

GROWING YOUR NETWORK:
ETHICS AND PROFESSIONAL CONDUCT THAT BUILD RELATIONSHIPS

Using the ABA Model Rules of Professional Conduct as a guide, this presentation on ethics will focus on tips to develop your clients into ambassadors after representation, and the practical aspects of incorporating your community involvement to help build a client base and referral network.

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Growing Your Network: Ethics and Professional Conduct that Build Relationships

The Model Rules of Professional Conduct provide all lawyers, via the American Bar Association, instructions, both obligatory and advisory, and descriptions of the role of a lawyer. While every lawyer takes an oath to practice ethically and to uphold the laws of the United States and their respective states, using ethical standards of behavior can go much further than just staying in good standing. Ethical conduct can lead to expanding your network through former clients, opposing counsel and the wider legal community, public service, and *pro bono* work, creating ambassadors for your practice.

To build and develop your clients' and the community's trust in you and your practice effectively, you must possess certain core values and critical skills. The core values an attorney must have are *loyalty*, *excellence*, and *integrity*. Inherent in these values are dedication to the obligations you have undertaken and the willingness to put in the hard work to achieve the goals of your organization. In addition to these core values, it is also important that the attorney have the following skills: (1) ability to communicate with others; (2) responsiveness to people's needs; (3) genuine understanding of people's problems. Furthermore, you want to be present and engaged with everyone you encounter. Always remember that one of the best ways to build your practice is through word of mouth. Consequently, you want to be to those you meet someone they trust and want to hire. A relationship corollary would be "are you the person you're looking for?" Think about Atticus Finch in the novel *To Kill a Mockingbird*. Atticus Finch is often regarded as the ideal lawyer because his integrity and character made him into someone who the local community held in the highest regard.

Most of the rules in the Model Rules of Professional Conduct are self-explanatory or seem commonsensical, but the rules serve as a good backdrop for utilizing basic ethical behavior to grow a client base.

Developing Clients as Ambassadors

A very strong, but often-underutilized referral source is former clients. If a client has a positive experience with you, they can then go on and become an ambassador for your practice. Many times these types of conferences focus on specific types of interactions or conversations with the client. Instead, this presentation focuses on the overall experience you provide for your client that keeps them happy. At the end of the case, the attorney should have met the expectations set discussed by the attorney and client at the beginning of the case, been in constant communication, and followed and exceeded the Model Rules of Professional Conduct, leaving the client satisfied with the relationship and outcome and wanting to go out and spread their positive experience.

Client-Centered Counseling¹

A common mistake made by lawyers is viewing building a successful practice as a sprint, as opposed to a marathon. Building a client-centered approach as an advisor, like the Model Rules emphasizes, or a counselor is the most affect path to a long-term successful practice.

Assume that when your client approaches you with a problem, the client brings you a series of both legal and non-legal problems. Assume also that your client is ordinarily in the best position to make important decisions. Your role, then, is to help your client solve problems and achieve goals, and you can do this most effectively through collaborating with your client. This is known as a client-centered approach.

Rule 2.1² brands the lawyer as an advisor – having an ethical duty not only to render advice concerning the law, but taking other considerations like social, economic or political factors as well. The comment following this rule notes that this type of advisory role can often involve unpleasant facts and realities the client may not like or is uncomfortable with.³ However, at the end of the case, the client would rather have the accurate, yet hard to swallow, news at the precursor of the case, as opposed to be blind-sighted down the road. The client knowing their attorney will be honest in the good and bad is what leads to repeat clients and referrals.

Unintuitive as it may feel to you, try asking your client to suggest potential solutions and their overall goals. This will help you feel out exactly what the client hopes will happen and help you find the right resolution to their issues.

Clients most often approach their attorney with legal and non-legal problems that are commonly intertwined, as pointed out in Rule 2.1. Many lawyers get tunnel vision looking for only the legal issues, yet the non-legal issues can be just as important when contemplating potential solutions. In order to find these non-legal issues, you must ask thoughtful questions to explore the variables outside of the legal issues. Additionally, your clients are often in the best position to identify the risks and values that factor into substantial decisions.

