

HOW TO BE A SUCCESSFUL LAWYER

It will be appropriate for us to first define the term "Successful Lawyer" as we are accustomed to defining the terms in the beginning itself. While defining the term we should keep in mind that our vocation is called a profession and not a business. To my mind, therefore, a successful lawyer should not be measured in terms of money or wealth, but in terms of the work and character of the lawyer. I am saying this perhaps on the basis of what Mahatma Gandhi says that, "it is not the end alone but the means, which are as important as the end". The wealth and money may be the end, but the means to achieve them are more important. And hence to my mind, a successful lawyer is one, who is known for his integrity, honesty, quality of work and also the amount of work to some extent, but definitely not the money or wealth. On a somber note, in fact, our profession is getting criticized from the public at large for trying to find out shortcuts to get quick money. In fact, on a lighter view it is said that, "Lawyers are those who save your property from your enemies and keep it to themselves." The law's delays forced Shakespeare to say, "Kill all the lawyers". Voltaire has said, "He was ruined twice in his life, - Once when he lost a law suit and once when he won a law suit".

Be that as it may be, I for one strongly believe in what Palkhiwala says in his book "We the People" and I quote - "Perhaps more uncharitable things have been said about the lawyers than about any other professional of even half the lawyer's utility to society."

I need not go into the rich history of participation of lawyers in the freedom movement of this country. Motilal Nehru, Mahatma Gandhi, Lokmanya Bal Gangadhar Tilak, Dr. Babasaheb Ambedkar, Barrister Jina, Bhulabhai Desai belonged to our community. Even after independence, the rich tradition of lawyers continued in this country and in the beginning till the period of emergency, the lawyers and the judges were more conservative and pro-government as this country had very strong leadership who had fought the freedom struggle. Thereafter, barring the dark emergency era, as things in the legislature and executive, started deteriorating the lawyers and the judges in this country have shown tremendous innovativeness, activism and through novel concepts of Public Interest Litigation, tried to preserve the rule of law, the faith of common man in the system and in fact, functioning of this polity. I am sure, all of you know the significance of wearing a black coat which is a colour which in England was thought to be a colour which would not attract any influence. I am also sure, you all know the significance of gown with a pocket behind it which expect the lawyer to do his work looking ahead without caring for the fees put in the pocket at the back. With time that these things may have changed, I feel one should takes up this profession and keep going with a sense of honesty, integrity and stand as a role model and preserve the nobility of this profession. It is this profession which gives you immense scope for doing social service as the profession deals everyday with our fellow citizens.

With this much of a background, when I sat down and thought about what can be said to be some important means for a successful lawyer, I could jot down the following :-

1. First simple yet very important suggestion is that since we have inherited the British system and also since the globalized world has accepted English as an international language, my advise to youngsters is that if they want to be successful in this profession, they must first master English by reading, writing and speaking as much English as possible.
2. There is a phrase in English which one utters when one asks you - 'How is life ?' you say it is bed of roses. The lawyers profession is said to be giving you either the bed or roses from the phrase Bed and Roses. In other words, normally when you start, one may find that there is no work at least no independent work coming to you for some time and hence you have a lot of leisure time at your command. But once you click in the profession, then it is roses everywhere and then there is no bed, no time to rest. Nothing succeeds like success in this profession. In both these situations, first when you are not with much work, I feel, the young entrants to the profession must put in as much time as they can into reading and preparing themselves in the fields of law taken up by them without wasting any time. The knowledge that they would gather in such time, is going to be useful for them for the life time. In fact, later when they become busy, they may not get this type of time to devote for reading and preparing.
3. Those of us, who join the Seniors, I feel, should prepare themselves so well and help the Seniors

so well that the Senior, the judge and the client should feel that you can do the same work as your Senior would. In other words, the preparation for any matter by a junior should be so much that he should be able to handle the matter completely on a particular day in the absence of the Senior. Unfortunately, I find that many of the entrants in the profession and the juniors, merely go along with Seniors or get themselves trained only in asking for adjournments or only in routine administrative type of work. Opportunity comes to everyone, and when the opportunity comes no young man should be found wanting. It is then that he must put into practice all that he has learnt in the long years of waiting; and there is no success like the success in the profession of law. Whereas a successful doctor or a successful engineer can only do his own specialized work, there are few subjects and matters that a successful lawyer cannot tackle.

