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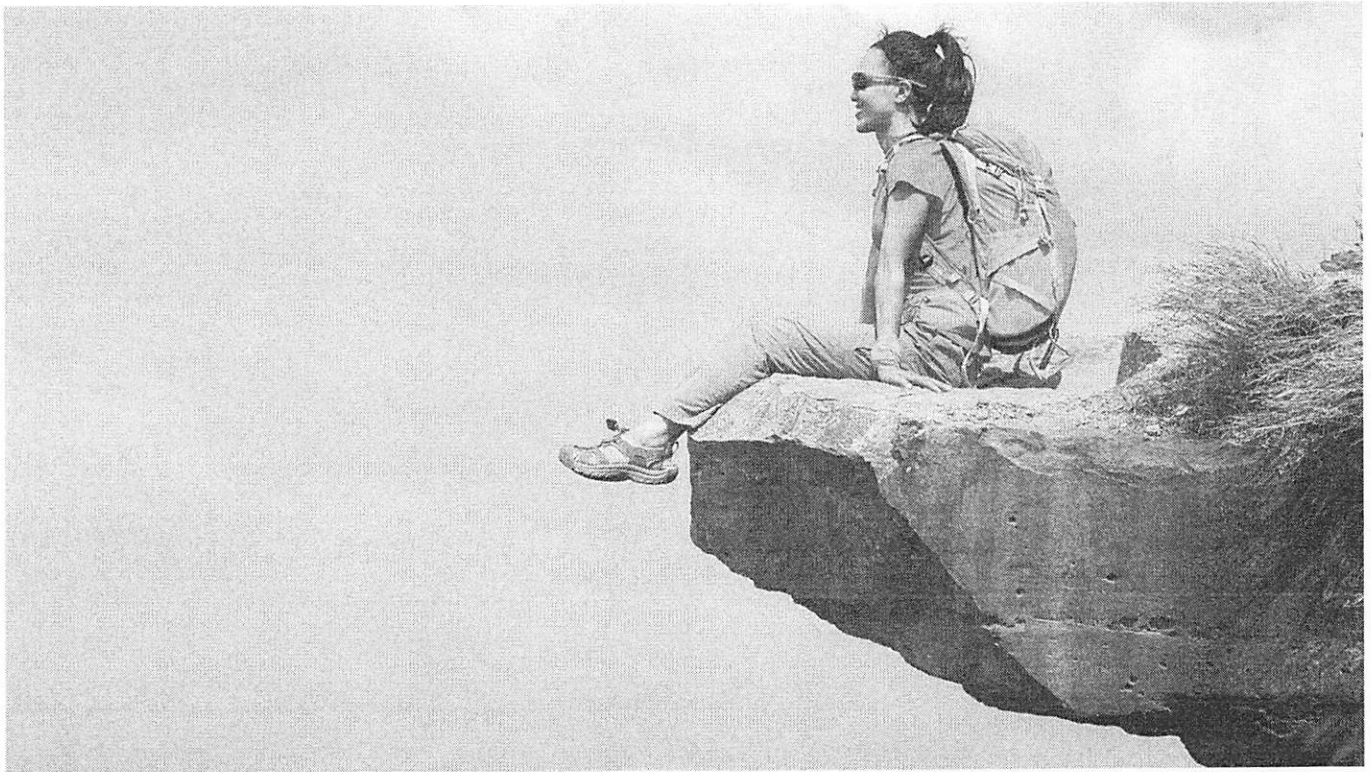
STUDENT LAWYER

EDUCATION FEATURED

Side-bar learning: Lawyering teaches you how to live well

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Growing up I wanted to be a doctor. I wanted it more than anything. I was an A student. I came from a working-class family and going to medical school justified my parents' hard work and their love for me. I went to college and I began taking prerequisites like biology and chemistry.

To say that I struggled would be an understatement. I was fortunate to have gone to an academically rigorous high school, but science at the undergraduate level was a whole different story. No matter how hard I studied, I stunk at science. In a note of pure poetry, the universe provided me with a sign. During an experiment in chemistry lab, I practically blew up my work station. As I and everyone else in the class ran to grab fire extinguishers I had my first thought that my dream of being a doctor was going up in smoke and that I needed to find a new path.

