

## TRAITS OF AN EFFECTIVE LAWYER: ANONYMOUS SUBMISSIONS BY JUDGES

1. Speak clearly.
2. Never overpromise anything to a Judge. When you cannot carry out what you promised, you lose accountability.
3. Do not assume the Judge knows everything you know. In some cases, the lawyer knows their case so well that they fail to inform the Judge of essential facts.
4. Know your audience and be brief in your writing. If you can't say it in five pages, you have other problems.
5. Do not file frivolous motions with the Court.
6. Never "lip" back to the Judge. Remember who gets the last word.
7. Know the difference between trial and appellate Court.
8. "Effective lawyers sound like the voice of reason. The closer that you can get to the point where, when you stop talking, the Judge and jury think, 'Well, that sounds reasonable,' the more effective you will be. Some effective lawyers have a style where they always pound the table with a shoe and yell, but that only works for a few. It's not to say that you can't advocate strongly for your position. The most effective trial lawyers I can think of have a baseline that is eminently reasonable, but if they are shouting, there is a reason for it and everyone will take notice.

"When I first started, Neil Lathan was the go-to guy for DUI defense. He struck jurors as a consummate professional. Neil was plain spoken and reasonable. He would make his client relatable, always referring to his client as a 'good guy.' Similarly, I have always found Ralph Spooner to be very reasonable. Whenever he speaks, whether I agree with it or not, his message is delivered in such a way that sounds credible."

9. "The most effective lawyers will not only lead the Court down the path to find for their side, they will admit when they don't know something. Asking for a chance to brief the Court is much better than making something up and hoping it sticks."
10. "Mistakes happen, and owning up to them and doing your best to fix them is far more effective than trying to bury them. Building a reputation for being forthright with the Court takes a long time, but being considered a trusted resource by Judges is invaluable. Being known as trustworthy in the legal community makes you a more effective lawyer as well; you will be extended courtesies that otherwise wouldn't be available to you. Being gracious and extending courtesies will make your relationships with other lawyers better down the road."