wear to employer social events. There **are** a few hard and fast rules that I heard from lawyers everywhere. No flip-flops. No belly shirts. Nothing torn or cut off.



One recruiting coordinator told me about a summer clerk who showed up at a firm event where the attire was "business casual" wearing a bowling shirt with an unusual pattern on the chest. The bowling shirt itself was out of place, but she was curious about the pattern, and asked him about it. "Oh, that," he said. "That's not a pattern. That's puke." "It was really bizarre," she said. "It was almost like he was **proud** of wearing this puke-stained shirt. Ugh."



### THREE LIMITING MOVE . . .

Summer clerk from California at a large firm in the Midwest. She wears flip-flops to a party at a partner's house. The partner, hugely offended (and vindictive), blackballs her, and she doesn't receive an offer.



### CAREER LIMITING MOVE . . .

Female summer clerk, large Texas firm. At a firm party, the female lawyers showed up in tailored dresses or nice slacks and blazers. Clerk walked in wearing a big frilly pink dress, "perfect for a junior league tea, but not professional looking!" commented one of the lawyers. "She was bright and hardworking, but we couldn't make offers to everyone. In the end we chose the clerks, male and female, who looked like lawyers. She couldn't see that her 'little girl style' wasn't appropriate."

Aside from the obvious, there's nothing crystal clear about what to wear to events you've never been to before. One summer clerk told me about being invited to a boating event, where the invitation read "Attire: Casual." "So I showed up in what I considered casual wear—jeans, a T-shirt, beat-up tennies. I look around, and all of the lawyers are wearing pressed khaki pants, polo shirts, expensive top-siders. I thought to myself, 'They call that *casual*? I'd dress like them for *church*.'"

Don't make yourself miserable—and have people question your judgment—by showing up dressed inappropriately at a social event. Instead, ask a junior associate or the recruiting coordinator for what's appropriate. Nobody expects you to walk in the door knowing this kind of stuff, and it's actually a feather in your cap if you ask rather than show up looking out-of-place. As Kentucky's Drusilla Bakert says, "At social events, it's important for your appearance and behavior to be close to the norm. Don't underdress or overdress. **Ask** somebody! You'll feel more at ease if you're appropriately dressed."

**10. If you bring a date to an employer social event, make sure (s)he knows how to dress and act.**

As Temple's Karen Jackson Vaughn says, "As is the case in life, people at work judge you by the company you keep. As a general rule, if you don't have a spouse or significant other, it's best to go to these functions alone unless you know how your date dresses and behaves in social settings."



**CAREER LIMITING MOVE . . .**

Summer clerk at a large firm in the Midwest. He shows up at firm social events with a woman who wears very heavy makeup and tight, short dresses, and spike heels. She talks loudly and drinks enough to be noticed. Behind his back, the lawyers at the firm comment, "I wonder how much he pays for **her**?"

**11. Don't assume the employer will spring for *everything*.**

Particularly if you're spending the summer with a large law firm, you may get the feeling that they're a sugar daddy with a no-limit credit card. While formal firm events are obviously "on the house," when you go to lunch or dinner with partners or associates, don't make the same assumption. As Carlton Fields' Elizabeth Zabak says, "It may be that every lunch and dinner is paid for. But don't make that assumption. At least *offer* to pay. If nothing else, it's a good gesture."

**12. Employer social events aren't the place to prove your beer-drinking capacity and your ability to belch the alphabet . . . and other alcohol-related advice.**

Of all of the many thousands of stories I heard while researching this book, there were far and away more drinking stories than any other kind. I don't know if I've "heard it all," but I must have heard most of it. Summer clerks who get drunk at firm events and pass out. Or yak into the potted palms at a partner's house, or worse, directly onto a partner's lap. Or get so tanked they don't remember the event at all. Or have so much to drink that they have to be taken to the emergency room to get their stomachs pumped. One large West Coast firm recounted the story of a summer associate who got royally pissed at a firm social event, and decided to leave by himself. Unbeknownst to anybody else at the party, on his way home he tripped on the sidewalk, hit his head, developed temporary amnesia, and was picked up and taken to the hospital by a good Samaritan. "Of course, we were both embarrassed and concerned," said the firm's recruiting coordinator. "At the very least, if he was going to get that drunk, he should have gone home with a buddy."

I hate to be a party-pooper, but remember: these employer social events are parties in name only. You're still under the microscope. And there are a bunch of great reasons not to drink, other than the fact that in the morning you'll feel like there's a marching band in your head.

For one thing, as Georgetown's Abbie Willard points out, when you're drunk, you're out of control. A lot of the inappropriate sexual behavior I hear about (as will you, in the sections on Office Romances) is the result of demon rum. You might be able to corral your libido when you're sober, but after a few Kool-aid shots you're gazing into the eyes of a colleague's spouse and saying, "God, you're so f\*\*\*\*\*g hot!"

For another, you've got to take advantage of social events to meet the attorneys and their spouses, and to learn everything you can about what's going on at work, the good stuff that doesn't appear in official employer publications. You can't do that if you can't get your eyes to focus or your tongue to form itself around words.



Furthermore, as Gail Cutter suggests, you may be asked to go back to the office unexpectedly after a social event. So you want your fine motor skills in working order. And perhaps most importantly, what does getting drunk say about your judgment? It's hard to prove you're a responsible person capable of taking the fate of a client in your hands when you're stumbling around and plunging butt-first into the punch bowl.