Still smelling of smoke, I paid a visit to my pre-med adviser. I needed a pep talk. I needed a hug. Of course, he did none of those things. Instead, after listening to me patiently for two hours, he sent me to the pre-law adviser. Good adviser.

My first class was Philosophy of Law. It was an auspicious beginning because I fell in love with my professor. I'll call him Professor Dreamy. Professor Dreamy was special – in his faded jeans and barn shirt – he had salt and peppered shoulder length hair. To start the class, he yelled

“FUCK THE DRAFT.” This was how he introduced us to the landmark U.S. Supreme Court case of *Cohen v. California*.

I was hooked.

I took all of his classes. Philosophy of Contract Law, Philosophy of Religion, Philosophy of Death and Dying. You name it, Professor Dreamy had a philosophy course about it. When I wasn't swooning, I was working really hard. Philosophy was challenging and I excelled at it. Majoring in philosophy prepares one for either a career teaching philosophy or law school and law school seemed like the better option for finding a job. Dreamy had prepared me well for another three years of intense thinking and that is exactly what law school offered.

If I had not learned how to command a courtroom, I don't think I could have walked on a stage in a bikini and win a figure competition at the age of 48

I loved law school and I learned much. I learned to write persuasively, to research, how to digest and memorize tomes of information. I learned to love mnemonics and acronyms and how to take shorthand. Ultimately, I learned to think differently – which is what the study of law really is.

Still, at graduation, I could not write a contract or draft a lease or prepare a will. I did not know how to sue somebody. Nobody in my class did. So when I showed up in my new navy suit for the first day of work as a lawyer I was not prepared for what awaited me – an assignment in Housing Court. The Court itself smelled musky and it was infested by fleas. With due respect and apologies to some, the lawyers were similar. It was 1988 so women lawyers were certainly around but that day, I felt alone and as if I represented all womankind.

After an exhausting and not so pleasant discussion with opposing counsel, I went to use the bathroom and saw a rat. I was done with Housing Court.

My managing partner reassigned me to civil court to defend the rights of car insurance policy holders who got themselves into all types of vehicular trouble. It wasn't glamorous, but at least I could use a rodent-free bathroom. Although not super exciting, in some ways, the new assignment was kind of great. I began this new adventure by appearing at discovery conferences. This is when learning to be a good lawyer and living a good life really began for me.

Side-Bar Lesson One: Learn How to Wait Well

Appearing at discovery conferences taught me an important life skill; waiting. The wait for your case to be called could be minutes or hours. Then you walked up to the table, checked off the boxes that pertained to you and signed the printed, form order. A court clerk would then take it “in the back” for the judge’s signature and so began another wait. I learned to do other work, reading cases relevant to my practice area. Most importantly, I learned how to fend off inappropriate sexual remarks and advances from older male attorneys. Eventually the clerk would emerge, cigarette dangling from his mouth (really), and give us the judge’s orders. In television and court procedurals everything happens in a flash. Anyone who practices law for more than a minute knows that things take time, inside and outside of court. It’s no one’s fault Conflict is complex. When tapping your foot waiting for something to get signed that she take five minutes, best to remember that everyone is doing their best and you’re not the only person in the world. Learn patience and bring reading material wherever you go.

After a few months of this “in the trenches” experience I was promoted to handling motion calendars – for the entire office.

Side-Bar Lesson Two: Move Fast.

This is the other side of patience. Since I was covering the motions for 75 attorneys I had to learn to move quickly. Motions were spread out among many judges and courtrooms. I had to prioritize which ones to check in on first and which ones I could gamble on being late for. After a few weeks I had it down to a science. I learned which judges called their calendars promptly at 9:30 and which ones didn’t get on the bench until after 10 a.m. I also learned how to run in heels. I had to learn quickly and more importantly, act on what I learned. I had to develop confidence not just in my knowledge but in my judgment. The less I agonized over arguments and motions and the more I just made them – the more confidence I developed.

Waiting, prioritizing, running, I had a growing arsenal of life skills by the time I began doing depositions and trials.

Side-Bar Lesson Three: Shut Up and Listen.

