

## LETTER TO A YOUNG PUBLIC INTEREST ATTORNEY

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*Sanjukta Paul\**

Dear Young Public Interest Attorney:

I pondered for a while about what to write to you about. I considered sharing my specific career trajectory and personal story, and I also considered using this space to expound upon underlying issues with the very concept “public interest law” and the problems inherent in setting out to become an agent for progressive social change by means of an institution (law) that is, at its core, a conservative one. Ultimately, however, reflecting upon what might actually be useful to you, I decided to write this missive with a view to sharing some of the practical insights that I have arrived at over

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the years, which would have been useful for *me* to hear as I was starting my career. So without further ado, here they are:

*Nugget No. 1: It Gets Better*

*(a.k.a., the Impermanence of Existence is Your Friend)*

I think the first and foremost insight I would like to share with you, from a mid-career (yikes) vantage point, is the following: *it gets better*. Especially in the field of litigation, the first two to three years of your career are just hard. There can be ameliorating or exacerbating factors, but the bottom line is that it's going to be hard for a while.

Litigation essentially overlays a procedurally complex, timed chess game onto a substantive debate over facts and law. The substantive debate over facts and law itself demands of you both attention to detail and analytical rigor. Further, the chess-game aspect of litigation is not only a time-sensitive one, but also one in which there is *always someone waiting to pounce on your smallest mistake*—and often on moves that are not mistakes!

Add to this basic concoction a few additional ingredients. First, law as a social institution is one that generally promotes and involves long working hours. So you are spending a large (probably too large) portion of every day doing difficult, demanding, adversarial work. Second, when you start out in litigation—no matter how smart or hard working you are—you basically don't know what you're doing. Third, as a young public interest attorney, you are a person of conscience and integrity who cares about your clients and wants to do the best for them. It shouldn't be hard to see that the foregoing is a recipe for a stressful, difficult life, at least at first.

I don't mean to be a downer here. On the contrary, I love lawyering – but I didn't love it at first. There is a steep learning curve to becoming a lawyer, and what I want to tell you is that you don't get to most of the fun parts right away. The earlier you can make peace with that, the better. And if you don't want to make peace with it, you may as well know that as well. You have probably gotten lots of advice about working at certain places versus others. But the abovementioned ingredients are going to be present to some degree everywhere, so try to be discerning and judicious about what is just the nature of the job and what your specific employer contributes. Know that it gets better – a whole lot better – and that

the second phase of the learning curve comes sooner, and goes quicker, than you think it's going to while you're immersed in the first, most difficult phase. Which bring me to my second nugget of wisdom ...

*Nugget No. 2: Make the Most of the Imperfect Present  
and Gain Skills*

You are most likely not working in your dream job in your first few years as an attorney. Frankly, even if working at the very organization or firm that you are currently with is your dream job, it's probably not going to be a dream job for the first couple of years you're in it (see No. 1 *supra*). That doesn't mean it doesn't have great value. The first couple of years are what mold and shape you and make you the lawyer you will later become. Don't miss the unique opportunity to maximize your skill set.

My specific advice here is: don't be too hung up on the specifics of what you're doing right now (as far as the type of case, type of client, etc.) As people who chose to go to the law school for the reasons we did, we obviously care what kinds of cases we are working on and we may get frustrated if we are putting in long, grueling hours (see No. 1, *supra*) doing something that is not exactly turning the world upside down. That is natural, but try not to let that feeling hijack your emotional state. You are learning how to be a lawyer; focus on that. (In any case, if you are in any kind of a public interest job, you are likely doing something that is either on balance good for the world or at least neutral. And if you're not, and hoping to break in later, the rest of my advice still applies.) I am not telling you to check your independent judgment at the door. I am telling you that your priority at this point in your career should simply be to gain skills and *become a lawyer*, in order to later maximize your ability to exercise that independent judgment and choose your cases or your work.

*Nugget No. 3: Understand and Skillfully Navigate the Various Sets  
of Lawyering Skills*

So what are those mythical lawyering skills anyway? The way that I think about it now is that there are some very different parts of me that I draw upon in my daily practice of law, and they are all equally important. I don't think every lawyer, or even every excellent

lawyer, needs to be excellent at all of these sets of skills. But knowing what they are, and what your current and potential strengths and weaknesses are, helps you navigate and balance your practice and your career.