"But Kimm," I hear you saying, "it's not that *easy*." I know the dilemma. You don't want to get blitzed, but you don't want to be a stick in the mud, either. No grown-up wants to feel like while they're having a beer or two, you're giving them the hairy eyeball. As one large firm hiring partner pointed out, "We wouldn't make an offer to someone who socialized every night and drank too much. But you *do* have to show you know how to enjoy yourself." At another large firm, the recruiting coordinator said that the junior associates egg on the summer clerks. "They'll say things like, 'I can't believe you're not drinking! What's wrong with you?'" Georgetown's Abbie Willard adds that "Even if the lawyers encourage you to party with them, they don't want you to be inappropriate." At one firm, some *clients* actually goaded the clerks into drinking at a firm event—and then complained to the firm when the clerks got stumbling drunk!

What you want to do is to hone some sleight-of-hand techniques so that people think you're matching them drink for drink, when you're not. Here's how it's done:

- a. Confine yourself to one drink, and nurse it for a *long* time. Don't think that anybody's counting your drinks. As Hamline's Vince Thomas says, "It may be the finest gin you've ever had, but one is enough!" Abbie Willard agrees, saying "*You* know your limits. You can have fun on one drink, without getting drunk."
- b. If the alcohol is flowing *really* freely, and someone insists on bringing you another drink every few minutes, just take a sip out of the one in your hand, and when they're off retrieving another drink for you, surreptitiously ditch the one you've got now. "There's always a way to unload a drink without anybody noticing," commented



one lawyer. "If it's an outside event, I just dump it on the grass. Or I put it on a table crowded with other glasses. If I'm really desperate, I'll knock it over, pretending it was an accident—but I make sure I don't spill it on anybody, of course!"

- c. Get your own drinks from the bar. One summer clerk told of how he'd always go and get himself a sparkling water with a twist, because it looked just like a gin and tonic. That way, when anybody offered to get him a drink, he could point to the one in his hand, and say, "No thanks. Not now."
- d. When they move on to doing shots, that's the time to excuse yourself. As Baker Botts' Bart Showalter advises, "Excuse yourself to talk to so-and-so when they start doing shots." There's no way to keep a clear head with even **one** turn at the vodka slalom.
- e. You'll find that even if you use these techniques, the pressure may get more intense as the evening wears on. If you absolutely can't get away with just one drink, then alternate. As Georgetown's Beth Sherman suggests, "Have a beer then a water then a soda then a beer. Control yourself!" One recruiting coordinator commented that "When it comes to drinking, summer clerks start out with the best intentions. But then they're at a party, and the partners are drinking too much, the associates are drinking too much, and they start thinking, 'Everybody's drinking, why not me?' Don't fall into the trap!"

If you think this all sounds hopelessly dweebish, keep a couple of things in mind. One, it's not as though **everybody's** drinking. It might seem that way, but if you look around carefully, you'll find other people who are squeamish about getting drunk. So the overwhelming social pressure to drink is not as unanimous as you think. On top of that, what really bugs people if they're drinking and you're not is that they feel as though you're silently admonishing them. As Georgia State's Vickie Brown says, "You don't have to take part, but you **do** have to make them feel comfortable. Tell them, 'You go ahead!' in a hearty, encouraging voice. That'll alleviate the pressure on you."

**13. Don't worry if you feel as though you don't "fit in." Personalities gravitate together. Give yourself time.**

It's very easy to be intimidated toward the beginning of your summer clerkship, particularly if you're introverted. You might feel as though everybody around you is extroverted except for you. That's virtually never the case. It's just that noisy people are the ones you notice first. At any medium to large firm, you'll find a range of personalities. As Baker Botts' Bart Showalter says, "Personalities always tend to gravitate toward each other. Some clerks will get together and go to a baseball game. Others go to museums or to a steak dinner and bar-hopping until two in the morning." Look around for people who like the kinds of things you like—and you'll find them. Don't try hard to fit your personality into a mold that doesn't suit you. You won't like it, and other people won't feel comfortable around you. As Akin Gump's J.D. Neary advises, "If you tend to be yourself, you'll find your angels who will help you."

Of course, if you find that your social comfort zone is way out of whack with your summer employer, it may be that you're at the wrong place for you. In a large firm you'll find all kinds of attorneys, but if you're in a small office and everybody there is a boozier and you're not (or you are, and *they're* not), there's a cultural mismatch that might make it better for you to work somewhere else.

**14. Don't forget who you're partying with when you go to firm functions.**

It's easy to forget yourself at a firm function, even if you're *not* drunk. You might be at a country club or at somebody's house. People are laughing and joking and having a beer or two, and wham—all of a sudden you're feeling really comfortable, and you overlook the fact that the person you're talking to has some control over your career. Have a good time, but don't let down your guard. The most flagrant examples—other than drinking stories—involve playing games, where summer clerks let their competitive instincts drown out their common sense. If you're a professional-level card shark or championship athlete, ratchet it down a notch for firm events. And remember that while a desire to win is an excellent trait for an attorney, berating others for your losses doesn't fly.

**CAREER LIMITING MOVE . . .**

Summer clerk at a large firm. He goes to a partner's beach house, two hours from the office, for a firm event. He starts playing poker with the partners, and cleans them all out. High on his victory, he gets drunk as a skunk, pulls a cigar out of his pocket and starts to smoke it, and walks around jovially slapping partners on the back. As one partner commented, "Clearly at some point he'd decided he didn't want an offer."

**CAREER LIMITING MOVE . . .**

Male summer clerk, West Coast law firm. Goes to the firm's annual tennis outing, where he's scheduled to play against the managing partner's wife. He not only beats her, he whips her so badly—serving balls hard at her feet, bulleting balls toward her head when she's at the net—that she starts to cry.