The art of taking a good deposition requires two skills; preparation and listening. You get to ask the questions you will ask again at trial but you are doing it outside the presence of a judge and it is more casual than an actual trial. It provides a comprehensive look at the reality of the case and is an opportunity to assess how witnesses will do at trial, where there may be problems etc. Cases often settle after depositions are completed. There is nothing like an articulate, credible

or an inarticulate, incredible live witness to get lawyers to assess the merits of their cases and defenses. When I heard an unanticipated answer I had to process the information and make a decision about what to do with it. Ask follow up questions? Leave it alone? Call my boss and ask what to do? Listening isn't just polite – doing it well is the difference between winning; losing or settling at the right number.

Side-Bar Lesson Four: Learn to Try Cases.

After paying my dues for a couple of years in discovery, motions and depositions, the reward was to try my own cases. Trial work brought an array of opportunities to develop even more great life skills. I learned to act, to command a room, to be spontaneous but mostly not to be afraid. I made so many mistakes but I learned how to regroup, not cry in public and move on. I developed a thick skin and a great appreciation for human nature. I don't know that trying cases is a "life lesson," but it certainly felt like one. It's a big, complex process, filled with a thousand tiny decisions. It was hard not to be nervous. It was hard to feel uncomfortable for long days. I learned to master it and not let my anxieties paralyze me. It is a skill that I have carried with me to this day and that I use in many venues of my life.

Side-Bar Lesson Five: Repetition Isn't Everything, But It's A Lot.

Law school didn't teach me how to be a lawyer. Being a lawyer taught me how to be a lawyer and also how to be a good professional who contributes. Intense repetition in advocacy, listening, fielding inappropriate remarks and yes even waiting, all came in handy in many different arenas in my life. Repetition, even on things you don't initially see as so important turns out to be a big deal. Many professionals can also say this about their jobs. I had a surgeon friend once tell me he could teach me how to take out an appendix. He said it was routine, rote and that it required practice, not great medical thinking. I guess an auto mechanic could teach me how to change a muffler. No thinking required, just practice. Practice runs a good part of the work world. But in most all other lines of work practice is a big part of the training and one at least gets to try on what the job will feel like before committing to it.

The difference with lawyering, however, is that while the practical part of being a surgeon may require manual dexterity, the practical skills lawyers develop when actually lawyering and not thinking about lawyering, are more amorphous. We learn attitudes. We learn patience, we learn to listen, we learn to prioritize and juggle. We grow really tough skins because we get yelled at a lot- by clients, by court clerks, by judges, by our bosses, by our adversaries. We get used to losing, we get used to the worse case scenarios, we learn tenacity, we learn to push the envelope and we learn to bounce back.

Side-Bar Lesson Six: Being a Lawyer is to Learn to Think and Think Differently.

I think that law school and being a lawyer has taught me to think differently. Ultimately, what I have learned as a lawyer is to re-invent, re-frame myself professionally within the law and to build a great life outside of it.

If I had not learned how to argue persuasively I would not have convinced a domestic violence advocacy group to give me a job as a lawyer when I had no family law experience.

Without faith in my own ability to get up to speed on any area of law, I would not have convinced the judge I now work for that I could handle matrimonial and criminal cases.

I would not have gone back to school to become a certified personal trainer.

If I had not learned how to command a courtroom, I don't think I could have walked on a stage in a bikini and win a figure competition at the age of 48, or take Flamenco lessons, or travel to Spain by myself at the age of 51 to live with a family I had never met.

If hadn't learned to interview clients, how to listen, how to judge human nature, how to discern motives, I would have fewer friends, I would travel less, I would be predictable.

If I hadn't learned that most mistakes can be corrected, I wouldn't have purple hair.

I could go on and bore you with more details of my life which, although I think it is pretty terrific, you may not, but you get the point. Living well requires an attitude of courage and confidence and a skill set that lawyers by virtue of the actual practice of law, have a market on.

If I had gone to medical school I am certain I would be deriving a deep sense of satisfaction and worth from serving others and I would be happy and tenacious and confident but I think my life would be more linear. I think that by virtue of the fact nobody dies when I make a mistake as a lawyer, I am professionally and personally, more of a risk and challenge taker.

Consequences don't preclude me from doing what speaks to me. My joy comes from sticking my toe outside of my comfort zone, from trying things that scare me. I am not afraid of failing in life because lawyers, unlike doctors, are expected to fail much of the time. Lawyering has taught me to live large.

Hell, I may try chemistry again.

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