First, the skill set you are probably most familiar with from law school is analysis, legal research, and legal writing. This is fairly self-explanatory and its importance has probably already been emphasized to you, so I won't spend much time on it. You will enhance this skill set by taking the opportunity to perform legal research and analyze points of law, write briefs or help with briefs, and even make oral arguments, although the latter overlaps with other skill sets as well. Take these opportunities; there is a reason this skill set is so emphasized. It is invaluable across fields and types of practice.

Secondly, an equally important but rather distinct skill set is working with facts. You probably had a lot less exposure to this in law school. This skill set involves, at its core, two key attributes: 1) attention to detail, and 2) the ability to bring apparently dry information (whether in the form of documents, testimony, or other fact-gathering) to life by sensing the thread that runs through the mess of information – the narrative. The first you can cultivate by essentially just making yourself do it. The second is something a little trickier, and maybe it requires more sensitive cultivation. This is what I would suggest: Don't let the official garb of information fool you. There is a story in there – and most likely it's a human story. You need to find it, and find it you will, but you will need to exercise a slightly part of yourself than the unrelenting machine-like drudge that you may feel you are becoming by now. You need to *listen*: to your client, to the opposing party, to the documents (let them speak!). And you need to do that openly and creatively.

That leads to the third overall skill set, which is witness skills. This involves primarily depositions and other witness examinations, but the same skills are equally involved in informal fact gathering with witnesses, and with preparing your own witnesses for examination. At this point we are involved with a skill set that I think of as complementary to (and thus, 180 degrees from) the analytical skill set that law school teaches you lawyering is all about. A successful deposition involves intuition, courage, presence, and human connection just as much or more as it involves analytical

smarts. Witness skills are fundamentally about connecting with another human being, getting them to trust you and connect with you, listening, and using your intuition and your gut rather than just your brain to figure out what to do, what to ask, and where to go. As you might imagine, the foundations for these skills are cultivated by many activities outside of the legal profession itself – indeed, probably better so.

I find the above tripartite map of lawyering skills to be useful as a way to think about the basic ingredients of what I do. Certain activities may draw upon more than one region of the map, and more than one region of you. But almost everything you do will consist of some combination of these capacities and skills. You will naturally have certain strong regions and certain areas that are not so strong. That is what life is all about. Be aware of those strengths and weaknesses, and without getting involved in comparing and measuring yourself against your peers, take strategic action to balance and grow the areas that need a little more attention.

*Nugget No. 4: The Perfect is the Enemy of the Good  
(and its Corollary – Have Fun)*

In law generally, and certainly in public interest law, one of the intrinsic roadblocks is that we may take ourselves too seriously. This does not help you or your clients. I learned the hard way that there is a difference between honoring my obligations and doing so skillfully and well on the one hand ... and taking myself and everything I was doing so seriously that I burned myself out and blamed lots of other people around me for the suffering I created, on the other.

So, find that balance. Work hard, work well, but also let go and realize that perfection shall not be yours in this human realm. Constantly obsessing over perfection will prevent you from doing good work in a sustainable manner. This is one thing I can truly tell you, because I have done it both ways: you will not be less successful as a lawyer if you take that plunge. You certainly will make it possible for you to do this long-term, if that's what you want to do. There's a difference between pain and suffering. It hurts sometimes to do hard work and it hurts sometimes to lose something you don't want to lose, to miss a result that you know is just. But overlaying pain with additional suffering, created by unrealistic and

ultimately egoistic strive for perfection (although we may tell ourselves it's for our clients), is unnecessary. I am still working on this, but it's probably the most important lesson I've learned.

What helps with this? A spirit of play, injected into the most mundane of tasks. Taking the time to joke around with your co-workers and co-counsel, maybe even with your opposing counsel. Anything you can do to take yourself less seriously. Creating time (even now, or *especially* now, in the hardest and steepest learning curve phase of your career) for activities you find fun, in the simplest sense. It is important.

I want to conclude my missive by thanking you for choosing this path, and ask you to take a moment to acknowledge yourself for your courage in doing so. We need you, and especially here in Los Angeles, I am happy to say that the social justice law community is a strong and mutually supportive one. Nurture the part of you that led you here as you navigate your path.

Sanjukta Paul