

## **ATTAINING EXCELLENCE IN LAW PRACTICE**

**Being a lecture delivered By Yusuf Ali SAN<sup>1</sup> At The Annual Symposium of the Muslim Lawyers Association of Nigeria (MULAN) Lagos State Branch held on 8<sup>th</sup> October, 2016 at the Lagos State Secretariat Mosque, Alausa, Ikeja.**

### **Introduction**

In the name of Allah, the Most beneficent, the Most merciful. All praises, Adoration, Worship and thanks are due to Allah SWT the One who has spared our lives and made it possible to witness another Muslim Lawyers Association of Nigeria (MULAN) Lagos State branch annual symposium. It is a great honour and uncommon privilege to be the Guest Speaker on this occasion, the honour which I gladly appreciate and hope to continue to enjoy .

Most young lawyers entering the profession today aspire to become successful, but the point must be made that they face a vastly different workplace than their older seniors did, and therefore, more is expected of them to attain excellence in law practice.

The pace of law practice today is faster and more stressful than ever before. Technology has made lawyers accessible around the clock, forever altering the rhythm of law practice and allowing Firms and clients to impose extraordinary demands on lawyers. Even as the physical and emotional burdens of these demands have yet to be fully understood, the current pace also leaves little time for reflective thinking about one's future career.

However, it is exactly that type of reflective thinking that lawyers must do, to understand the relationship between future success in

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the profession and the ability to attract and retain clients, which are always the ladder with which an aspiring lawyer will climb to attaining excellence in law practice. In the highly competitive legal market that exists today, Muslim lawyers need to be proactive, and put more efforts in their practice of law, especially when if one aspires to get to the zenith of the profession.

It is against this backdrop that this paper aims among other things, to prepare Muslim lawyers for excellence and distinction in the profession, by providing them with some practical tips that will help them bridge the gap between school and practice, develop their careers for attaining the highest rank in the legal profession. But I must quickly warn that the content of this paper should not be seen as a talisman for attaining excellence in law practice, but just as a set of inexhaustible tips on the pathway to success.

### **Developing Your Career**

As a Muslim lawyer who dreams of attaining excellence in law practice, the first step to take is to fear Allah SWT in developing your career. As we have it today, the legal services industry is exploding and legal employers are willing to employ only competent professionals with in-demand skill, while clients too pay top-dollar to engage lawyers that are exceptionally good. Intrinsically, Muslim lawyers must build legal knowledge; expertise and experience to excel in the profession. It must be noted that the appearance of Muslim lawyers in courts is not only allowed under the Islamic law but also desirable because it is permitted both in the Holy Quran and the sunnah of the Prophet (S.A.W) this is because such representation is a sort of assistance to one another. And the basis for this can be traced to the glorious Quran in chapter 18 verse 19, where Allah SWT said:

***“Help ye one another in righteousness and pious duty. Help not one another in sin and transgression”.***

The messenger of Allah SWT said; ***“Allah SWT helps His servant so long as he helps his brother”***

It is clear from the above position of the Quran and the Hadith of the prophet S.A.W, that Islam allows representation of parties in issues whether in court or outside court but such representation must be in the interest of indicating the truth in exposure of falsehood. By this position a Muslim is permitted to practice as a lawyer in as much as what he will say in the court is the truth even if that will not be well with his client. I have on several occasions refuse bribe true itch mouth watering pay, that I believe will rubbish my faith and integrity.