**CAREER LIMITING MOVE . . .**

Summer clerk, firm event at a resort. At night, some of the clerks, lawyers and spouses get together for a game of charades. One summer clerk is on a team with a partner's wife. When he tries in vain to get her to guess a word, in exasperation he yells at her: "What are you? Stupid?"

15. **Don't get chuffed if people don't remember your name. Help them out, and mention your name when you see them—even if you've met them before.**

The recruiter at one large firm told me that "Summer clerks are way too sensitive about lawyers remembering their names. They have to remember that there are fifty of them, and when they go to a firm function, the managing partner might have met them once. I've had clerks come into my office after a firm party and say, 'I can't *believe* he didn't

remember me!" I always want to say, "When you guys first meet *each other*, you have a hard time remembering names. Don't expect the lawyers to be better at it! Heck, the managing partner can't remember the names of all of the *partners*, let alone the summer clerks!"

The fact that someone doesn't remember your name doesn't mean anything. Maybe they were preoccupied when they met you, or maybe they didn't catch your name the first time they heard it, or maybe they didn't use one of those memory cues designed to help you remember people's names (like repeating it back to them and using it in conversation to cement it in your mind). No matter what the reason, cut them a break. As Drusilla Bakert recommends, "When you meet lawyers at social events, make sure that they know who you are by introducing yourself if they do not greet you by name. For instance, when a lawyer comes up to you at a social event and gives you his or her name, that's a *cue* that (s)he's forgotten your name. Don't just say hello. Give them your name, also." Look at it this way: a lawyer can't give you a good review if (s)he doesn't know your name.

You could also try my trick. Whenever I see people that I've met before, if I notice that they seem to be struggling with my name, I tell a story that uses my name. "I was in this restaurant, and I said to myself, 'Now, Kimm, last time you were here the salmon smelled funny . . .'" There have been times when I've seen my conversational partner visibly relieved to be reminded of my name!

**16. When you meet people, take a simple precaution to avoid embarrassing yourself in case you've met them before and forgotten about it.**

Has this ever happened to you? You see someone at a social event, or a friend walks over with someone and asks if you know that other person, and thinking you've never met before, you say, "Nice to meet you." They respond with, "Oh, we've met before. Don't you remember? . . ." *Very* embarrassing. It's happened to me a few times. And when you start at a new employer and you meet a whole ton of people in a hurry, it's *very* easy to forget whom you've met, and whom you haven't. Save yourself from embarrassment with a bit of wonderful

advice from Boston University's Betsy Armour. "Instead of saying 'nice to meet you,' say 'nice to see you,'" she says. "That way, it's not specific to seeing them for the first time. It works whether you've met them before or not."

**17. OK, I came to the party. What do I say? How do I approach people?**

If you don't feel comfortable meeting people, you're not alone. It can be particularly intimidating when you're the summer clerk and everybody else is a "grown-up" lawyer. However, the way to handle social events is just the same whether you're a summer clerk or a new associate. I've gathered all of that advice together in Chapter Four, the section called "Social Graces, Or—How Not To Be Seen As A Pig, And How To Make Conversation With Anybody in Any Social Situation."

**18. Remember that social events give you a *great* opportunity to help answer the question: Do I want to work here after I graduate?**

When I ask law school graduates—and I've asked thousands of them—what they like about the place they work, the answer is almost always the same: the people. Interestingly enough, the people you work with, and how you feel about them, has a greater impact on your enjoyment than the kind of work you do. As Willcox & Savage's Joni Coleman Fitzgerald says, "Make no mistake about it—attorneys work very hard and put in a lot of hours at the office. You want to begin your legal career with a group of people whom you genuinely like and whose company you enjoy."

While working with people on assignments gives you some insight into their personalities, social events are *tailor-made* for that kind of research. Take advantage of those chances! As Georgetown's Jim Lovelace says, "When people relax and let their hair down a bit, that's the best time to get the inside-skinny." Whether it's a firm event or a simple lunch or dinner with colleagues, *listen* to what they say, see whether the values they espouse agree with yours, and if they don't, see if they welcome diversity. If they're all hard partiers and you're a born-again Christian and they make fun of people who are "too straight-laced," you're not going to fit in. If they're all conservative Republicans, you're a

liberal Democrat, and they uniformly deride "bleeding-heart liberals," your skin is probably going to crawl if you're around them on a regular basis. That's what lawyers mean when they talk about a "fit" between an employer and a new hire.

You can also learn a lot of valuable information about the employer. When people relax, they let slip all kinds of interesting information. Listen for tidbits about who's up and coming, and who's on the way out. Who's powerful and who's a blowhard. What the financial situation of the employer is. You need to be a sponge and absorb as much information as you can, so that when it comes to making *your* decision about where to work, you're making an *informed* decision.

**19. Don't let the fact that they're telling dirty jokes seduce you into thinking you can do the same.**

You know without my telling you that it's dangerous to tell dirty jokes around people you don't know. And if nobody else did it at your summer workplace, you probably wouldn't even *think* of doing it. The problem is when the lawyers themselves start telling off-colour jokes, and you know a whole flock of those.

Resist the temptation to chip in. Laugh your head off, *even if you've heard the jokes before*, and confine yourself to being a good audience. Nobody is checking out *their* judgment, but everybody's thinking about *yours*. One recruiting coordinator told me about a summer clerk who matched ribald jokes with ribald jokes with a group of junior associates. "The very same guys who told the jokes with her blackballed her at the end of the summer!"

You get the point. Hold your tongue, and keep those jokes for your friends *outside* of work.

