

Chicago¹Lawyer[®]

Volume 33 Number 04 • chicagolawyer magazine.com

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Seeing the life of a lawyer from different sides



Photo by David Durochik

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Beginning this month in *Chicago Lawyer* we will be running the column, "Inside Out." This is an attempt to show what life is like as an in-house lawyer, and what life is like as a law firm lawyer. Christina Martini, a partner at DLA Piper, has spent all 16 years of her career at the firm. David Susler is associate general counsel at National Material L.P. and has been an in-house lawyer for 11 years. They also happen to be married to each other. All these components will make for an interesting conversation.

Here is a portion of our first conversation.

Why do you stay as an in-house or outside lawyer?

Martini: It's hard to believe that I've been [at DLA Piper] for 16 years, and I think it is a real testament to loving what I do, and loving who I do it with. That is really why I stay: because it's interesting, and because I feel like my development and growth as an attorney and as a person has mirrored the way in which the firm has grown and developed.

The firm, back when I joined, was about 200 to 250 lawyers. That was a large law firm back then. And as I've grown and developed as an attorney, its bandwidth has increased; the number of lawyers has increased; and the

geography has expanded to now be a global firm. The opportunities that I look for in my career are at the firm I am at today. The firm is very supportive of both my practice and the other sorts of things I do, like leadership and management. I think it is still a very special place and that's why I continue to work there. A lot of it is the firm, a lot of it is the people I work with, and the clients I work with.

Susler: I now have a true generalist in-house practice, which means every day is something different. And I realize being an in-house generalist is a specialty in its own right.

On any given day I could be doing any of five or six different substantive areas — contracts, employment, real estate, litigation management and a number of other things. One of the things that I realized a couple years into being in-house is that I have a comfort zone in being outside of my comfort zone. That's where I thrive. It's a fast-paced practice. It's something new every day. I get to be a counselor; I get to be a business strategist; and I get to be a business adviser, but it's always from the legal perspective. I am definitely a lawyer. I'm not a business person. I learn something new every day. We're a raw materials manufacturer. We sell to product manufacturers, so I learn about how things are

made that we use in our everyday lives, and I learn how things travel through commerce. I find that fascinating.

I also get to work with really good, really smart people who are subject-matter experts. They support me in what I do and I support them in what they do in accomplishing our company's business. And then I have to say, from a pure lawyer standpoint, I actually have the best client I could ever ask for. I have a client that respects its lawyers, that listens to its lawyers. My client's goal is to always do the right thing the right way.

What is the biggest challenge that you face in your positions?

Martini: Being a partner in a large global firm is rewarding, but it's also really demanding. At the end of the day we're in a service business, and our success is determined by the quality of the services we provide. And there is a substantive aspect to it, as well as the timely delivery of the services. Because I've decided to go down this path with my career, and realizing the level of commitment that it takes to keep clients happy, I have a 24/7 mentality. It is truly like being a doctor of law. Some people are doctors and they get the call from a patient, I'm the doctor of law and I get calls from my clients.

My philosophy is that I'm very appreciative that clients have chosen to work with me. My mentality is to treat clients not only as clients, but as people and to have empathy for them; and to not only understand them as professionals, and understand the organization they work for in the context of the business, but also understand who they are as people. What motivates them? What inspires them? What are their trigger points? And, what keeps them up at night?

I think the hugest challenge is striking that delicate balance in the way in which you spend your time, because time is a precious commodity. You must figure out how to strike that balance so that you get the most out of life that you can, in a way that's most meaningful to you. For me, it's balancing my commitment to my clients, to my firm and to my career with my commitments to my family and my friends, as well as my personal desires for myself. I'm also very committed to bringing others along, whether it's folks in my firm, or in giving back

to the community. For me, that's a real critical part of who I am.

Being a woman in this profession is a blessing in many ways, but what I've found is there are often stereotypes. Being a Latina woman in the profession and at the level I'm at, at this stage, there just aren't that many of us. When you look at not just women partners or minority partners, but at women minority partners, there aren't that many of us. Sometimes you have to deal with stereotypes. Part of it is navigating through a profession that is still mostly men, particularly the more senior you get, and having to deal with stereotypes and trying to break those down not only for myself but for other people, and that's part of the mentoring and giving back that I do.

Susler: One of the largest challenges I think I face is figuring out a way to say yes to my business clients. For example, when the client asks me to review a contract that's so incredibly one-sided in the customer's favor and against us and exposes us to unreasonable economic risk, and my business man says we can't make any changes in it because the customer won't allow it and everyone just signs it as it is anyway — how do you get to yes? You would be amazed how often that happens to me. It happened once today.