The practice of law under Islam is a form of a representation by proxy, which is allowed because not every human being is capable of coming forward with his matters by himself and by this, he needs the authority of others to establish it on his behalf. This is also evidenced by the story of the people of the cave as narrated in the Quran thus:

***“Likewise, we awakened them that they might question one another. A speaker for another said “How long have you stayed? They said We stayed (perhaps) a day or part of a day, they said your Lord (Alone) knows best how long you have stayed (here). So send one of you with this silver coin in yours to the town, and let him find out which is the good lawful food, and bring some of that to you, and let him be careful and let know man know of you”***

Below are some practical steps a Muslim lawyer can take to develop his career in attaining excellence in law practice:

1. ***Perform a Self-Assessment:*** Before embarking on a career path in the legal profession, it is important to conduct an

honest self-assessment to determine the area of practice which will be a good fit for you. Make a list of your strengths and weaknesses and objectively determine your area of specialization. Skills required for all legal professionals include strong writing and communication skills, strict adherence to deadlines, organizational ability, attention to details and strong technology skills. However, someone who want to go into litigation for instance, must in addition to the above mentioned skills, have good listening, analytical, discerning, quick, robust skills among others. The point must be made that for those that aspire for the rank of Senior Advocate of Nigeria, litigation skill is required.

2. ***Know Yourself:*** Instead of rushing through each experience without considering what it can teach you, take the time to reflect and articulate your reactions. Reflect, too, upon the skills and qualities of lawyers you admire. You will learn more about the areas of law and kinds of projects you enjoy; environment, interactions and relationships that are best for you; skills and areas for improvement; and personal interests and values that will give you peace of mind.<sup>2</sup>
3. ***Educate Yourself:*** One of the best ways to put your legal career in drive is to advance your education. To get ahead in some specialty areas, you may need an advanced degree or professional certification.<sup>3</sup> For example, lawyers employed in certain niche fields such as taxation may obtain an LL.M. to enhance productivity, while lawyers that are interested in arbitration should obtain professional certificate in that area. Same goes for oil and gas, aviation, stock market, election

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<sup>2</sup>See Paula Nailon, *Advice for Young Lawyers about Career Development* (March 2005). Available at <http://apps.americanbar.org/lpm/lpt/articles/mgt03051.html> accessed on 17<sup>th</sup> January, 2013

<sup>3</sup> Sally Kane, *8 Ways to Jump Start a Legal Career*. Available at <http://legalcareers.about.com/od/jobsearch/tp/Jump-Start-Your-Legal-Career.htm> accessed on 17th January, 2013.

petition, shipping, marine and general insurance, private and public partnerships among others.

4. ***Find Practical Ways To Acquire New Skills:*** To overcome the fear of public speaking, for example, many people turn to Toastmasters and similar organizations. Similarly, to learn about teamwork, organization, communication and problem solving, young lawyers can get involved in NBA and Young Lawyers affiliates.<sup>4</sup> Sharpen your public speaking skill by engaging in robust debates with your colleagues and friends. Improve your lexicon by playing cross words and scrabble.
5. ***Plan Ahead:*** Creating a professional life is a participative process, not something that "happens to you." It is amazing how many young lawyers begin their careers without any idea of what they hope to accomplish in their jobs and in their personal lives. One of the most positive steps you can take in your career development is to create a short (0 to 5 years) and long term (5-10 years) plan. Do not be afraid to think big when considering what you would like to achieve.

Before beginning, reflect on your experiences and values. Then write in detail, measurable goals you want to achieve and specific steps you will take to achieve them. Goal setting can help you increase yourself-confidence and enthusiasm, focus your efforts, make decisions quickly and overcome defeats and roadblocks. Remember, a balanced life is important, so include personal goals and objectives.<sup>5</sup> Do not make material acquisition the corner stone of your goal!

6. ***Welcome The Unexpected:*** Since Greek mathematician Archimedes stumbled upon his theory of water displacement while bathing, we have been intrigued with "Eureka!"