**20. Don't ignore attorneys' spouses.**

When you're at a social function with lawyers and you're trying to impress them, it's very easy to focus on the lawyers themselves to the exclusion of their spouses. Don't do it. Lawyers notice it and resent it. As Kentucky's Drusilla Bakert advises, "If you ignore a spouse while trying to impress the attorney, you'll do just the opposite."

21. Even if the event is **really lame**, at least act like you're having a good time.

Especially if your employer has arranged a lot of social events for the summer, **some** of them are going to be real **dogs**. Whatever you do, don't let on with your displeasure while you're there. It reflects poorly on your judgment. Why? For one thing, somebody who's got some say over whether or not you get an offer **thought** this event was a good idea, and if you loudly proclaim your **disappointment**, you're embarrassing them. For another, in a lot of situations, if you're bored, it's **your** fault. If you're at a party that doesn't take off, who's nailing your feet to the floor? Get an interesting conversation going with somebody. **Make** your own fun. And finally, your employer is always checking to see how tactful you will be when you have to deal with clients. You can't tell a client, "My God, this case is a loser!" You've got to put it more gently. Get into practice with social events that **make** you want to telepathically transport yourself anywhere but here. Laugh about it later if the event is a real bow-wow. But while it's going on, and while you're around people whose opinions count, keep it to yourself.

22. If you see inappropriate behavior by other summer clerks, think twice about reporting it.

There are naughty things to do, and then there are **really** naughty things to do. If you pal around with other summer clerks and they do something off the clock that does not impact their work, then keep your mouth **shut**.



#### SMART HUMAN TRICK . . .

A group of summer clerks go out nightclubbing one Friday night. One of the clerks is from a very prestigious law school; the others are from a less distinguished school in the same city, and one of **them** is driving everybody else from club to club. As they are on the freeway going home, in the early hours of the morning, the clerk from the prestigious law school starts mouthing off about how good his school is. The driver swerves over to the breakdown lane, stops, and shouts



at the braggart, "Get out of my f\*\*\*\*\*g car! You're an idiot!" The other guy responds, "But . . . but . . ." The driver will not be placated, and the other guy gets out. The other clerks in the car are stunned, and don't know what to do. They get out with the chastised clerk, and the driver drives away. So they're standing on the side of the freeway in the middle of the night. They start walking, and soon enough, a limousine driver with an empty limo comes along. He gives them a lift home. One of the clerks said, "We didn't know what to do. We talked a lot about it. But we figured, it doesn't have anything to do with the firm. It was outside office hours. It's just tensions between the schools. So we let it go."

#### G. HANDLING SECRETARIES, RECRUITING COORDINATORS, AND ANYBODY ELSE AT THE OFFICE WHO ISN'T A LAWYER.

Everything in this section can be summarized in two sentences: Be nice to everybody at work. Assume that anybody's vote can make or break you, whether they're a lawyer or not.

In the permanent associates section, I talk an awful lot about support staff issues. Here we'll focus on issues relevant only to summer clerkships.

##### 1. Handling support staffers in general. Remember: Their opinions *count*.

The last thing you want during your summer clerkship is to develop a reputation for being rude, abusive, demeaning, or demanding of the support staff. You may be better educated than they are, but every single employer I talked to said that if you can't play nicely at the office, you'll get bounced at the end of the summer.

For one thing, it's simple human decency to be nice to people. "Treat other people as you'd want to be treated," as William & Mary's Fred Thrasher says.

If the golden rule doesn't float your boat, there are a lot of selfish reasons to be nice to support staffers. At plenty of employers, support staffers get a vote on whether or not summer clerks will be invited back. As



Georgetown's Abbie Willard advises, "Secretaries will tell if a summer clerk has been abusive or demanding. And you **won't** get an offer. They value their support staff!" Willcox & Savage's Joni Coleman Fitzgerald agrees: "Support staff members won't hesitate to make their impressions and opinions of summer clerks known to attorneys and recruiting committee members." One hiring partner told me that at his firm, the partners make a preliminary decision about who they want to invite back, but before they make final choices, they call in the secretaries as a group, and ask, "Who do you think we should give offers to?" "Their vote is important," he said.

Beyond simple decency, acknowledge when a support staffer has gone above and beyond the call of duty for you. As William & Mary's Rob Kaplan points out, "If you're working your butt off on a tight deadline and you have paralegals and secretaries busting it for you, do something nice for them—give them candy or something like that." Stetson's Cathy Fitch agrees: "If someone at the office sets up a special reception or other social event, be it a support staffer or a partner's wife, send a thank-you note the next day. So many summer clerks treat social events as an entitlement. A **lot** of work goes into them, and a thank-you note recognizing that effort makes a big impression."



#### CAREER LIMITING MOVE . . .

Summer clerk at a large firm. He has occasional bouts of mistreating various staff members. The recruiting coordinator pulls him in and gives him a talking-to. He consequently turns on the charm and receives an offer. He decides to go somewhere else, but after a year or so, decides he wants to come back to the employer after all, and he reapplies for a job. The firm thinks about it, and remembering his temper problems with secretaries, decides not to reopen the offer.



#### CAREER LIMITING MOVE . . .

Summer clerk, splitting the summer between two firms. When he arrives at his second firm, he spends fifteen minutes with the recruiting

coordinator, as she familiarizes him with the firm. He slouches in his chair, chewing gum, appearing totally disinterested in what she has to say. When she finishes, he gets up and spits his gum in her wastebasket, saying, "I gotta get rid of this before I meet anyone." She waivers on whether or not to report this to the hiring partner, but decides to do so. His response: "If they're going to treat you that way then we don't need them." His career at the firm was over before he worked on his very first project.

