

American
Association
for Justice

www.justice.org

Trial

March 2018

Succession
Planning

Practicing
Self-Care

Create a Positive
Office Culture

ALSO

Email Etiquette

Data Breach
Legislation



The Well-Rounded Lawyer

**FINDING
YOUR
DIRECTION**

STRENGTHENING
THE PLAINTIFF BAR:
Q&A With
Shanin Specter

The Plaintiff of Lawyers Tomorrow

SHANIN SPECTER, a founding partner of Kline and Specter in Philadelphia, is a strong advocate of engaging with law students to ensure a thriving plaintiff bar. *Trial* spoke with Specter about recruitment obstacles, what trial lawyers can do to help, and how to convey the importance of a robust civil justice system.

Interview by || **KATE HALLORAN** Photography by || **ERIC MILLETTE**

Reprinted with permission of *Trial*® (March 2018)
Copyright © 2018 American Association for Justice®,
Formerly Association of Trial Lawyers of America (ATLA®)
www.justice.org/publications



You are a strong advocate of reaching out to law students to encourage them to become plaintiff lawyers. What do most law students know—or not know—about the plaintiff bar?

Nearly every law student has almost no idea what plaintiff attorneys do. They learn about torts in their first-year class, but the extent to which they learn about the real practice of plaintiff work is usually very limited. Several factors combine to keep law students unexposed to plaintiff work.

First, plaintiff firms tend not to recruit summer law clerks on law school campuses because they are too small to have regular summer associate programs. Second, few plaintiff lawyers teach at law schools. Third, career development offices are inconsistent in whether they invite plaintiff lawyers on campus to speak to students—even for just an hour to give students some exposure to what their work is like. Fourth, law students want to have their permanent jobs lined up about a year in advance of graduation, and plaintiff firms aren't structured to promise a job within that time frame. All these factors combine to yield very few newly minted lawyers going into plaintiff work.

What are some steps plaintiff attorneys can take to remedy this?

We should be proactive in getting on campus to speak to students about our work and potential job opportunities. We shouldn't wait for a phone call from career development offices; we should call the law schools. Plaintiff lawyers need to remember that today's law students are tomorrow's legislators and judges, who need to understand the importance of recovery in tort and a robust civil justice system.

Plaintiff lawyers ought to think about teaching. There's a lot that we can teach law students, from trial advocacy to the



nuts and bolts of how to practice law. A practicing lawyer could easily teach evidence or an advanced course in torts or civil rights. Law schools generally have been unreceptive to practitioners teaching first-year torts and other first-year courses—but there is hope on that front. I recently taught first-year torts at UC Hastings College of the Law. We can and should expose law students to the plaintiff practice.

What has your experience been like teaching at a law school?

I've been teaching for the past 18 years, first at Penn and more recently at Hastings, Stanford, and Berkeley. Trial lawyers are natural teachers, and in law students, we have a bright, young, eager audience inherently interested in what we have to say. Teaching is invigorating and rewarding because I know I'm instilling knowledge and the values I've been fighting for in the courtroom in a new crop of soon-to-be lawyers, who—I hope—will be advancing those same values. And law students are especially interested in interacting with practitioners because they

correctly believe that our perspective and know-how add enormous value to their legal education.

What are the benefits of becoming a plaintiff lawyer that law students and new attorneys need to hear about?

The most substantial challenge in recruiting new plaintiff lawyers is the lack of knowledge that law students have about our work. If they knew about it, a lot of law students would love it. Why? For all the reasons we love it. Because we get to represent real people with real problems. We get to pick our cases instead of having our cases pick us, which is a fact of life on the defense side. Because the practice is entrepreneurial. Because you get to effectuate safety changes in a lot of cases, which is extraordinarily satisfying and contributes to the public good. And because even for a new lawyer with a mountain of debt, a good plaintiff firm may be a place where he or she can competitively pay back that debt. If law students and young lawyers knew all this, they'd be beating down the doors of plaintiff firms—but most simply just don't know.

What should law students and new attorneys do outside institutional career development services to reach out to plaintiff firms?

I recently spoke at a law school and asked the following question: "I'm the cofounder of a large personal injury firm in Pennsylvania. How many law students do you think ask me for a job each year?" One student guessed 300, a second student guessed 3,000. I said that the answer was closer to three. I get very few direct job inquiries from law students. Everybody in the room was shocked—but they shouldn't have been, because they and their classmates plan to get all their job interviews through their school's career development office, and we don't recruit there.

Most law students simply go to their schools, accept whatever job interviews are presented to them, and ignore the other 99.9 percent of potential employers in America.

Instead, they should follow a four-step process. One, they should decide what kind of work they'd like to do after graduation. Two, they should figure out where they want to live. Three, they should take their answers to steps one and two and do a quick Google search to figure out

the best law firms and other places to do that kind of work in that location. And four, they should reach out personally and contact those firms—not by email, but by letter and then by phone, because that's more personal.

How can plaintiff lawyer organizations help to encourage new attorneys' interest in becoming plaintiff lawyers?

They should do the same things that we plaintiff attorneys should be doing—getting on campuses to tell students about civil justice work and encouraging their members to teach courses at law schools.

Organizations should coordinate with law schools to designate a liaison attorney who could interface with the school's career development office to ensure that their students are exposed to plaintiff lawyers. They could arrange a campus visit and talk, connect plaintiff lawyers who want to teach at the school, and be a resource for law students who may want to contact plaintiff lawyers directly to hear about the nature of their practice or gain insight on who might be hiring recent graduates.

The public often has misconceptions about trial lawyers. How can plaintiff attorneys combat that image to encourage new lawyers to enter the field?

We plaintiff advocates have done a horrible job of advocating for ourselves and the value of our work. We don't see it as part of our job, and we're wrong about that. You only need to see the hands in the air in favor of tort "reform" when you go to pick a jury to know how we have failed to educate the public about the importance of having a robust tort system.

So what should we do? In addition to educating law students—America's future legislators and judges—about what we do, we should also educate the public. We should write about our cases in the press and in books. We should talk to reporters about current events that are related to tort issues and encourage publication of stories about civil wrongs, including our cases. We should insist that defendants reform their behavior as a condition of settlement in appropriate cases, and we should publicize those remedial actions, which would do a tremendous amount to improve the image of trial lawyers. If we do those things, we can correct the misperceptions.

AAJ Law Student Outreach

AAJ connects with law students in several ways and has a Law School Committee whose mission is to provide programs and education specifically for law students.

- AAJ has law school chapters at schools throughout the country to help students network with each other and local AAJ members and to learn about the plaintiff practice.
- Law students are eligible to become AAJ law student members and receive benefits to help pursue a career as a plaintiff attorney.
- Each year, nearly 900 law students nationwide compete in AAJ's Student Trial Advocacy Competition (STAC). AAJ members volunteer to serve as judges and student participants become law student members.
- Law student members have the opportunity to attend AAJ conventions and have been invited to speak at CLE programs.
- AAJ awards several scholarships to law students who demonstrate a commitment to AAJ's mission and skills in trial advocacy.

What are your top tips for new and experienced plaintiff lawyers to build mentoring relationships?

If you need a mentor, ask someone you respect for his or her opinion and guidance. That's informal mentoring. If you get good advice, go to that person again, and pretty soon you've got your mentor. Most veteran attorneys are thrilled to contribute to a young lawyer's progress, so mentoring is not seen as a burden. If you are a veteran attorney and you want to help others, begin with the lawyers in your office and consider going out to the career development office at your local law school to offer assistance. You're wanted and needed! 