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<sup>4</sup> Paula Nailon (*supra*), note 3

<sup>5</sup> Paula Nailon (*supra*), note 3

moments, what career coaches call "career serendipity." You can best utilize this concept by maintaining an attitude of openness to take advantage of opportunities that arise, whether large or small, and relevant or seemingly removed from your career development. Before committing, determine each opportunity's compatibility with your overall goals and gauge whether you have time to fully commit to it.<sup>6</sup>

7. ***Be Fully Present For Each Experience:*** Can you remember the last time you enjoyed someone's undivided attention? Probably not! As your job becomes more demanding and you are precariously overcommitted, multitasking seems the norm. However, you will actually increase your productivity by concentrating fully on each conversation, activity or project. Even more importantly, clients, partners and others will respond positively to your undivided attention, which will enhance both your professional reputation and personal satisfaction.<sup>7</sup>
8. ***Develop Meaningful Relationships.*** As the concept of "emotional intelligence" becomes widespread, we better understand the role emotions and interpersonal relationships play in otherwise logical activities. The successful lawyer will quickly get to know everybody in the office, find common ground with them, learn how to relate positively with their personalities and how to move together to accomplish the Firm's goals. This involves learning how to deal with problems that arise, knowing when to seek help from others, patting each other on the back for jobs well done and respecting others differences. More importantly, learn to look at people, not as a means to an end, but first as individuals, with families and

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<sup>6</sup> Paula Nailon (*supra*), note 3

<sup>7</sup> Paula Nailon (*supra*), note 3

interests outside of business.<sup>8</sup> Strive to always see the cup half full rather than half empty.

9. ***Cultivate Professional Contacts:*** One of the best ways to learn about the legal profession in general, and job opportunities in particular, is through word of mouth. You should network ferociously to gain professional contacts and learn about the profession.<sup>9</sup> Contact Law Firms, corporate legal departments and legal staffing agencies in your area to learn about and available job openings; attend meetings, conferences, seminars, dinners and luncheons; talk to people who work in the field, especially those who have attained success, to learn more about the profession.
10. ***Find Mentors:*** Find a mentor by seeking out those whose qualities and careers you admire, both inside and outside your Firm and practice areas. Professionally, mentors can give you insight by sharing information about their own experiences and the realities of practice. They serve as valuable sounding boards, by listening and offering support and encouragement.<sup>10</sup> A mentor can also guide you through the transition to a legal career, arm you with knowledge about the field, refer new clients to you and point you towards new opportunities.<sup>11</sup> Once you find a mentor, be sure to devote your own energies to ensuring the continued success of the relationship.<sup>12</sup>
11. ***Become Technologically Proficient:*** As technological advancements revolutionize the legal industry, it is important to become adept at the technology applications pertinent to the legal profession. Technologically proficient lawyers have a

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<sup>8</sup> Paula Nailon (*supra*), note 3

<sup>9</sup> Sally Kane (*supra*), note 4

<sup>10</sup> Paula Nailon (*supra*), note 3

<sup>11</sup> Sally Kane (*supra*), note 4

<sup>12</sup> Paula Nailon (*supra*), note 3

significant advantage in today's legal marketplace.<sup>13</sup> Woe betide a young lawyer who is at odds with computers, ipad, blackberry, whatsapp, android, word processing and so on.

12. ***Get involved:*** You cannot build a reputation for excellence by being passive. One way to show the promise of future client development is by becoming actively involved in your Firm. Because of their legal training, lawyers are welcome additions to committees and Boards of non-profit organizations. In the classic case of doing well by doing good, your Firm will also benefit, as your reputation grows and your activities generate new opportunities. Life is a participative experience – find out what interests you and get involved!<sup>14</sup>
13. ***Strive for Excellence:*** Be sure to follow the first piece of business development advice all young lawyers receive: Be an excellent lawyer. That is one old-fashioned recommendation that will never be outdated. No matter how charismatic you are, or how vast your network may be, true success in the legal profession starts with excellence in your craftsmanship. You can only retain your clients by delivering excellent legal services. One chance lawyering can't lead to enduring practice of the profession. Legal practice is not a 100 dash but a marathon.
14. ***Dress Appropriately:*** Whether we like it or not, people judge us by the way we dress. Our sartorial image is the packaging of our personal brand. Do you always wear what you've always done, instead of thinking about the client, their expectations, the environment and your objectives from the meeting? Sometimes a sharp business-casual look is more appropriate than a suited and booted look for example. How you present yourself says a lot to others about how you feel about yourself,

