

FIND YOUR *WHY*: THE KEY TO SUCCESS IN WORK AND LIFE



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Based in the Music City, Matt also represents artists and talent in the Sports and Entertainment industries. As outside general counsel to many clients, Matt provides guidance and experience in contract negotiations, insurance disputes, and general business litigation.

After working more than 15 years as a construction attorney in Nashville and Washington, D.C., Matt joined Burr & Forman to lead the firm's construction presence in Tennessee. Prior to entering private practice, Matt clerked for the Chief Judge of the Court of Appeals of Virginia. He has also worked on Capitol Hill for U.S. Senator Pete Domenici (NM), as well as participated in the U.S. Department of Justice's summer honors program.

Matt is a single dad with seven children ranging from seven to 21 years old. In his spare time, Matt blogs about family, work, and life balance at www.thesameasyou.com.

I thought I was ready to practice law long before I walked into my first law school class. At the time, I was working as a law clerk at a personal injury firm. My job entailed interviewing witnesses, preparing and responding to discovery requests, and drafting legal memos and briefs. Among these tasks, I enjoyed legal writing the most. In fact, I had drafted trial court briefs, administrative agency statements, state and federal court appeals, and even a writ of certiorari to "the Supremes" in Washington. Based upon all this work, I was confident in my preparation for the practice of law. However, a few stumbling blocks remained in my way to becoming a successful attorney, including a bar exam, many non-billable articles and conferences, hundreds of soiled diapers, and tens of thousands of dollars of debt.

Ultimately, I survived law school and my first 20 years of practice by answering the question, *Why do I want to be a lawyer?* Although I wrestled with that question for many years, it finally came down to the following two words...*helping others*. Ultimately, I became a construction lawyer to help others rely on best practices and technology in resolving their problems.

Being a successful litigation attorney focused on *helping others*, however, could not have prepared me

for my greatest challenge two years ago—a divorce after almost 18 years of marriage. Or did it? Leadership guru John Maxwell teaches that "success is not a destination thing...it's a daily thing." For me, answering the *Why?* question enabled me to start an amazing journey that continues to this day. Sure, I could be more successful. I could have more clients. I could have more trials. I could have many more "things." But once I answered the *Why?* question, I realized that many of my so-called stumbling blocks were actually stepping stones to a more fulfilling life.

The numerous lessons learned over the years have become invaluable to my development as an attorney and single father of seven children. You may think you are not getting enough courtroom experience at this stage in your career. You may be overwhelmed with the thousands of pages of documents that you have to review by next week. You may be questioning your job, your marriage, or both. Whatever your circumstance, I would challenge you to continue your journey and find success professionally and emotionally.

MANY EXPERIENCES, MANY HATS

My career as an attorney has undergone numerous transitions—from student, to law clerk, to law

student, back to law clerk, to associate attorney, and finally to partner. I initially characterized law school as a temporary layover to my destination of becoming a successful lawyer (you know success is spelled with two S's). I soon learned that the only S's in my life as a young attorney were the S's that I owed someone else for letting me attend law school.

After graduating from law school, I clerked for two years for the Court of Appeals of Virginia. While that job prepared me tremendously in the areas of legal analysis, research and writing, a big surprise awaited me as an associate attorney at a construction law firm in the Virginia and Washington, D.C. area. Long hours, intense cases, neglected family members, a few grumpy bosses, late time sheets, uncollected invoices, etc., became new challenges. While you would think these issues became less demanding (or more controllable) as each year passed, I cannot give you that simple assurance.

Instead, I faced what every young developing attorney faces: the battle between the billable hour and the non-billable hour. One pays your bills—the other potentially pays your vacations. One has an immediate return—the other “may” have a return in the future. The firm loves one—and the firm likes the other one, as long as it does not affect the one that the firm truly loves. As a young attorney, I learned that you can (and must) pursue both the billable and non-billable hour. I also learned that this required some tough choices in my career development. Ultimately, I think my success as an attorney came down to following stepping stones:

1. FIND AND PURSUE YOUR PASSION

As I look over the past 20 years, there are too many experiences to share in these few pages. What I have learned about being an attorney is that the job is much more than researching a novel legal issue, or writing a winning argument, or even collecting 33 percent on a jury verdict. It is about doing what makes you fulfilled at the same time as helping others with their problems. It is about finding your passion and implementing the best way to use your

skills and talents. It is about the journey more than the destination.

Growing up in the “L.A. Law” era, my journey began with thoughts of designer suits, cash-filled pockets and multiple convertible sports cars. That’s what makes a “real” attorney, right? I am ashamed to say that I believed this throughout my first few years of practice, until I had a case where the verdict really mattered. If successful, my client would get paid, he could pay his employees, and he could provide for his family. If unsuccessful, his business would close and supplying food and diapers for two young children would have become the most immediate concern. Although it worked out for my client, that case “made real” to me the role I played in the legal process. It was no longer about a breach of contract, or a complaint of age discrimination, or the enforcement of a non-compete agreement...it was about people with real life problems.