Rule 1.4⁴ says a lawyer shall consult with the client about the means to accomplish their goals and keep the client reasonably informed. When making a significant decision, bring the

¹ For more information on this subject, *see, generally*, DAVID A. BINDER ET AL., [LAWYERS AS COUNSELORS: A CLIENT CENTERED APPROACH](#) (3rd ed. 2011).

² Rule 2.1: Advisor: “In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social and political factors, that may be relevant to the client's situation.”
MODEL RULES OF PROF'L CONDUCT R. 2.1 (2016).

³ MODEL RULES OF PROF'L CONDUCT R. 2.1 cmt. (2016).

⁴ Rule 1.4: Communications

“(a) A lawyer shall:

(1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by these Rules;

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client in, tell the client the potential risks and gains, and then ask the client to make the decision. This involves the client in a deep way and it shares some of the accountability for the outcome to your client.

Shouldering the weight of your clients' problems can be tempting. Instead, regard your clients as the autonomous owners of their problems. While your clients' problems are your responsibility, your clients effectively "own" the problems and should be involved in the decision-making process.

Finally, be sensitive to your client's feelings and values. **Rule 1.2**⁵ touches on this as well, stating that, "a lawyer must respect the objectives and decisions of the client." Legal problems do not exist in an emotionless vacuum. At the disposition of the case, regardless of the outcome, the client will at least feel heard and that they had some control in the situation. It is important for you to be responsive not just to the legal issues, but also to your clients' emotions. Clients are more satisfied when they feel that their concerns and goals were listened to and that you involved them and updated them throughout the process.

(2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;

(3) keep the client reasonably informed about the status of the matter;

(4) promptly comply with reasonable requests for information; and

(5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation."

MODEL RULES OF PROF'L CONDUCT R. 1.4 (2016).

⁵ Rule 1.2: Scope of Representation & Allocation of Authority Between Client & Lawyer

"(a) Subject to paragraphs (c) and (d), a lawyer shall abide by a client's decisions concerning the objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. A lawyer may take such action on behalf of the client as is impliedly authorized to carry out the representation. A lawyer shall abide by a client's decision whether to settle a matter. In a criminal case, the lawyer shall abide by the client's decision, after consultation with the lawyer, as to a plea to be entered, whether to waive jury trial and whether the client will testify.

(b) A lawyer's representation of a client, including representation by appointment, does not constitute an endorsement of the client's political, economic, social or moral views or activities.

(c) A lawyer may limit the scope of the representation if the limitation is reasonable under the circumstances and the client gives informed consent.

(d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law."

MODEL RULES OF PROF'L CONDUCT R. 1.2 (2016).

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Active Listening⁶

The first technique for talking to clients is called active listening. Active listening means you identify and separate out the content from the feelings in what your client is attempting to communicate to you. The goal is to get your client to start talking and to tell you everything, so your tools are minimal prompts, asking open-ended questions, nodding, empathizing, and encouraging your client to open up and talk. One of the most powerful ways to engage in active listening is to explain your client's point back to the client. This makes the client feel heard and gives the client an opportunity to correct any misunderstandings.

Forms of Questions

To effectively communicate with your clients, you must understand the usefulness of every tool at your disposal. Questions you will use fall into four categories: open questions, closed questions, yes/no questions, and leading questions. Open questions typically start with prompts like: "tell me what" or "tell me how" or "tell me why." These questions invite long, narrative responses and are good for initiating conversation and gaining a bigger picture understanding of the problems. Closed questions are narrow and specific for when you wish to hone in on specific details. Yes/no questions are useful for focusing in on precise details and sorting out vague and confusing explanations. Leading questions are a powerful tool for overcoming potential inhibitors with clients. A leading question can allow a client to convey a point to you that they can't verbalize or don't want to admit. A word of caution: use leading questions sparingly, as you do not want to force your client to commit to incorrect information.