## 2. Handling secretaries/assistants.

It may well be that you don't get secretarial help at all during your summer clerkship. If you *do*, it may be the first time in your life that you've ever had a secretary, and your first thought may be, "What the heck am I supposed to give him/her to *do*?"

Relax. Nobody expects you to know how to handle a secretary. And anyway, it varies from office to office.

There are certain universal truths, however. No matter where you work, never *ever* expect a secretary to get you coffee! That *really* torques them off. Also, don't assume that they're called "secretaries" at all. In some offices, they're referred to as "assistants" and if you say "secretary," it'll get on their wick. When in doubt, it's always safest to call someone an "assistant" rather than a secretary. You won't offend anybody that way. The best way to figure out what to get your secretary to do is to ask around, either the recruiting coordinator or a trusted junior associate or any other mentor you have. McGuire Woods' Pam Malone says that "Secretaries generally help with time sheets, for instance. But it varies from firm to firm. Listen to the advice you get from people who are there already."

Incidentally, it's not always a good idea to figure, "If I do everything myself, I can't possibly misuse anybody." Some employers *want* you to learn the habit of relying on a secretary. They want you to get started delegating work, so that you focus efficiently on the work for which they can bill clients for your time.

When it comes to needing overtime help with secretaries, paralegals, word processing, or anyone else, NYU's Gail Cutter advises that you "Ask

your mentor and/or a trusted permanent associate how much advance warning is typically needed to secure overtime secretarial help or word processing. The costs may vary widely, and you need to learn the firm's preference and policies. Ask your assigning attorney about the perimeters for using overtime or special support for a project. These additional costs will have to be borne by the client in most cases, and they can be substantial." If you run up a bill a client won't pay, it will reflect *very* badly on your judgment.

Also, keep in mind that if you *do* have a secretary, you're probably sharing that secretary with several other people, so you should be extra-careful about timing your requests. As Joni Coleman Fitzgerald advises, "Try not to make unreasonable demands, and provide plenty of time for a secretary to complete your work, keeping in mind those other demands your secretary has on his or her time."



### SMART HUMAN TRICK . . .

Summer clerk finds out that both the firm's receptionist and his secretary have their birthdays during the summer. He brings in a flower for each of them on their birthdays. They're thrilled, and become strong allies of his. There's buzz all over the firm, "Pssst—where did the rose come from?" After that, he can do no wrong.



### CAREER LIMITING MOVE . . .

Summer associate, large firm in New York. He breezes through the summer, on track for a certain offer. Throughout the summer he has shared a secretary with a senior partner.

Toward the end of the summer, on a Friday, he says to his secretary, "What are you doing this weekend?"

She responds, "I've got plans both days."

The summer associate nonchalantly responds, "I'll need you Saturday from nine in the morning until six o'clock." [Mistake #1—Never approach a secretary on your own initiative to do overtime. It's very expensive, and it's not your call to make! Ask a supervisor first.]

The secretary replies, "Well . . . my plans are pretty firm. Are you **sure** it's an emergency?" The summer associate assures her that it is.

She cancels her plans and shows up, as requested, on Saturday morning at nine o'clock. The summer clerk doesn't show up at nine . . . or ten . . . or twelve . . . or two. The secretary is terrified to leave, in case the summer clerk shows up. Finally six o'clock rolls around, and she gets up to leave. Just then, the summer associate rolls in. Without acknowledging her wasted day, he asks, "Are you leaving **already**?"

She sputters, "Yes. I've been here since nine o'clock."

He responds, "But I **need** you!"

She shrugs and says, "Too bad," and she leaves.

He calls her at home for the rest of the weekend. She leaves her answering machine on, refusing to answer his calls or call him back.

On Monday morning, the clerk races furiously to the recruiting coordinator's office and vents, "I can't get my work done around here. I'm getting no support from my secretary."

Just then, the recruiting coordinator's phone rings. It's the partner with whom the clerk shares the secretary. He says, "You wouldn't believe what happened." The partner has the secretary in **his** office, and he recounts the story over the phone to the recruiting coordinator. With the summer associate sitting right in front of her, the recruiting coordinator keeps a poker face, occasionally muttering, "Mm-hmm. Mm-hmm."

When the recruiting coordinator gets off the phone with the partner, the recruiting coordinator tells the summer clerk who it was, and gently explains to the summer clerk about the cost of bringing secretaries in on weekends, and general advice about the proper way of doing these things. She adds, "By the way, what was the emergency?"

The summer clerk responds, "I haven't done my time sheets"—the time he should have been recording on a daily basis the entire time—"all summer. I needed her help."

### 3. Walking a fine line with recruiting coordinators and mentors.

Recruiting coordinators and mentors are in a funny position. On the one hand, they're definitely there to smooth your way for the summer.

There is just about nothing you can't ask them: What to wear, who to talk to about a work-related issue, which summer events you can blow off and which you **have** to attend, tips for dealing with difficult personalities at the office, all the way to very serious matters involving ethics and harassment. As NYU's Gail Cutter points out, "The recruiting coordinator is an important ally and often has a strong 'informal' influence on whether or not you receive an offer."

But the fact that they're usually so friendly—for recruiting coordinators, it's a job that **depends** on great people skills!—often leads summer clerks to suspend their good judgment in talking to them. As William & Mary's Fred Thrasher says, "You can go talk to them, and they're often advocates for you. There are many issues they'll treat confidentially, but remember they still work for the firm!"