Once I resolved to help others, the next challenge was to identify my true passion. Unlike other construction attorneys who had some hands-on experience or an advanced degree in architecture or engineering, I had no prior connection to the construction industry. I got involved (and remained) in that fold because of the people and the technology. As to the people...I love that contractors work hard and play hard. They tear apart and build things. I especially love where construction and technology intersect, such as Building Information Modeling—which is 3-D and 4-D building modeling software to increase productivity in building design and construction. More recently, I enjoy the challenges involved in multi-party contracting, such as design-build agreements or public private partnerships.

Your passion may currently align with your practice area. It may not. That is okay because you always have an opportunity to do something about finding your passion. In his book, *Prepare to Win: A Lawyer's Guide to Rainmaking, Career Success and Life Fulfillment*, retired attorney-turned-marketing-coach

Cordell Parvin¹ describes his own personal journey as follows: “I once did not give much thought to why I was practicing law. I just got out of bed every day and did it. I then went through a stage where it was all about me. I focused on generating a lot of business and building my reputation. When I stopped focusing on myself and instead concentrated on how to help my construction clients become successful, I actually became infinitely more successful.”

Cordell went from being one of the most successful transportation construction lawyers in the United States to a top lawyer coach in the legal marketing industry. What is your calling? Why do you get out of bed? Are you more focused on generating business or helping your clients?

2. SEEK MENTORS

I remember my first mentor in the law—a generous attorney who had developed a strong personal injury practice in the Hampton Roads, Virginia area. To him, family came first. To be home for dinner by 5:00 p.m., that meant he would often be into work by 6:00 a.m. If there was a deposition out of town, he traveled early on the day of the deposition rather than spend the night away from his family. As I departed this first pre-lawyer job to enter my first year in law school, my mentor gave me a check that would help pay my first semester’s living expenses. My early mentor required me to pay him back in a unique way: he asked me to pay it forward to someone else as my career developed. (And that was five years before *Pay It Forward* hit the movie theatres!)

A mentor does not have to be involved in your day-to-practice. For example, Cordell Parvin graduated from the same law school that I did, but many, many years earlier. (Sorry, Cordell!) He was a Richmond Spider—so was I. He was construction lawyer—so was I. He was successful—well, I want to be! One day, I called Cordell, introduced myself, and asked for some advice. That was almost 10 years ago and I am happy to refer to Cordell as a mentor and friend.

¹ Long-time subscribers will recall that Cordell Parvin was for several years the author of the Practical Success column now written by Eric Fletcher.

You see, throughout my career I have always relied upon different mentors to help me grow as an attorney, husband and father. It is important to have a bookshelf of different advisors because, frankly, our lives as attorneys are comprised of so many roles. We have to be good researchers and writers. We have to be good time-keepers. We have to be good telephone-call-returners. We have to be good money-handlers. And, if we go home each night to a family, we have to be good providers.

As a young attorney, you often have too many balls in the air. Every other day, a ball may drop to the ground. You stop. You pick it up. And you start juggling the balls again. I don’t think the answer is to get rid of those balls. I think the answer is to learn how to juggle better. There are many attorneys who have done it right and there are many attorneys who have done it wrong. The key is to build a relationship with someone who can (and wants to) invest in you—whether you need business advice, practice area advice, or even marital and parenting advice. Then, one day, you will be able to teach another young attorney how to juggle.

3. PRIORITIZE YOUR DEMANDS

This has been the hardest lesson for me to learn. As a young attorney, I did not even think twice about which came first—the career, primarily because the “job paid the bills.” I struggled with this mindset for the first 10 years of my career until I “woke up” to reality. I recall heading out to work one early morning when one of the Littles stopped me in the hall and asked: “What time will you be home?” I told her about the busy day ahead, but that I would be home before she went to bed. I kissed her forehead, and started to walk out the door. I heard the innocent voice ring out: “See you tonight, Dad ... (a moment of silence) ... maybe...”

That soft spoken word “maybe” pierced my heart. I tried to laugh to myself so that I could cover up the internal struggle of leaving my family once again for a 15-16 hour day. I was torn inside. You see, most of my hurdles stemmed from that fact that I tried to compartmentalize every aspect of my daily life (i.e.,

work, health, family, friendships). Each had their own little box. Until I came to the realization that there is only room for one life, there was the constant conflict between what I called my professional life and my family life. While it remains a daily challenge, I have adopted a “family first” approach to my priorities. As a single dad now, “family first” means that I still work late on many nights, but it is after we’ve done family dinner, clean-up and night time showers. Although I may bring case notes home to read, “family first” reminds me that Peppa Pig or Judy B. Jones may come before Prosser or Keaton.

Just because you may have a conflict between work and family does not mean you have to choose one and ignore the other. That, my friends, does not work. Trust me. When I picked family first, I learned that I was able to prioritize the rest. When I communicated my “family first” approach to my children, I actually have found greater support and understanding from them when work deadlines require some extra time away.