Avoid Borderline Conflicts of Interest

Under **Rule 1.9⁷**, an attorney cannot represent another person in a similar manner in which it would be adverse to the former client. Besides the obvious reasons for this, like

⁶ For more detailed tips on active listening, see Mike More, *4 Unusual Listening Tricks for Lawyers*, Legal Productivity (July 23, 2012), <http://www.legalproductivity.com/practice-management/a-lawyers-recipe-for-better-listening/>.

⁷ Rule 1.9 - Duties to Former Clients

“(a) A lawyer who has formerly represented a client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent, confirmed in writing.

(b) A lawyer shall not knowingly represent a person in the same or a substantially related matter in which a firm with which the lawyer formerly was associated had previously represented a client

(1) whose interests are materially adverse to that person; and

(2) about whom the lawyer had acquired information protected by Rules 1.6 and 1.9(c) that is material to the matter;

unless the former client gives informed consent, confirmed in writing.

(c) A lawyer who has formerly represented a client in a matter or whose present or former firm has formerly represented a client in a matter shall not thereafter:

(1) use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known; or

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malpractice, representing opposing interests of a former client would clearly also detract from the possibility of the client becoming an ambassador for the practice.

To extrapolate this issue a little further, you should avoid even perceived conflicts of interest. If you think that taking on a client could appear to be a conflict of interest to a past client, decline representation. In the alternative, if you perceive there may be a conflict of interest, you could approach the former client and ask the former client to consent to your representation of the new client in this matter. The consent is effective only if, among other things, the former client gives informed consent, confirmed in writing.

Delivery of Services

The core principles of your delivery of services are as follows: keep your commitments, be accurate and practical, communicate clearly, understand your client's values, be cost effective, listen to concerns and feelings, and always strive to improve. Although the focus of this presentation is at the end of representation, it will be difficult to create a client ambassador without these core principles during the attorney-client relationship.

A. Keep Commitments

It is easy to overpromise. Instead, ensure that anything you promise to the client is achievable, and that you deliver on that promise. Here are some tips for keeping your commitments:

- Identify the client's deadline expectations and always meet that timeframe.
- Do not overcommit yourself if you know the client's time frame is unrealistic, or if other deadlines you have keep you from completing the project on time. Tell the client up front a realistic time frame. The client will be much happier in the long run.
- If something unexpected comes up that will affect the original scope or timeframe of work, discuss with the client immediately and work to formulate a plan of action.

B. Advice and Factual Accuracy

Young attorneys should avoid giving overly confident answers too often and too early in the problem-solving process. Never give an answer you are not confident in, and try to remember that being completely accurate is rare. Admitting you do not know the answer is always better than pretending you do know the answer. Tell the client instead that you need to conduct more research. You are the expert; if you do not catch factual and other mistakes, your client probably will not catch them for you. Always double check your facts and review your work carefully.

(2) reveal information relating to the representation except as these Rules would permit or require with respect to a client.”

MODEL RULES OF PROF'L CONDUCT R. 1.9 (2016).

C. Be Practical and Be a Problem Solver

Here are some tips for keeping an eye on practicality:

- Remember the client is trying to get something done and create your work with that in mind. Provide practical and realistic advice that addresses the client's business objective.
- Help the client get to yes.
- The client may not care why something is so; they may just want to know what they can and cannot do.
- Do not say "no" when an obstacle arises. Give the client realistic alternative and ideas to help the business and help him or her understand the risks and benefits of each choice.

D. Communicate Clearly

You should say what you mean and speak simply so that your client understands you. Here are steps to communicating clearly:

- Avoid using legalese or confusing buzzwords. Write in a straightforward, common sense way that is understood by lawyers and non-lawyers alike.
- Pretend you are talking to a neighbor, not a law school professor.
- If legalese is necessary in a document, be prepared to explain what it all means—in clear, non-legal terms.