4. Now, when I say that the juniors should prepare, at the same time, this would also necessitate similar reciprocity from the Seniors in allowing them to prepare, read and take help from them and even gradually allow the juniors to conduct the matters. It may well be that some lawyers may ask me the questions as to what would happen to their work if they allow the juniors to work like them. My simple answer to them is that there is always place on the top. Do not at all have any fear that your work will go away. In fact, with the help of juniors and distribution of your work, you can do better and higher type of work and climb the ladder.
5. The most important thing in the lawyers profession I feel, is your preparation. One must note that great lawyers are first masters of facts and then masters of law. As said, slightest change in the facts can change the outcome of the case. One must, therefore, be very very clear on facts, take proper instructions from the clients, read all the necessary papers, read relevant provisions of law, commentary thereunder and be very sure about the legal position of the matter. Here itself I would like to point out that it is a best long term policy to tell and discuss with the client, weaknesses of his case as well as the strengths. It is not at all a good practice to give any false assurances to the client as that may land us in trouble. On the other hand, if you explain to the client the strengths and weaknesses of his case, he appreciates the same better and is prepared for an appropriate result.
6. Next and most important is also to be very courteous to the judges, clients, opponents and the opposite side lawyers. We should never forget that we are the officers of the Court and part of administration of justice. The courtesy which we extend is to the system as a whole and not to a particular person. Such a courtesy is always appreciated and reciprocated by the judges, clients and even the opposite side lawyers.
7. The society today is getting very complex and hence this is an era of specialization. I feel, even at places like Sangli, there is definitely specialization of work like Civil, Criminal, Labour and Industrial, Co-Operative, Conveyancing - Registration, Consultation / chamber work, Tribunal work like D.R.T., University and College Tribunal, etc. consumer Forum. The lawyers should take up any of these and specialize in the same. Please note that, do not expect to do everything, but take up any one or two of the specialized fields and master the same. We should look around with open eyes. We will find that globalisation is bringing to us many new opportunities. e.g. outsourcing, arbitration, I.P.R., Cyber Laws.
8. The next and I feel less utilized, but in my opinion, most important part of our office should be, use of as much technology as possible. Use of Computers, Stenographers can save lots of time and make your work easy, speedy and precise. I have, therefore, always advocated that Computer training should be made a part of law training. This, however, I feel, is still a neglected part of our profession and we still seem to be living in British era of old traditions.
9. It would be appropriate to state what great jurist M.C. Chagala mentions in his autobiography, "Roses in December" and I quote -
"Law is a great discipline for the mind. It teaches you how to think clearly, precisely and accurately. Every word has its definite meaning, and must find its proper place in its own context. Verbosity and diffuseness are foreign to a well-trained legal mind. Such a mind is essentially logical, and has the courage to face the results of its own mental processes, and not to hide them under a cloud of rhetoric and declamation."

The duty of the advocate is to do his best for his client. He is after all the client's mouthpiece, and he must put before the court all aspects of the case, which are favorable to his client. But he must do so fairly, without misleading the Court, and without concealing from it anything that it is his duty to divulge. But he is not concerned with the final result. That rests with the judge, and it is ultimately for the judge to decide which side is right, and how justice should prevail."

10. It would always also give you an edge in your profession if alongwith your profession you have combined some other good related activities or hobbies like teaching, some social service, some prominent role in the society or even in politics. It is also advisable that, apart from reading the cases and the statute, books, the lawyer should also try to read as much as possible of material related to our field in the form of various autobiographies, biographies, scholarly books and articles. The lawyers should also study other subjects as after all it is the alertness and promptness of a lawyer and strong sense of common sense which enables him to be successful at the Bar. It is, therefore, necessary that the lawyers not only learn law, but to quote from a poem,

"The law the lawyers know about is property and land
But why the leaves are on the trees,
And why the waves disturb the seas,
Why honey is the food of bees,
Why horses have such tender knees
Why winter comes when rivers freeze,
Why faith is more than what are sees,
And hope survives the worst disease,
And charity is more than these
They do not understand".

11. All in all, therefore, much would depend on the roads which one chooses. It will therefore be appropriate to conclude with the words of Robert Frost - "Two roads diverged in a wood, and I - I took the one less traveled by, and that has made all the difference."

SUCCESSFUL LAWYER / NEW HORIZONS IN LAW

- * Profession and not a business or service. To be judged on the basis of work and character and not wealth.
- * Mahatma Gandhi - "It is not the end alone but the means, which are as important as the end".
- * Shakespeare - "Kill all the Lawyers".
- * Palkhiwala - "Perhaps more uncharitable things have been said about the lawyers than about any other professionals of even half the lawyer's utility to society".
- * Freedom Movement
- * Story of Black Coat and Gown.
- * Judicial Activism.
- * Requirements -
 1. English
 2. Hard Work (Bed of Roses)
 3. Preparation Equivalent to the Senior
 4. Role of Seniors
 5. Disclose the Weaknesses and Strengths of the Case
 6. Masters of Facts
 7. Ethics
 8. Specialization
 9. Use of Technology
 10. Versatile Personality
 11. Common Sense
- * LPO, ADR, CYBER LAWS, IPR
- "The law the lawyers know about is property and land
But why the leaves are on the trees,

And why the waves disturb the seas,
Why honey is the food of bees,
Why horses have such tender knees
Why winter comes when rivers freeze,
Why faith is more than what are sees,
And hope survives the worst disease,
And charity is more than these
They do not understand".

-- Robert Frost