4. EXPECT CHANGE

We are living and working in unprecedented times. Layoffs, hiring freezes, and salary cuts plague every industry, including law firms (large and small). As a construction attorney for the past 20 years, I have realized that the industry is always in a state of flux. During strong economic times, I have a lot more contract drafting and project administration work. During hard economic times, I have a lot more work involving construction litigation and filing of mechanic’s liens. I’ve learned to adjust to the circumstances to meet the needs of my clients.

Whether you are a first-year attorney in an Am Law 100 firm, a solo practitioner who relies on the next “decent” case to make ends meet, or a seasoned veteran in boutique firm, here are a few things to understand about change:

Understand that change will happen

Whether you are talking about your professional career or your personal life, there will be change. You can count on it. I can guarantee it. Most of the

time, those people who fail to recognize change have the hardest time adjusting to it.

Understand that change and your responses will come in stages

Consider a change from a large corporate law firm to a small litigation practice. Undoubtedly, you will go through numerous changes in how you practice law, including the amount of time you are able to spend writing a brief, to how you prepare for trial, to ultimately how you want to build your business. When I moved from a construction law firm in Virginia and Washington, D.C. to a local construction boutique law firm in Nashville, the change came in stages. Fortunately, I expected (and welcomed) those changes, which helped me through the transition.

Understand that communication leads to success

Communication is always important, but it is especially important when you face change. Practically speaking, you need as much information about the change as possible, so that you can make an intelligent decision. Talk to your boss, your boss’s boss, and your co-workers to get their understanding of the changes you and your firm may be experiencing. Be honest in all your discussions and deal with the problems when they arise.

Understand that flexibility is good

Change requires flexibility and the ability to adapt. The better able you are to respond to change, the more likely you will succeed. Make an assessment of the situation, identify potential outcomes, plan and develop a response strategy, and then begin to ride the wave. Maybe your current job isn’t what you expect? Try to be flexible with an understanding of the potential options...and then pursue them. Part of the fear of change often involves dealing with the unknown.

5. PREPARE FOR RAIN

If you aspire to have your own client base and to develop a successful practice, at some point during the first five years of your legal career you have

to begin preparing for rain. What does that mean? Although I love *Any Given Sunday* (for its action) and *Waterboy* (for its comedy), my all-time favor football movie is *Facing the Giants* (for its passion). Looking to encourage the defeated coach with a few words of wisdom, the local pastor in *Facing the Giants* recounts the following story: "There were two farmers who desperately needed rain in a drought. And both of them prayed for rain, but only one of them went out to plow his field to receive the rain. Now, which farmer trusted and believed that it was going to rain?"

In your practice, are you preparing for rain? Unfortunately, there is not a quick-and-easy formula that will make you an overnight success. However, there are a number of things you can do to prepare for rain.

Draft a plan

As a young attorney, I was a spreadsheet master. I tracked my billable hours. I tracked my non-billable hours. I tracked my billings and collections. I even tracked the names and types of cases on which I worked. Although I did not fully appreciate my efforts at the time, I began to use that spreadsheet to develop a business plan. I was able to identify the industry experience I had gathered, the clients I needed to build stronger relationships with and even the select one or two clients to avoid. From there, I was able to develop a list of goals and steps to achieve those goals. Even 20 years into this journey, I create an annual business plan which has been one of the most helpful exercises in my practice.

Write something

Whether it is for a trade association magazine, the local bar association newspaper, or even a client "alert" newsletter, you can begin to prepare for rain by writing something in your practice area. Some of the first articles I wrote were short, three-paragraph alerts that were sent to law firm clients. Since I had some experience with workers' compensation issues prior to law school, I wrote about on-the-job injuries and how to investigate complaints. Even though the clients had workers' compensation insurance coverage (and we did not provide insurance defense

services), the exercise was nonetheless rewarding because it helped me establish a discipline for writing. That discipline turned into a passion, which ultimately churned out a nationally recognized blog that has received numerous accolades over its 10-year lifespan.

Serve the community

When I moved to Nashville, one of the senior partners encouraged all the young attorneys to "get involved" in community service. His words were more of a challenge and I can still hear his raspy, Southern voice: "Not one of you is worth a nickel and not one of you will do it. But I hope you get involved." Although my volunteer efforts were initially motivated by the challenge, I have been able to serve others who are less fortunate. At the same time, I have met and built relationships with some of the top community and business leaders.

If I had one final bit of encouragement...it would be to keep plowing ahead. You cannot be discouraged by the drought in either your legal career, your business development efforts as a young attorney, or even your family circumstances as a seasoned veteran. Perhaps the greatest scene from *Facing the Giants* was the coach's encouragement of the team captain performing a death crawl across the entire field. Halfway through, the young blindfolded player winced in pain: "It hurts" and "I'm out of strength." But the coach yelled in his ear, "You keep going! ... Don't you give up on me! ... You're doing good!" Ultimately, the young captain collapsed, but he made it to the end zone.

Let me whisper in your ear: Keep plowing ahead... keep preparing for the rain...you can make it! 🍀