

LITIGATION NEWS

NEWS, ANALYSIS, AND PUBLICATIONS FROM THE ABA SECTION OF LITIGATION

Mass Torts Litigation Committee

So It Turns Out I'm a Senior Associate . . .

By Harley V. Ratliff

Recently, I received our all-firm reminder that, once again, it was associate evaluation time. Like many law firms, the firm I work for has a formal evaluation process for associates. It is a good, straight-forward system that, all things considered, is probably not too different from how it works at other firms, big or small.

Twice a year, we are asked to identify what we have worked on, whom we have worked for, and what it is we have accomplished. To assist with the process, we all receive a list identifying the firm's partners, counsel, and senior associates—the evaluators.

I have always found the senior associate list intriguing. To be honest, I'm not entirely sure why. I guess it is because when you start at a large law firm, you don't know—*can't know*—every other associate. And you certainly don't know where exactly each associate stands in the proverbial pecking order. You just know that some associates have been at the firm longer than you and, as the years pass, others have not. Still, you always feel like you are looking up.

Every year I take a quick look at the list. It is probably one of those funny curiosities of associate life that folks outside the world of big law firms do not really understand (or, perhaps, it's one of the funny curiosities of *my life* that everybody else doesn't understand). Whatever it is, I always take a few minutes each evaluation period to look the list over before carrying on with my day.

This year the list arrived on cue. And like every year, I opened the envelope, pulled out the piece of paper, and began scanning down the list, running my finger slowly over the names.

“Check.”

“Check.”

“Oooo, she must be up for partner soon.”

“Check.”

“Hmmm . . . I did something for him—was that before or after January?”

“Check.”

“Check.”

I paused; then quickly ran my finger several names back up the list. There was one I had not seen

before.

Harley Ratliff.

Was I really a senior associate? *Already?*

I looked at the list again.

Harley Ratliff.

Yep. Still there. To be honest, there was a flash of panic. Genuine, there-is-no-way-that-can-be-right panic. Did it really happen that fast? Like a business casual-wearing three-year-old, I began doing the math on my fingers.

“Okay, so if I graduated in . . . hmmm . . . 2004. 2005. 2006. 2007. 2008. 2009.” It seemed right. Technically.

I paused to take a quick peek at my email, the modern lawyer equivalent of the nervous tic (that, of course, is a topic for another article). Sitting at the top of my inbox was a message from an associate that I had started with at the firm. The email had only a subject line: “Seniors????” A second email popped up from another associate that I had started with. “Did you see the senior associate list? Weird, huh? Are they sure that’s right?”

Well, I guess there is comfort in knowing you are not alone. Moments later I received a third email, this time from an associate who had joined the firm two years before me. Her message was, um, a bit more—how do you say?—frank.

“I saw you are now a senior associate. Hah. You’re old.”

So I began thinking. Did this new status suddenly make me more wise or learned? Did I have any newfound insight? Any fundamental legal truths to pass on to those now doe-eyed, helpless junior associates? My mind raced for advice—timeless, Yoda-like advice. As a newly-minted elder statesman of the associate ranks, what kind of things would I impart to, say, our summer associates, who were starting in less than a month?

Doughnuts *do* buy goodwill.

Yes, reserved parking spots *are* worth the extra cost.

No, I would not submit your bill for dog-walking services to the firm for reimbursement.

Ugh. Was that the best I could come up with? Doughnuts? *Doughnuts?*

I mentally fumbled around some more, each “epiphany” more clichéd and more shallow than the next. Surely, I thought, there are some general principles I have uncovered since leaving law school—and it has to be more than don’t buy only glazed. I grabbed my yellow legal pad, ripped away the first page, and began jotting down what popped into my head.

Three things seemed to matter.

Make yourself indispensable—or, at least as indispensable as possible (a quality that probably resonates in this economy now more than ever). The truth is, there are few people in any organization, much less a law firm, that are truly indispensable. And in all likelihood, most of us never will be. But it should be the goal.

Care about what you do. Now, not everything thing you work on you will necessarily care about. The legal world is a vast universe of tasks—some minute, some gargantuan—but most falling somewhere in between. But you have to care about what you do, what you produce, and your work product. Everything you create, write, and present should meet your own expectations and standards. And those expectations and standards should be higher than everyone else's.

Finally, don't be afraid. Don't be afraid to say what you think. Don't be afraid to trust your instincts. Don't be afraid to be yourself. No, that doesn't mean telling the senior partner her shoes are hideous, although they very well may be. There are still those small matters of discretion and judgment. But you certainly will not succeed at a law firm (or probably any other job) living and working in fear of your shadow or the shadows of others. You have to let your own light shine.

I stopped scribbling. I looked back over the list. I liked it. It seemed, at the very least, honest. Plus, I thought, if all else fails, you can always buy doughnuts.

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