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<sup>13</sup> Sally Kane (*supra*), note 4

<sup>14</sup> Paula Nailon (*supra*), note 3

so if you think you are slick and city-confident, look the part, consistently. Oh, and remember, shoes always get noticed. Your shirts, cuff links, tie, hairdo or hair cut, your mien, and so on add to your personality. Please resist the temptation to wear shredded jeans and T shirt to a meeting with new clients especially corporate clients.

15. ***Work with Enthusiasm:*** Enthusiasm for one's work is infectious. People enjoy being around those who love what they do. Enjoy your work and share that enthusiasm in a way that lets others know that you are the perfect person to handle their future matters. You must at all times demonstrate that you love what you are doing, show that you are passionate about your work. Accept assignment with enthusiasm and glee. Be responsible and responsive. You must learn to be organised in your work. Pay attention to details. Be thorough, painstaking and alert.
16. ***Voice Impact Is Important:*** Lack of vocal impact and projection in presentations or large meetings is often the reason for audiences switching off. If you're delivering a client presentation, consider how your voice actually comes across – no matter how good your content, without a good delivery system and natural pause-breaks, you won't be heard as well as you would like. Remember that pitch; tone and quality say a lot about you. "Uhm" and "errs" won't be in your favour. Refresh it regularly. Master your topic very well, you must avoid reading in a monotone, be sure footed, confident, and never murmur. Be audible, articulate and coherent. Avoid mannerism like the plague. In public presentation or when making submissions in court don't listen to your voice.
17. ***Learn From the Greats:*** In order to succeed, it is important to understand the magical world of people who have greatly

succeeded in their chosen profession, be it the legal profession or otherwise. What are those people like? How do they motivate themselves? How do they overcome the various challenges that are bound to come their ways from time to time? How do they endure the intensity of training they subject themselves to, day in and day out? How do they cope with sometimes over-intrusive public interest in their professional and private lives? What can you learn from them? How can listening to such people affect what you do? Do their stories provide anything more than an opportunity to associate with names that will impress friends?

18. **Invest Time In What You Do:** Time is a scarce but precious commodity that must be managed well. I'm sure we will all be surprised to know that if a 60 year old man has slept for an average of 8 hours a day from birth, he would have slept for 2/3 of his life that is he would have slept for 20 years of his life! Positive utilisation of time is a sine qua non for success in legal practice. A lawyer that can't manage his or her time will sooner than later find him or her self out of business. The golden rule is that don't leave till tomorrow what you can do today.
19. **Prayer and Faith in Allah:** As believers we all believe in the prophetic saying that " Prayer is the sword of the Muslim". One needs constant prayers to Allah to crown ones efforts with resounding success in whatever we embark upon. Anyone that hopes to succeed in legal practice and he is a Muslim has no choice than to pray without stop for Allah to bless his efforts. Work without prayer may be futile and prayers without hard work is useless.

It is also important to understand the snags of building a successful career and how to surmount them. The first crucial lesson is that

leaders are not born but made. Obviously there has to be some inborn natural ability - coordination, flexibility, anatomical and physiological capacity. However, the real key to sustained excellence is the development of mental toughness.

Fierce competition, winning by sometimes the smallest margins, achieving goals and targets, establishing long-term and short-term strategies and tactics, hard work, perseverance, determination, teamwork, dealing with success and recovering from failure and setbacks - these are the key challenges in every profession. Nevertheless, success is attained by those who have ability to continually move performance to higher levels. What you achieve this year will never be good enough the next year. Goals and standards move onward and upward, creating an unrelenting demand to find new means and methods to ensure the delivery of performance that seem impossibly out of reach.

