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### Managing a High-Volume Practice: Tips for Young Attorneys

By Melisa A. San Martin Esq. – May 9, 2012

What is often not taught in law school are the expectations and responsibilities imposed upon young attorneys in addition to the practice of law. The demands of litigating a case in accordance with ethical boundaries and rules of procedure leave most attorneys with little time for nonbillable tasks. Nonetheless, attorneys are required to capture every six minutes of their time for billing purposes, manage accounts receivables, market new and existing clients, and keep current with the latest statutes and court opinions. The pressure can be overwhelming, often causing young attorneys to question why they voluntarily chose law as a career. As a young lawyer, I had my fair share of anxiety ridden nights when I worried about the work day ahead; and I can certainly relate to the overwhelming nature of a high volume caseload and demanding clients. It was not until I implemented basic but essential strategies into my everyday practice that I effectively and efficiently progressed toward managing a high-volume caseload.

The key principles are simple. The challenge, however, is changing one's behavior to implement these principles.

#### Get Organized

Create an organized case list that includes the claim number/court case number; the judge and the judicial assistant's name and phone number; the client address, email, and phone number; opposing counsel's contact information; and any other key information about the case. This is useful for many reasons—the most important of which is that it acts as a simple reference when communicating about a case. Having this information handy saves time and prevents you from having to search the file for basic information that should be at your fingertips. You should gather the pertinent information at the inception of the case and ask your assistant to keep the information current for you. I suggest updating your case list on at least a monthly basis.

In addition to your case list, you should also maintain a detailed daily calendar. The importance of keeping a calendar cannot be stressed enough. From court-mandated and client-imposed reporting deadlines, to hearings and client conferences, your life should be tracked on your calendar. My recommendation is to use the note section of the calendar entry to identify important details about the event (e.g., "Hearing Room 500, confirmed with J.A. on 3/10/12"). Although calendaring is typically an administrative task, the buck stops with you. Be sure that deadlines are calendared accurately. In addition, do not hesitate to use your calendar to remind yourself to complete tasks that might otherwise be pushed to the back burner. I have found this most helpful when setting follow-up reminders for myself. For example, insert calendar entries for two to three days after leaving a voicemail for the client reminding yourself to follow up if you don't hear back by that date. An entry as simple as "[case name] – have you heard back re: discovery?" can be extremely useful in ensuring the timeliness of your work product.

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Virtually every client has its own set of guidelines that outside attorneys are required to follow. Often, the guidelines are comprised of meticulous details that are difficult to remember, ranging from required court reporters and copying services to reporting requirements and specific language to incorporate into discovery responses. The challenge is not necessarily in the guidelines, but in keeping the differences straight for all your cases.

I recommend immediately reviewing the guidelines contained in the case assignment document as soon as you receive a new case. Save the appropriate documentation so you can refer to it throughout the litigation as necessary. At the outset, make certain that your legal assistant calendars any preset client deadlines, such as initial reports, budgets, and conference calls. And as discussed above, upon receipt of a new file, your legal assistant should simultaneously update your case list with the relevant file details.

When assessing your client's expectations at the beginning of a matter, you should ask:

- Do I report to a certain group of individuals at the client? If so, create a list-serve designed to copy all designated individuals and make sure all of their contact information is in your client list.
- Am I required to use a specific template for reports, mediation statements, trial reports, or budgets? If so, upload the various templates to the appropriate system at your firm to ensure accurate use of the form and minimize lost billable time locating the form.
- Is the client's approval required before filing pleadings, serving discovery, or performing research? If so, make sure to allow your client ample opportunity before the deadline to review the document. In my experience, clients become irritated when they receive information within a day or two of the deadline. Effective calendaring and a disciplined work ethic can avoid this predicament. Create a firm deadline for the draft to be sent to the client for approval. I suggest calendaring your client deadline two weeks before the filing date or other external deadline.
- Does the client prefer specific court reporters or copying vendors? If so, stress the importance of complying with these requirements to your assistant and office staff and confirm that they are aware of these requirements when performing their administrative duties.

Just when you think you have figured it out, the client is bound to throw a curve ball—they switch the "standard" form or suddenly decide they prefer receiving attachments in Word format rather than Adobe. As the attorney, you must adapt. Don't make the client tell you twice. If the client wants Adobe documents there is probably a reason for it; if the client wants a new form, use that new form when preparing your reports. How do you keep all of these preferences and requirements straight? Place a note on your case list!

#### **Leave Nothing for Tomorrow That Can be Done Today**

Sound familiar? When you complete a deposition, summarize it as soon as you return to the office. When you return from a hearing, immediately report the outcome to the client.

Experience will tell you that if you report on an event soon after it occurs, the report will be much more accurate and detailed than if you wait a few days to prepare it.

For this same reason, you should capture your time throughout the day and enter your time on a daily basis. It can be tempting to think, "I'm too busy today; I'll put my time in tomorrow." Inevitably, though, you will forget that 0.1 phone call or that 0.1 correspondence received. Remember, if you fail to document your time, it is as if you never completed the task. Managing billable hours is one of the few things about this profession that is in our control—take advantage of it.

#### **When You Start Something, Finish It**

Make it a habit to finish a task once you start it rather than putting partially completed piles of work aside. For example, when answering discovery, complete it in one sitting as efficiently as possible. Similarly, with reports, correspondences, and budgets—when you start it, finish it and then bill for it.

I recommend that you set aside a certain amount of time each day to accomplish specific tasks. I know it can be challenging to find the time to complete a task from start to finish without interruptions from phone calls and emails. As difficult as it might be, unless you are faced with an emergency, resist the temptation. I often close my door, forward my calls, and silence my computer so I avoid the urge to respond to email instantaneously. I have found that these strategies really help me to focus on the tasks at hand. Time permitting, I recommend that you budget one hour each day to accomplish key tasks without distractions. If this is too hard to accomplish during the work day, consider arriving to the office prior to your typical start time or staying late at the end of the day.

#### **As in Life, This Job Is a Marathon, Not a Sprint**

Slow down, maintain a balance, and don't lose yourself in it. Maybe it's because of the high and mighty "billable hour," or maybe it's because of unreasonable client demands, or it could just be the nature of the business, but there is no denying it: Attorneys work a lot. It is too easy to lose your balance in this profession. As important as it is to calendar reporting requirements and discovery deadlines, it is also important to calendar personal time for

yourself. This is especially easy to overlook as a young lawyer.

The truth is, though, the work is not going anywhere. Your daughter's school play or your grandfather's birthday will never happen again. Take advantage of those special events. Implementing the strategies referenced above and maintaining a disciplined work ethic for the hours that you are *in* the office should prevent you from missing time with family and friends *outside* the office. The goal is to develop your practice for many years to come (or at least until retirement age) and, to that end, no one wants to see a young lawyer lose her passion before her prime.

So when you are considering how to best implement the strategies referenced above, please remember the most important one—you. Know yourself and recognize your strengths as an attorney and advocate for your client. Keep organized so you can devote valuable time to developing your passions throughout your career. And remember—take your time and enjoy the process.

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