E. Communicate Effectively

Rule 1.3⁸ states that a lawyer shall act with reasonable diligence and promptness. The comment adds, "Perhaps no professional shortcoming is more widely resented than procrastination."⁹ While it is understandable that attorneys are always busy people, one of the easiest ways to keep a client happy with their overall representation is for the attorney to ensure they respond to all correspondence promptly and take care of the matters in their case on the timeline you discussed with them. The comment to Rule 1.3 also states that an attorney should always act with "zeal in advocacy" on the client's behalf.¹⁰ This is a great standard to strive for.

Communicating effectively means balancing your client's demands and preferences for communication with the boundaries and expectations you have defined. In general:

- Discuss early on the client's preferred means of communication. The client may have more than one. While you may be used to email or text, your client may not want to communicate that way. Never underestimate the power of picking up the phone or meeting in person.

⁸ Rule 1.3: Diligence: "A lawyer shall act with reasonable diligence and promptness in representing a client."
MODEL RULES OF PROF'L CONDUCT R. 1.3 (2016).

⁹ MODEL RULES OF PROF'L CONDUCT R. 1.3 cmt. (2016).

¹⁰ *Id.*

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- If the client has reporting guidelines, calendar them and adhere to them strictly.
- Never deliver bad news by email or text.
- If you use text or email, proofread carefully. Watch informal terminology, emojis, and slang.
- Keep a record of your communication so you can document that your client has been kept advised promptly.
- Do not be so out of touch that your client has to wonder “what is going on with my case?”
- Lastly, always keep to your rules and boundaries regarding communication. If you say you are unavailable late night and then send emails at 2 am, you are sending mixed signals and giving the client permission to call on you at any time day or night.

F. Be Cost Effective

Assume there is always something you can do better to resolve a case. Your client’s money is as relevant a concern as any other non-legal consideration. Be cost effective by understanding that:

- Do not re-invent the wheel. Keep a good form file when you have done good work or have seen good work.
- Be honest and meticulous in your timekeeping. Clients are willing to pay a lot for legal services that are a good value—unless they feel they are being taken advantage of.

One of the most difficult aspects of the attorney-client relationship is billing. **Rule 1.5¹¹** directs that a lawyer shall not charge an unreasonable fee. However, even though billing and

¹¹ Rule 1.5: Fees

“(a) A lawyer shall not make an agreement for, charge, or collect an unreasonable fee or an unreasonable amount for expenses. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) whether the fee is fixed or contingent.

(b) The scope of the representation and the basis or rate of the fee and expenses for which the client will be responsible shall be communicated to the client, preferably in writing, before or within a reasonable time after commencing the representation, except when the lawyer will charge a regularly represented client on the same basis or rate. Any changes in the basis or rate of the fee or expenses shall also be communicated to the client.

(c) A fee may be contingent on the outcome of the matter for which the service is rendered, except in a matter in which a contingent fee is prohibited by paragraph (d) or other law. A contingent fee agreement shall be in a writing signed by the client and shall state the method by which the fee is to be determined, including the percentage or percentages that shall accrue to the lawyer in the event of settlement, trial or appeal; litigation and other expenses to be deducted from the recovery; and whether such expenses are to be deducted before or after the contingent fee is

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collections can be uncomfortable, following and exceeding the ethical behavior laid out in the Model Rules of Professional conduct can lead to more trust in you from the client, which also can enable a more positive reaction and less issue when it comes to billing and fees. The most important aspect about billing is staying on top of billing. You can ease the billing and collection tension by:

- Sending out bills monthly, or on another sensible regular schedule that keeps the bills smaller and seemingly more manageable to the client.
 - Sending out one large bill at the end of the case is a sure-fire way to instigate billing complaints and questions.
 - Think about each case as you are retained and how that particular case may need a unique billing deadlines or structure.
- If the client falls behind in payments, address it directly with the client before the balance snowballs into something larger.
- If the client has billing guidelines, follow them closely.
- Make it easy to pay your bills. Keep your clients informed of the correct staff member they need to contact and your accepted methods of payment.
- Keeping no-bill charges on the line-itemed bill.
 - Inevitably, there will be check-up emails, billing conversations, or other time committed that an attorney decides to no-bill.
 - Leaving these zeroed out line items on the bill shows the client the work the attorney has done but not charged for.
 - This can also help with perspective when billing disputes come up down the road. If the client asks you to give them a break on the bill, it can be helpful to show them how much you have already no-charged without being asked.