For instance, if you tell a recruiting coordinator about an incident of sex harassment, you're putting the firm on notice legally and the recruiting coordinator is **not allowed** to keep it a secret, no matter how much you may need a sympathetic ear (look for one **outside** of work to figure out your next move, unless you **want** the matter to be pursued). If for any reason you need to vent about anything involving your work, "Call your law school's career services office instead," says Gail Cutter. "Resist the urge to 'spill your guts' or 'let your hair down' with recruiting personnel."



#### CAREER LIMITING MOVE . . .

As one hiring partner reports, "Our recruiting staff members are told unbelievably personal things. 'I had an abortion,' 'I don't like this partner.' What the summer clerks don't realize is that the recruiting personnel are looking after the firm first and the summer clerks second. They're not appropriate confidants. You can't count on confidentiality. If you stayed out all night, and you came in in the same clothes you wore to the office yesterday, don't tell the recruiter, 'Hey, look! I was out partying all night!' Recruiters are very nurturing people, but they're not your Mom!"

#### 4. Recognize the employer's law librarian is a *very* valuable resource.

If you go to an employer large enough to have its own law librarians, get out of your mind the image of a dowdy old lady in wing-tip glasses whose duties seem to consist entirely of putting a finger to her lips and saying "Shhhh!" Law librarians can make your life a *ton* easier, and make you look like a genius to your assigning attorneys. As Joni Coleman Fitzgerald says, "The firm's law librarian is a great resource for summer associates, especially in assisting with the proper use of computer research tools. Law librarians typically conduct a great deal of legal research for firms, and they can be invaluable to you in helping you get started with a research project."

Remember, you can't completely offload projects on librarians no matter how capable they are; you're there to be judged for *your* research skills. But when it comes to getting a push in the right direction, your law librarian can be a godsend.

#### H. OFFICE ROMANCES: SPEND YOUR SUMMER CLERKSHIP GETTING TO KNOW THE LAY OF THE LAND, NOT GETTING TO BE KNOWN AS THE LAY OF THE LAND.

Aah. Summer and romance. They go together like—well, like "no" and "offer."

It's easy to see how office romance problems arise. *Everybody* understands temptation. Especially when it comes to summer clerkships. As one recruiting coordinator put it, "You can see why it happens. They're young. Many of them are very attractive. Sometimes they're in a new, exciting city for them. They've got money. They've got free time. If that doesn't get a person's libido going, I don't know what would." I've heard every combination you can imagine. Summer clerks with other summer clerks. With associates. With partners, single and married. With partners' spouses (a summer clerk at one firm ran off with a partner's wife and married her).

I hate to sound like a public service ad, but when it comes to sex and your summer clerkship, the overwhelming advice I heard from lawyers was: keep it

in your pants. At least for the summer. As Hofstra's Rebecca Katz-White says, "If it's real, your feelings will last longer than the summer. Don't date attorneys. It'll complicate your offer." William & Mary's Fred Thrasher adds, "Recruiters always warn that there are so many factors involved in getting an offer, why take a chance on ruining your reputation with an ill-advised romance? You can create so much awkwardness, not just for you, but for the people around you." The "no dating" advice applies in spades if your employer has an anti-fraternization policy, forbidding intra-firm dating. It's not likely they will, but *some* employers do. If they do, don't let there be even a whiff of dating hovering around you. It's not because they can punish you for violating the policy—everybody agrees that those policies have no teeth—but it's a clear indication of their views on office dating, and how they'll look askance if you tiptoe through the tulips with a colleague.

If you can't (or don't want to) keep your gun in your holster for the summer, then resort to Option B: Do whatever you want, but be discreet about it. I've told you before, nobody cares what you do—they just care about what they see. If they're going to see you having a summer fling, make sure that they also see you showing good judgment about it.

With all of that in mind, let's go through the ABC's of Summer Clerkship Romances:

**1. Avoid spending too much time alone with another clerk or attorney. Even if you're not dating, people will assume you are.**

Isn't *that* a bummer? You're good, you keep your hormones in check, but just because your summer buddy happens to be someone of the opposite sex, people at work think you're an item. It's like not getting to eat the chocolate cake and putting on the weight anyway. One former summer clerk told me that during her clerkship, she had hung around a lot with a male clerk from another school. "His girlfriend couldn't make it to the city for the summer, but he talked about her all the time, so there was no question there wasn't anything going on between us," she told me. "But one day I'm working with a partner, and he says to me, 'So has Dave proposed yet?' I couldn't believe it. But people had seen us together, and they'd put two and two together and gotten five. It taught me a lot about perceptions being everything."



2. If you *do* date somebody at the office, be discreet about it—but don't try to keep it a secret.

This may sound like contradictory advice, but it's not. What gets people into trouble with office romances isn't so much the fact of them, but rather their tendency to exercise what we'll call questionable judgment about the conduct of their romance. Remember, judgment is one of the primary elements employers want to see in you during the summer. That applies to the way you conduct every aspect of your life that you let them in on. Walk right down the middle: don't broadcast your love life, but don't hide it or lie about it.

I've heard about every kind of indiscretion you can imagine. Two summer associates going at it on the table in the library. Clerks getting their swerve on in a partner's private bathroom at the firm. In mail rooms. On copy machines. In cars in the parking lot. On a partner's desk during the firm's Christmas party. As Kentucky's Drusilla Bakert says, "If it's true love and you simply can't help but get involved with a lawyer or fellow clerk, be discreet about your relationship. Resist the urge to be conspicuous. Avoid any PDA's at the office or any social functions."