One of my approaches to practicing law generally and in working with my clients is I make a real effort to demystify lawyers and demystify the practice of law. I'm part of the team and I'm someone you can rely on to get the job done and protect our interests, as well as keep the business moving. Another thing that Tina mentions is having enough time to do everything and turn it around in a reasonable period of time — that is a constant balance.

Another challenge is doing something new every day. I'm oftentimes presented with substantive issues that I've never dealt with in 23 years of practice. That's why I love doing this. Over the course of my career I've developed good judgment and good legal instincts, and I've learned to trust my instincts and rely on them. And that really helps me get through the hardest part of pretty much any situation.

For me, one of the most difficult things that I have to do is field calls about employee issues that ultimately end up with the employee being terminated. Deciding when somebody has to be terminated is not a decision to be made lightly. You are making a decision that may ultimately end up with somebody not having a roof over

their heads or food to feed their family that night. I do try to save people's jobs when it's possible, but it's not always possible. I've been in-house for 11 years, and over that time the economy has gone up and down. I've been involved in situations where you had to have employee layoffs and employee RIFs. That's one of the things that is really tough for me.

What do you wish each side understood about your job?

Martini: I think the people who know me know this, but for those who don't know me, I wish they would know how seriously I take my job. My job is not just a job. For me, it's my life, and I see my job as being an attorney, a counselor, adviser, confidant and sometimes coach. The confidant part is sometimes like a therapist. With some clients, I develop a very strong friendship. They will confide things in me from a personal standpoint because they know they can trust me, and I have their best interests at heart.

As part of being a partner in a law firm, because I'm an owner of the business, I have a fiduciary duty to the partnership and what that means to me is that I have a legal and moral duty to put the interests of the firm first. The way that I see it is it doesn't necessarily mean generating huge fees and therefore being a benefit to the firm. To me, it's a tremendous responsibility and privilege and what it means is delivering the best client service I possibly can, because that will ultimately be in the best interest of the firm. I have a very strong loyalty to my clients and for being there for them through thick and thin.

The relationships are priority No. 1 because at the end of the day, that's what we're all about. If you don't have a good relationship with your client then you may lose them at the drop of a hat.

What's unfortunate is some attorneys give those of us in private practice a bad rap. But what's unfortunate is this leads people to believe that all attorneys are out to make a quick buck. And sometimes people take that mentality to the next step and say when you are an attorney in a large law firm charging a lot per hour, that means you are out to make a quicker buck than if you are at a smaller firm. And that's just not true.

Value is something, and while there is a quantitative analysis to it there is also a qualitative element to it. Separate and apart from sitting at my desk in my office or at home,

speaking to clients on the phone and delivering services that way, or giving legal advice through some written means, I am constantly — 24/7 — looking for ways to make my client contacts' jobs better and to make their businesses more lucrative.

To me, this is about making a meaningful difference. My brain never turns off. It is going all the time; even when I'm not at work I'm constantly thinking about work. I'm dreaming about work.

Some of the best thinking I do for clients is late at night or early in the morning when I'm in the shower. In the middle of a dream, I will think of an answer to a problem. That is a tremendous value to the client and I don't bill the client for this. I wish the other side would understand that this is beyond a job; beyond a career; this is a way of life.

Susler: I'm a provider of substantive legal services. I am not a legal traffic cop. When I hire outside counsel, it is for their substantive expertise and to be my partner in helping me help my company, which is helping our client ultimately achieve the goal in the best, most expeditious way possible. I am not hiring outside counsel to beat them up and knock down their bills.

When in-house lawyers are faced with legal issues, we are not looking at them in a legal silo. When we have legal issues, we are actually looking at a business issue that has a legal component.

It is a constant balancing between what is the best practical legal answer versus what is the best practical business answer. In my world, the business answer almost always trumps. I can never forget that. I'm constantly thinking that what advice I give — a, b or c — is going to direct the decision my business people make and I am going to directly impact the bottom line of the business. My job is to minimize the legal risk exposure, while keeping the business flowing.

One of my favorite parts of practicing law is getting to know my client's business. And a lot of times people will say in-house attorneys are much better situated to learn about the client's business, and it's true to a certain extent. But it doesn't mean outside counsel can't also learn the client's business and the culture. I think it's important for outside counsel to learn our business as much as they can. ■

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