calculated. The agreement must clearly notify the client of any expenses for which the client will be liable whether or not the client is the prevailing party. Upon conclusion of a contingent fee matter, the lawyer shall provide the client with a written statement stating the outcome of the matter and, if there is a recovery, showing the remittance to the client and the method of its determination.

(d) A lawyer shall not enter into an arrangement for, charge, or collect:

- (1) any fee in a domestic relations matter, the payment or amount of which is contingent upon the securing of a divorce or upon the amount of alimony or support, or property settlement in lieu thereof; or
- (2) a contingent fee for representing a defendant in a criminal case.

(e) A division of a fee between lawyers who are not in the same firm may be made only if:

- (1) the division is in proportion to the services performed by each lawyer or each lawyer assumes joint responsibility for the representation;
- (2) the client agrees to the arrangement, including the share each lawyer will receive, and the agreement is confirmed in writing; and
- (3) the total fee is reasonable.”

MODEL RULES OF PROF'L CONDUCT R. 1.5 (2016).

G. Prepare and Cultivate Ongoing Relationships

Depending on the kind of practice you have, doing your homework will mean varying things. For example, you could:

- Read the client’s public filings, website, advertising materials, press clippings, and so forth.
- Google the client – researching their background can provide valuable insight.
- If possible, keep up with important trends in the client’s industry. Send them articles or links that might be of interest to them or are relevant to your work for them.
- If you can provide sound legal advice while providing sound business advice, you can become the client’s go-to advisor.
- Be open to talking to clients after your representation is complete.
 - They will likely have questions as time goes by, and these questions may or may not lead to doing additional work for them.

H. Listen for Concerns and Act to Improve

People have a natural resistance to asking for feedback because criticisms often feel personal and are discouraging to hear. You must overcome this natural resistance and ask for feedback—it is an effective way to improve.

- In most cases, clients will let you know if there is a problem. When they do, listen and respond.
- Do not be defensive.
- Feedback may not always be direct or specific—listen for subtle feedback.
- You can learn from both complaints and compliments.
- If in doubt, do not be afraid to ask.

Opposing Counsel and Third Parties: **Using Positive Work Relationships to Grow Your Practice**

Current and former clients are not the only resource attorneys should tap into to grow their practice. **Rule 3.4**¹², **4.1**¹³, and **4.4**¹⁴ speak on specific instances of appropriate behavior

¹² Rule 3.4: Fairness to Opposing Party & Counsel: “A lawyer shall not:

(a) unlawfully obstruct another party’s access to evidence or unlawfully alter, destroy or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act;

(b) falsify evidence, counsel or assist a witness to testify falsely, or offer an inducement to a witness that is prohibited by law;

(c) knowingly disobey an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid obligation exists;

(d) in pretrial procedure, make a frivolous discovery request or fail to make reasonably diligent effort to comply with a legally proper discovery request by an opposing party;

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when dealing with opposing counsel/third parties. **Rule 4.3**¹⁵ provides the way in which attorneys should interact with parties without representation. While these rules provide obvious examples of inappropriate behavior like falsifying evidence, filing frivolous discovery requests or fraudulent misrepresentation, this should only be a starting point. Not only should lawyers be using their own clients as ambassadors, but there are a slew of opportunities through these sources. As attorneys, there are various reasons we can't take every case that comes across our desks. Because of that, the way a young lawyer behaves and treats opposing counsel could go a long way with referrals and positive perception, also adding to the growth of a client base and network.