The ability to thrive under almost inhuman pressure is perhaps, one of the most defining characteristic of a successful professional. They excel when the heat is turned up. They are able to stay focused on the things that really matter in the face of a multitude of potential distractions. They are able to bounce back from setbacks with a determination and intense desire to succeed. And, most crucially, they are able to maintain their belief in themselves in the most trying circumstances.

For the very best professionals, making it to the top is the result of very careful planning, setting and hitting hundreds of small goals. And if it's hard reaching the top, that's nothing compared to what it takes to stay there. Expectations are enormous, and you become the target and benchmark for every other competitor. You have reached

heady heights and have become highly visible and exposed. It's a marvelous place to be, but it also comes with great potential vulnerability and loneliness if things go wrong. Sustained success in such an environment requires outstanding physical and mental abilities, but that isn't enough to make you better than all the rest. You need an extraordinary mindset too. The positive and resilient mindsets of the best professionals underpin their drive and ability to reinvent themselves continuously in order to stay ahead of the pack. Once you succeed, you lose your anonymity. No matter what you say, it's better to be underrated and surprise your adversary.

Finally, successful practitioners take time to celebrate their victories, especially in today's roller coaster business world. It helps remind them why all the hard work and commitment is worthwhile. At a time when survival is a key priority in so many organizations, don't forget to spend time celebrating successes, however small they may be.

There is no straight jacket approach to attainment of success in business, but there are so many norms and guidelines that cannot be ignored. Perceiving and utilizing them can help drive you and your Law Firm to achievements and successes that others only dream about. The truly successful professional does not cut corners; he is relentless in the pursuit of excellence. He suffers self denial and comfort to maintain his position among his peers. He doesn't take a no for an answer. The word "impossible" has no place in his lexicon! These principles initially appear obvious and not very challenging. But, as the Finnish philosopher Ludwig Wittgenstein remarked, "The aspects of things that are most important to us are hidden because of their simplicity and familiarity."<sup>15</sup> These ideas are simple, but the challenge is to actually take the time to implement them. Lawyers

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<sup>15</sup> Paula Nailon (*supra*), note 3

who are willing to incorporate some of them into their lives will be rewarded with greater personal and professional satisfaction and they have better chance to make it to the apogee of the profession but the converse leads one to the nadir of the profession.

### **GENERAL TIPS ON HOW TO ATTAIN EXCELLENCE IN LEGAL PROFESSION**

It is a lawyer who has succeeded in the law profession that is likely to become SAN. Success as used here is not in terms of financial stand, but rather in terms of professional qualification and ability to deliver good legal services to the clients. It is therefore pertinent to state at this point, general tips that could assist serious lawyers to succeed in the legal profession. These tips are as stated bellow:

1. Law is a helping profession. Help others without looking for something in return. The simple fact is that effective networking means thinking about ways you can help your classmates, your colleagues and your friends meet their own career goals. Be generous with your own relationships and contacts, and you will build a large reservoir of goodwill for when you need help.
2. People want to help you. Graciously give them the opportunity to do so. "Everything good that happened to me came from others," said Winkler.<sup>16</sup> As far as he's concerned, there's no such thing as climbing the ladder to success. Success comes from getting a hand from above to help pull you up the ladder.
3. Respect your elders. Respect your younger ones. Respect those of the same age. Respect your peers. Basically, treat everyone with kindness and respect, regardless of their social status, educational level or financial ratings.

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<sup>16</sup>Gail J. Cohen, *Wink's 12 Tips on How to Succeed in the Law* (March, 2011). Available at <http://www.canadianlawyermag.com/legalfeeds/Winks-12-tips-on-how-to-succeed-in-the-law.html> accessed on 17th January, 2013.