The flipside of being discreet is not being secretive. Don't even pretend that you'll be able to keep your romance a secret. People call it "water cooler osmosis." As one recruiting coordinator says, "Associates *love* gossip. *Everybody* will hear about it if you hook up." So what you're aiming for is the golden mean. If you're dating, don't tell anyone, but if they find out, or if they *ask* about it, don't deny it. As Drusilla Bakert says, "If you try to hide your relationship and you're found out, members of the organization may wonder what *else* they don't know about you."



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CAREER LIMITING MOVE . . .

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Large firm in the Midwest. The big summer social event is a camp retreat at a resort. The firm has one bunkhouse for female clerks, and one for male clerks. Two of the clerks bring a tent with them, pitch it between the two bunkhouses, and sleep there together.





### CAREER LIMITING MOVE . . .

Large firm in the Southeast. Recruiting coordinator couldn't figure out why all of the male summer clerks were always fighting to take a taxi with one particular female clerk. Then one of the male summer clerks let it slip that the female clerk in question was in the habit of offering sexual favours to anybody who shared a taxi with her.



### CAREER LIMITING MOVE . . .

Female clerk at a Midwestern firm. During the summer she has affairs with not one but three partners, all of whom are married.



### CAREER LIMITING MOVE . . .

Male clerk at a East Coast firm. He has a fling with his secretary. She wants to continue the romance, he's not interested. She comes to work every day crying. The clerk is convinced that the firm will ask her to leave for behaving unprofessionally. Instead, the firm decides to get behind her, and doesn't extend an offer to him. "There are tons of law students," says the hiring partner. "But good secretaries are hard to find."

## 2. Make sure that you don't blow off other people at work to spend time exclusively with your honey.

Remember, you owe it to yourself and your career to get to know as many people as possible during your summer clerkship. If you are swept away on the wings of love, you'll be tempted to spend all of the social events gazing into your beloved's eyes. Don't succumb to that temptation. Treat social events as work that you have to get done **before** you can spend time with your sweetie. Apart from anything else, you don't know for a fact that your romance will last the summer. If you put all of your social eggs into your romantic basket, you won't have any friends for the rest of the summer.

## **I. YOU CAN'T DO WELL WITHOUT KNOWING HOW YOU'RE DOING: HOW TO GET—AND HANDLE—FEEDBACK.**

One of the biggest complaints summer clerks often have is the lack of feedback they receive from their employers. And that's understandable. When you're a student you get feedback on a regular basis in the form of grades. It's part of your professors' job to let you know, at least once a semester, how you're doing.

But your summer clerkship may not be the same. You may get a formal evaluation in the middle of the summer and just before you leave. You may have "readers" who give you detailed feedback on every writing project you do. Or you may get no feedback at all. At one firm, the recruiting coordinator told me that "If you're not told 'it's awful,' you're doing a great job." As William & Mary's Fred Thrasher points out, "A Post-It note on an assignment that says 'Good' is feedback, too!"

In the permanent associate section I'll talk a lot about feedback, because it has a huge effect on your career. Here, I'll focus on feedback issues that are critical to your summer job.

### **1. Remember that *all kinds* of evaluations determine whether you'll get an offer.**

In Appendix B at the back of the book, I've included some formal evaluation forms to give you an idea of how your written work might be evaluated. What ought to strike you about those is the variety of elements that go into your evaluations. You should also know the evaluations cover more than just your work. As one recruiting coordinator points out, "The recruiting committee makes decisions on the basis of not just evaluations but any other information, as well. Senior partners may call and say 'At dinner last night so-and-so was very impressive' or 'X made a fool of himself. Watch him when he's around clients.' Or a secretary may say, 'I'm having real trouble getting what I need from this clerk.' All of those comments count as feedback as well."

### **2. Get feedback of some kind on every project you do.**

It may be that your summer program is set up so that you get formal feedback on every project. But that's not common. And whether or not

it's offered to you, you **need** to know how your work is being received, for **every** project you do.

**3. If feedback isn't offered on every project, ask for it—the *right* way.**

If you aren't offered feedback on everything you do, you need to take the initiative to get it. Here's the rub: You've got to ask for it appropriately. If you don't, you might find yourself worse off than if you didn't get any feedback at all.

First of all, watch your timing. As Kentucky's Drusilla Bakert recommends, "Catch the lawyer at a convenient time, not when (s)he's trying to meet a deadline." As Akin Gump's J.D. Neary suggests, "Try sending a simple e-mail that asks, 'Got ten minutes? I'd love feedback on my work.'" That way, when it *is* convenient to talk, the lawyer will let you know.

If you're at all worried about your timing—maybe the lawyer in question is **always** super busy, or just prickly to talk to—ask someone else at the firm how to approach him/her for feedback. As Fred Thrasher says, "Maybe you'll find that you'll get the best feedback from 'Bob' on the golf course as opposed to sending an e-mail."

Secondly, ask for **specific** criticisms. Say, "I really want to improve my skills. I know there's a lot to learn"—and go on to ask about whether you approached the issue correctly, researched everything necessary, whether the format was OK—you get the idea. Ask with a tone of voice that suggests you're looking for honest assessments, not a pat on the back. As Drusilla Bakert advises, "If you only ask generally 'Was my work OK?' the lawyer is likely to respond with a 'yes' and you won't have learned anything of value."

**4. "Sound the ship" no later than halfway through your clerkship—so you can correct any problems that might sink your offer!**

When a ship is "sounded," it's generally checked out to make sure the hull is intact. Well, when you're in a summer program, you can't wait until the end to see if everything is shipshape. If there's a problem—God forbid!—given enough time, you can almost certainly correct it. As

Drusilla Bakert recommends, "Early in the summer, consider approaching someone you know well—preferably a younger attorney, or your mentor if you have one—and ask if there's anything you could be doing to improve your performance. Ask the question in an open, positive way—"How could I improve?" or "What should I change?" That way you're more likely to elicit a helpful answer than asking in a way that makes it difficult for the attorney to be honest with you, like "I'm doing well, aren't I?" Or "I haven't made any mistakes, have I?"