In smaller cities or towns, it's obvious that your overall reputation and specific conduct towards opposing counsel will be known quickly. However, even in the larger cities and metropolitan areas, many practice groups are their own little communities as well. Negative news travels much faster than positive. That doesn't mean just the blatant unethical behavior described in **Rules 3.4, 4.1, and 4.4**. This also includes professional courtesies. Other attorneys remember when they were sick and you refused to give them a continuance, when they were on vacation and you tried closing the deal prematurely, or you gave them required documents at 5:30 PM the day before your 8:00 AM court setting. This kind of behavior is not quickly

(e) in trial, allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence, assert personal knowledge of facts in issue except when testifying as a witness, or state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused; or

(f) request a person other than a client to refrain from voluntarily giving relevant information to another party unless:

- (1) the person is a relative or an employee or other agent of a client; and
- (2) the lawyer reasonably believes that the person's interests will not be adversely affected by refraining from giving such information."

MODEL RULES OF PROF'L CONDUCT R. 3.4 (2016).

¹³ Rule 4.1: Truthfulness in Statements to Others: "In the course of representing a client a lawyer shall not knowingly:

- (a) make a false statement of material fact or law to a third person; or
- (b) fail to disclose a material fact to a third person when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client, unless disclosure is prohibited by Rule 1.6."

MODEL RULES OF PROF'L CONDUCT R. 4.1 (2016).

¹⁴ Rule 4.4: Respect for Rights of Third Persons

- "(a) In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.
- (b) A lawyer who receives a document or electronically stored information relating to the representation of the lawyer's client and knows or reasonably should know that the document or electronically stored information was inadvertently sent shall promptly notify the sender."

MODEL RULES OF PROF'L CONDUCT R. 4.4 (2016).

¹⁵ Rule 4.3: Dealing with Unrepresented Person: "In dealing on behalf of a client with a person who is not represented by counsel, a lawyer shall not state or imply that the lawyer is disinterested. When the lawyer knows or reasonably should know that the unrepresented person misunderstands the lawyer's role in the matter, the lawyer shall make reasonable efforts to correct the misunderstanding. The lawyer shall not give legal advice to an unrepresented person, other than the advice to secure counsel, if the lawyer knows or reasonably should know that the interests of such a person are or have a reasonable possibility of being in conflict with the interests of the client."

MODEL RULES OF PROF'L CONDUCT R. 4.3 (2016).

forgotten and guarantees that opposing counsel won't want to work with you in the future, let alone refer clients they can't take. Keep this all in mind when talking to your staff about how they treat other attorneys, other attorneys' staff, and court staff especially.

Remember that the staff of other attorneys and court staff can also have a profound impact on your representation. The legal system wouldn't be able to function without the coordinators, clerks, paralegals, legal assistants, and the rest of the support staff that keeps it running on a daily basis. If the paralegal of your opposing counsel gives you bad news, don't shoot the messenger. Most attorneys have a sense of responsibility for their staff, if not a sense of loyalty, and they won't take kindly to you mistreated them. Most importantly, keep in mind that the court staff member you're rude to before your morning hearing is likely having lunch with the Judge later, while the Judge is taking your motion under consideration.

Building a Network with Community Involvement

Rule 6 of the Model Rules of Professional Conduct provides for the interaction between a lawyer and his/her community: public service.

Why as lawyers should we be involved in our communities? As lawyers, we are given the unique opportunity as default leaders in our country, state, city, and local community because of our profession. But why get involved? Making a difference, developing your identity as a lawyer, growing your practice and improving the reputation and perception of attorneys in your community are all reasons to meet and exceed the Model Rules public service guidelines.

First and foremost, the key to community involvement is passion. It is critical that you join organizations in which you have a genuine interest. Otherwise, you will find it more difficult to commit the time necessary to the organization, and you may risk being seen as an opportunist. Your primary focus is to listen and serve. The benefits of your hard work and commitment will flow naturally.

