

Legal Notes: October 2015

Occasionally I address high school students who want to become lawyers. I did it again yesterday. This may count as anti-social behavior to some, but I do it anyways.

What I tell students first off is that everything on TV is wrong. No TV show portrays lawyers accurately because to do so would cause most of the audience to fall asleep. TV shows have lawyers rushing to court every day, when most lawyers (except some criminal lawyers) rarely go to court. So, I tell the students if a TV show led you think about being a lawyer, forget it.

Lawyer's work can generally be split into four different areas. If you remember old movies, the lawyer's office, the one with the glass door, had the words "Attorney and Counselor-at-Law." This roughly describes two aspects of being a lawyer. One is being a "counselor." This may be a lawyer who works in an office and gives advice to people about their legal issues, such as what kind of will to have or drafting a contract to purchase a new business. The other is being an "attorney" or, in other words, an advocate. This kind of lawyer advocates for a client, generally when there is a dispute between the client and someone else. While the counselor may draft a contract, the advocate will represent the client when someone breaks the contract.

The other two types of lawyers centers on who (or what) the lawyers represents. Lawyers generally represent either people or entities. The entities are, for example, large corporations, government agencies, or even unions. People are, well, people. When you represent entities, you don't always deal with people, at least individuals. For some, this may be desirable, as they don't like people. Other lawyers (such as myself) represent people. I represent individuals and I like doing so.

These categories are not mutually exclusive, but do represent most of the work of lawyers. For example, while I represent individuals, I do occasionally represent entities. Many lawyers cross the line between being counselors and advocates. While I don't know how many students, if any, I've lead down the primrose path to lawyerdom, I hope at least they caught a more realistic picture of what lay ahead.