4. Make new friends and keep the old. Effective business development is really all about relationships. Classmates from law school go on to become clients and sources of referral business. The same is true of your colleagues at work and other friends in the legal profession. Maintain these relationships throughout your career.
5. Be loyal. Loyalty begets loyalty. Be loyal to your organisation. Be loyal to your colleagues. Be loyal to your clients. Be loyal to the profession. Above all be loyal to the cause of justice and yourself.
6. Do not exaggerate. Do not mislead the court. Your professional reputation and integrity are your badges of identification. Once judges or your colleagues believe you are unreliable, you are finished. A lawyer that misleads the court or even his colleagues is not only committing professional misconduct but professional self immolation.
7. Be a mentor. Mentoring is a two-way street and you are never too old or too young to have or be a mentor. When you mentor, it's a two way matter. Your mentee gains and you also gain. Sharing knowledge has social and religious benefits.
8. Always go to events early. That way the next person who comes in has to meet you and they'll most likely remember you. Lateness to events and programs is a hallmark of a disorganised person. You are better able to plan your time when you arrive at events before time. It is sacrilegious to cultivate the attitude of going late to court. You end up getting disorganised and incoherent in your presentation.
9. Join organizations and speak at any event that you're asked to. Winkler said he often got new clients that way. The caveat to this is that you must talk only when you are sure you have

- something tangible to contribute to the discourse. Avoid making a fool of yourself by making inappropriate comments.
10. If you have no work, go to your office anyway. You never know what will crop up. You should have a structured time of attendance in your office. Time for resumption must be well known and adhered to. Avoid ad hoc arrangement.
  11. Take advice from people around you. Never turn yourself to all knowing King Solomon. Be a good listener . Understand the drift of a discussion before you contribute. In legal matters consult colleagues if in doubt of the position of the law whether on procedural or substantive law. Never gamble with the law.
  12. Integrity. A lawyer's integrity is of vital concern to the community. In these days when honesty is in short supply in our clime, a lawyer needs rock solid reputation to succeed . Clients will only feel comfortable with a lawyer that can trust implicitly.
  13. Be just at all times. The best way to disarm your enemies is to do what is just under all circumstances. Justice is the minimum thing a lawyer should pursue at all times and in all transactions. Fairness, justice, equity, openness, transparency , good naturedness are some of the qualities any lawyer hoping to excell must take along in his practice of the law.
  14. To be a good lawyer, you must first be a good man.<sup>17</sup>

As pointed out by **Winkler**, if you follow these tips, 'you won't have to worry about problems with collegiality and civility'.<sup>18</sup>

Having given the tips on how to develop your career in the preparation for the rank of SAN, it is pertinent to also familiarize

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<sup>17</sup> See generally; Gail J. Cohen "Wink's 12 Tips On How To Succeed In The Law". Available at <http://www.canadianlawyermag.com/legalfeeds/Winks-12-tips-on-how-to-succeed-in-the-law.html> accessed on 17th January, 2013.

<sup>18</sup> Gail J. Cohen *supra*, note .....

with the basic criteria which are expected from every aspirant for the rank.

### **Conclusion**

As rosy as the picture painted above is, it calls for handwork, dedication, resourcefulness, industry, goodluck and on the whole the mercy of Allah SWT to attain excellence in law practice. We have a duty to remain focused, determined, self confident and it will not be out of point to reiterate once again that material acquisition should not be the immediate concern, rather the building of rock solid professional reputation.

Most law students and graduates aspire to be outstanding and not merely good lawyers. They aspire to attain excellence in the law profession. However, to achieve this, Muslim lawyers must realize that although learning the law is relatively straight forward, it is much harder to cultivate the other qualities and skills that lead to success and the attainment of excellence.<sup>19</sup> Muslim lawyers must also realize that while their employers will provide training, they bear the ultimate responsibility for their own professional development.

The principals, colleagues , and workmates can strive to show you the path to the attainment of excellence, by teaching you the rudiments necessary for the required qualities for the profession, but your personal efforts, inputs, sincerity and seriousness are needed more. I thank you for providing me this opportunity and the platform to share some of my thoughts on this topic.

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<sup>19</sup> See Paula Nailon(*supra*), note 3.