Community Involvement

The nitty-gritty details of getting involved in your local community will partly depend on where you practice. A lawyer's community involvement may look different depending on whether he practices in a big city, small city, or a rural town. However, the basic idea is that the more contacts you make, the better off you will be. Also, the general rule of community involvement is twofold: (1) volunteer, and (2) follow through. Volunteering will help you gain more exposure. However, it is absolutely critical to follow through on the things you volunteer for. Otherwise, your lack of follow through will be extrapolated out to your professional competence as an attorney, and will be interpreted as an inability to achieve the goals of your clients.

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The essence of **Rule 6.1**¹⁶ is volunteering legal services, time (striving for 50 hours per year) and money to organizations that address the needs of people with limited means. The comment to Rule 6.1 notes that community involvement services are an individual, ethical commitment of each lawyer.¹⁷ It goes on to say that regardless of prominence and professional workload, every attorney has this duty. It provides examples of places legal services can be rendered like homeless shelters, battered women's centers, and food pantries. The comment goes so far to provide examples for restricted government and public sector lawyers to accept substantially smaller fees to represent social service, medical research, cultural and religious groups.¹⁸ The more involved you are in the community, the better able you will be to identify the needs of the people and try to meet them within your practice, thus enlarging your practice.

Rule 6.3¹⁹ suggests serving as a director, officer or member a legal services organization. **Rule 6.4**²⁰ proposes service as a director, officer or member of an organization involving

¹⁶ Rule 6.1: Voluntary *Pro Bono Publico* Service: "Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of *pro bono publico* legal services per year. In fulfilling this responsibility, the lawyer should:

- (a) provide a substantial majority of the (50) hours of legal services without fee or expectation of fee to:
 - (1) persons of limited means or
 - (2) charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means; and
- (b) provide any additional services through:
 - (1) delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;
 - (2) delivery of legal services at a substantially reduced fee to persons of limited means; or
 - (3) participation in activities for improving the law, the legal system or the legal profession.

In addition, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means."

MODEL RULES OF PROF'L CONDUCT R. 6.1 (2016).

¹⁷ MODEL RULES OF PROF'L CONDUCT R. 6.1 cmt. (2016).

¹⁸ *Id.*

¹⁹ Rule 6.3: Membership in Legal Services Organization: "A lawyer may serve as a director, officer or member of a legal services organization, apart from the law firm in which the lawyer practices, notwithstanding that the organization serves persons having interests adverse to a client of the lawyer. The lawyer shall not knowingly participate in a decision or action of the organization:

- (a) if participating in the decision or action would be incompatible with the lawyer's obligations to a client under Rule 1.7; or
- (b) where the decision or action could have a material adverse effect on the representation of a client of the organization whose interests are adverse to a client of the lawyer."

MODEL RULES OF PROF'L CONDUCT R. 6.3 (2016).

²⁰ Rule 6.4: Law Reform Activities Affecting Client Interests: "A lawyer may serve as a director, officer or member of an organization involved in reform of the law or its administration notwithstanding that the reform may affect the interests of a client of the lawyer. When the lawyer knows that the interests of a client may be materially benefitted by a decision in which the lawyer participates, the lawyer shall disclose that fact but need not identify the client." MODEL RULES OF PROF'L CONDUCT R. 6.4 (2016).

Growing Your Network:
Ethics and Professional Conduct that Build Relationships

reformation of the law. **Rule 6.5**²¹ and the comment thereafter also describe providing short-term legal services, like the completion of a form, through non-profit organizations or courts.²²

Community involvement should have a positive impact on your community and your career. Thus, there are three fundamental questions that you must ask yourself: (1) who am I and what do I want to do; (2) how can I best inform people who I am and what I do; and (3) what decisions must I make to make myself known and build a reputation for my practice?

To answer the first question, analyze your interests, your ideal career path, and the needs of your community. Analyzing your personal goals and objectives at the outset is extremely important. Finding a public service where you can incorporate your own interests increases the potential for success and impact.