## 5. Handling criticism

Ouch! It hurts. It *always* hurts. But the thing you've got to recognize is that the only way to improve is to have people tell you what you need to do better. You know that as a summer clerk you're not the best lawyer you'll ever be (at least, I hope it's not all downhill from here!). Incorporating improvements into your work is the *only* way to succeed.

Receiving criticism in a way that'll bolster your stock is an art, but it's an art that's easily learned. Here's what you need to know.

### a. Remember that feedback only tells you one undeniable thing—someone's perception of you and your work. Don't take it personally.

Regardless of whether you agree with the criticism you receive, remember that it absolutely, positively shows one thing: The attitude of the criticizer toward you. And you can't argue with that. You're not an idiot, but if someone says to you, 'You're an idiot,' they're telling you what their perception is. Focus on *that*, how that person might have gotten that impression, and how and/or whether you ought to change their opinion, rather than internalizing it as a statement of your personal worth.

### b. Don't punish people who criticize you.

As Dave James of the San Diego City Attorney's Office says, "Universally, summer clerks say they want feedback, but many want only *positive* feedback. If you interrupt people who give you negative feedback and explain why their point is unwarranted, don't complain at the end of the summer that you didn't get as

much feedback as you should have.” If you’re defensive, “your supervisors simply can’t be fair, balancing constructive criticism and positive feedback. They have to accentuate the positive feedback and buffer the constructive criticism,” he adds.

If this happens to you, not only will you be losing a valuable learning tool, but you’ll make your employer think you’re a cry-baby—to use the appropriate lingo, you “aren’t mature.” Instead, as Dave James recommends, “You can get more feedback by rewarding people who give it to you: listen intently, look them in the eye and nod affirmatively.”



### CAREER LIMITING MOVE . . .

The recruiting coordinator at a large West Coast law firm: “We always sit down with summer clerks **immediately** if they’ve done anything wrong. We always tell them: if we have to sit you down and talk to you, don’t get defensive! We’ll say something like, ‘We want to bring this to your attention now before it’s a big thing . . .’ A few years ago we had a summer clerk who started yelling at us, blaming everyone including his mother and father for the way they’d raised him. He refused to take responsibility for **anything**. We were stunned.”

#### c. Ask questions that clarify the criticism.

If you get a criticism like “This memo stunk,” it’s going to be hard to know how to un-stink the next one. Asking clarifying questions isn’t being defensive. You need to ask for suggestions on what you should do differently so you don’t make the same mistakes again!

#### d. Make a list of the criticisms you receive on each project and incorporate them into your next project.

Carlton Fields’ Hardy Roberts says that “When you get criticized on your writing, write every criticism down on a list. You might hear ‘You’re splitting your infinitives,’ for instance. Compare your

next writing piece to the list, so you don't make the same mistake twice. The worst thing they'll be able to say about you is 'he learns well and responds to criticism,' and that's not bad. It means you have the raw material to be a great lawyer!"

**e. How to respond to positive feedback.**

Don't be arrogant! Instead, be aware that no matter how well you're doing, there's *always* a way to improve. Show that you *recognize* that! As Akin Gump's J.D. Neary suggests, "Even when you're told you're doing really well, ask, 'Anything I can do to improve? I'm glad I'm doing well, what *else* can I do?' You'll impress them with your graciousness, and your eagerness to learn.

**f. Pay attention to *subtle* cues that tell you what's up!**

It can be very easy to misinterpret criticism.

Sometimes you just don't want to know—or can't face it. But you *have* to. There's no such thing as a fatal mistake. There's almost always a way to resurrect an offer and even if you *can't*, there's always a way to salvage a good recommendation from *someone* at work. So look criticism in the eye and deal with it.

One common mistake involves denial. As one recruiting coordinator says, "Sometimes when summer clerks hear a lawyer tell them something negative about their work, they'll say to themselves, 'Oh, they didn't really mean it.' That's dangerous. Lawyers don't *like* to criticize their clerks, so if you hear negative comments, assume they're for real."

And sometimes summer clerks hear a criticism but don't appreciate what it means. As one hiring partner says, "If they tell you halfway through the summer 'You need to do some great work' or 'You've got X number of weeks to improve' or 'We want to let you know about this before it gets serious,' what they're saying is, 'Right now, you wouldn't get an offer.'"

Listen also for casual comments in non-traditional settings. As Fred Thrasher says, "A comment in the car on the way back from court—that's feedback, too. Many lawyers don't like to give direct criticism. Listen to those comments!" Drusilla Bakert agrees. "If

someone you work with tells you something you could do better, you have to take it seriously. You have to be in order to get an offer."

Pay attention to the cues people give you. People who fall out of the cracks are crabbies ever since. It's through the process of being ordinarily very nervous, very seriously. Most people criticize, especially

Sometimes the old saying goes: getting lots of interest from them, that's the best thing behind your back. Says Hofstra's Dianna: nobody else is busy with hiring partners

**J. WHAT'S REALLY IN IT  
FIGURING OUT IF THAT'S  
TO WORK**

Your summer clerkship is a long shot. It's your best opportunity to work for this employer with Pam Malone says, "It's a couple of making decisions. You should be sided. As a good consumer, you

You need to use your summer

- (i) Will you like the work?
- (ii) Will you like the people?
- (iii) Are you comfortable with