

“Ten More” Things:

1. **THINK, SPEAK, WRITE, AND NEGOTIATE AS A LAWYER:**

Law School Changes Your Brain (and it should). You learn to:

- Think in condensed summaries of key points.
- Spatially organize theories of the case in your brain.
- Articulate (speak) arguments without notes.
- Write in declarative sentences, expressing the essence of your argument.

Learn to Articulate (speaking and writing) the key points of any argument by:

- Creating key word outlines, condensing and re-organizing on paper, a computer, or by dictating.
- Mastering the ability to globally organize your thoughts on computer.
- Mastering the ability to globally organize your thoughts by dictation.
- Never, never speak or argue from notes.

Study the Art of Negotiation - You will spend at least 50% of your professional life negotiating for your clients. Consider attending the AAML sponsored Harvard Law School Negotiation Program.

2. **THE CLIENT INTERVIEW IS VERY IMPORTANT:**

Begin “How can I help you?” (not “How are you?”)

- Read client intake form for basics.
- Listen to the story, what is important to client.
- Note key facts.
- Note supporting documents/evidence – ask for copies later.
- Listen for what client is not telling you (usually begins with long story to justify bad behavior).
- Harvest important information.
- No war stories.
- No preaching.
- No arguing.

Negotiations without filed action:

- Dangerous, no date of filing, no preservation of assets.
- But, can unnecessarily escalate case and preclude a quiet, quick resolution.

Discovery:

- Get going early.
- Pre-litigation “harvest” from your client.

3. **TO BE AN EFFECTIVE FAMILY LAWYER, YOU MUST HAVE MULTIDISCIPLINARY KNOWLEDGE AND SKILLS:**

- Know the rules, civil procedure, evidence rules, appellate rules, extraordinary writs, until it's intuitive,
- Study objections, motion practice
- Learn to write, declarative sentences
- Learn to speak
- Learn to identify issues, themes
- Know substantive family law
- Know tax, bankruptcy, contracts, real estate, trusts and estates
- Know accounting and valuation
- Know uniform laws (UCCJEA, PKPA)
- Know treaties (Hague Convention)
- Know constitutional law
- Know jurisdictional law
- Know criminal law
- Know corporate law
- Know secured transactions, UCC
- Know how to litigate in family court, circuit court, appeals court, and federal courts
- Know about psychology and psychiatry
- Know about intellectual property, copyrights, trademarks
- Know maritime law
- Know torts, stored electronic communications, heart balm actions, valuation of suits and claims
- Learn how to try cases (watch them at court house), introduce yourself to court and the attorneys
- Learn to negotiate
- Make friends that will last your professional career
- Search for a niche
- Search for opportunity
- Spread your wings, volunteer gal, write, committees, bar activities
- Learn to keyboard and dictate
- Learn to listen
- Learn to control your emotions
- Learn to work hard
- Learn to prepare, prepare, prepare

4. **THE GOLDEN RULE:**

**Harvey L. Golden's Rule
as told by Ken H. Lester, Esquire**

Harvey Golden taught me there is a difference in practicing law and practicing law with a passion. He shared his knowledge of the law and trial skills with younger lawyers at every opportunity. Sharing Harvey's "Golden Rule" with you is my way of paying him back for the profound influence he had on my life, my practice of law and my family.

Harvey's "Golden Rule" on being a successful family law practitioner is two-fold:

1. Do not ever **under** estimate the ability, skill and knowledge of the opposing attorney.
2. Do not ever **over** estimate the ability, skill and knowledge of the Trial Judge.

Note: Special credit and thanks to South Carolina AAML Fellows Ken Lester and John McDougall for their input on these "Ten More" Things.

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