The latter two questions are answered simply – *show up, volunteer, and follow through*. This builds trust in you within the community, which grows a quick and strong relationship and bond. When people in the community run into legal issue and they know and respect you, you will be their first phone call. Each of these interactions grows more and more ambassadors to your practice.

Community involvement is all about reputation, relationships, and networking. Using the Model Rules of Professional Conduct as a beginning point to your public service and community involvement and applying all the aforementioned strategies will increase your standing and reputation in the community, grow your practice, and better the world around you. It takes patience – dividends may not come immediately and sometimes they come in bunches. It is also important to be technically proficient; you must be good at what you do. However, it is just as important to stay personally balanced. Keep your work life appropriately balanced with your personal life, and never let your efforts at growing your practice crowd out your spouse, children, friends, and faith. Above all, be intentional about both your work life and your personal life.

Pro Bono Work

Pro Bono work is one of the most important responsibilities of being an attorney. Every person is owed adequate legal representation. **Rule 6.2**²³ emphasizes the importance of court

²¹ Rule 6.5: Nonprofit & Court-Annexed Limited Legal Services Programs

“(a) A lawyer who, under the auspices of a program sponsored by a nonprofit organization or court, provides short-term limited legal services to a client without expectation by either the lawyer or the client that the lawyer will provide continuing representation in the matter:

(1) is subject to Rules 1.7 and 1.9(a) only if the lawyer knows that the representation of the client involves a conflict of interest; and

(2) is subject to Rule 1.10 only if the lawyer knows that another lawyer associated with the lawyer in a law firm is disqualified by Rule 1.7 or 1.9(a) with respect to the matter.

(b) Except as provided in paragraph (a)(2), Rule 1.10 is inapplicable to a representation governed by this Rule.”

MODEL RULES OF PROF'L CONDUCT R. 6.5 (2016).

²² MODEL RULES OF PROF'L CONDUCT R. 6.5 cmt. (2016).

appointed work. Individual lawyers fulfill their responsibility when they take a fair share of the unpopular cases or indigent clients. While *pro bono* cases may seem fruitless because of the hours with little or no monetary gain, viewing *pro bono* work as a chore misses the value an attorney can gain from that client. Just because that specific client is indigent does not mean they can't have a positive effect on your practice. Even if it isn't gaining paying clients, young lawyers can gain a wealth of knowledge and experience with the different type of cases *pro bono* clients bring.

An important note about *pro bono* work is finding *pro bono* cases in your field or practice area. **Rule 1.1**²⁴ states that a lawyer shall provide competent representation to their client. However, the comment provides more explanation for the seemingly obvious rule. Even though *pro bono* work is encouraged, a lawyer should not provide legal services in areas they are not competent to practice, i.e. areas of relative complexity and specialized nature of the matter in which the lawyer is not trained.²⁵ Providing these services could lead from incomplete advice all the way to malpractice on the far extreme. Besides just providing inadequate representation, *pro bono* work outside your practice area won't grow ambassadors or knowledge in your area.

Potential Ambassadors Are Everywhere

As a young lawyer, growing your practice and reputation as an attorney can seem like an ominous task. However, in our day-to-day lives, potential ambassadors are all around us. Using ethical conduct and the Model Rules as a basis, clients, opposing counsel, and community members all can become the ambassadors you need to flourish your practice and career.

²³ Rule 6.2: Accepting Appointments: "A lawyer shall not seek to avoid appointment by a tribunal to represent a person except for good cause, such as:

- (a) representing the client is likely to result in violation of the Rules of Professional Conduct or other law;
- (b) representing the client is likely to result in an unreasonable financial burden on the lawyer; or
- (c) the client or the cause is so repugnant to the lawyer as to be likely to impair the client-lawyer relationship or the lawyer's ability to represent the client."

MODEL RULES OF PROF'L CONDUCT R. 6.2 (2016).

²⁴ Rule 1.1: Competence: "A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."

MODEL RULES OF PROF'L CONDUCT R. 1.1 (2016).

²⁵ MODEL RULES OF PROF'L CONDUCT R. 1.1 cmt. (2016).