

Top 10 Things New Litigation Attorneys Should Know to Survive Their First Day in the Courtroom

By Shannon Howley

Stepping into the courtroom presents new attorneys with an opportunity to build their most valuable asset: their reputation. However, there are several things new litigation attorneys should know before walking into court to maximize their potential for growth and avoid some common mistakes.



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1. Obtain a Secure Pass ID: Be sure to get one prior to your first court appearance. Applicants must pay a \$50 processing fee and undergo a thorough application process. However, obtaining one is crucial, as it allows holders to enter New York State courthouses without having to wait in long lines and pass through magnetometers.
2. Parking: Give yourself enough time to find parking and get to the courthouse before your case is called. Some courthouses in Upstate New York are known to have free parking lots adjacent to the courthouse with plenty of open spaces. On the other hand, off-street parking may be non-existent around other courthouses or may require you to walk several blocks from a parking garage down the street. If that is the case, perhaps you should plan to take an Uber/Lyft or at least pack sensible shoes for the trek.
3. Sign In: Once you've finally made it into the courthouse, make sure you sign in with the correct court deputy. Don't just take a seat in the lobby and wait for your case to get called. You won't be called unless the deputy knows you are present for the case.
4. Be Prepared to Wait: After you've run across several blocks to get to the courthouse on time, you may find that your case isn't called for another 45 minutes. Use your time wisely—whether that means meeting with your client, trying to work out a deal with opposing counsel, or bringing other cases to review. You will probably have plenty of time to wait for your case to be called, so make sure you are prepared.
5. Block off Time for Court: Along the same lines as the tip above, make sure you don't schedule anything else immediately after your court appearance. Your case may not only be called late, but it could take a bit longer in court as well. Perhaps the judge will ask the parties to step out to try to reach a resolution on their own, then report back to the judge in a half hour. If possible, try not to schedule any appointments that could end up conflicting with your court appearance.

6. Calendaring: Calendaring motion due dates can be a daunting task. Calculating the wrong due date can lead to missed deadlines. Beware of differences between federal and state court deadlines as well.
7. Know the Local Court Rules: Take some time to read and familiarize yourself with the local court rules. Do not assume that all local courts across the state operate the same way. Some judges require that you send them a hard copy of anything that has been e-filed; other judicial districts have a not implemented e-filing yet.
8. Judges Are Human: Not everyone's going to be nice to you or even professional 100 percent of the time. Just be prepared. As a new litigation attorney, the first impression you leave can be a lasting one, especially if you act unprofessionally in someone else's courtroom. Try not to take anything personally, and do not be rude.
9. Proofread: Proofread everything carefully—from motion papers to letters to opposing counsel—before submission. Do not trust Microsoft Word or some other program to do it for you. Be sure to always "Shepardize" or "key cite" your cases before using them. Poor grammar can make you seem like a sloppy lawyer, and citing bad law can be damaging to your client.
10. Ask Questions: Often. Asking questions indicates that you are committed to being the best lawyer you can be. Also, it's better to learn now—the easy way—than to learn the hard way by making a mistake that could cost your client.

New litigation attorneys should always behave professionally toward their colleagues, act with diligence, and implement the highest ethical standards.

Shannon Howley has been an associate attorney at Brown Hutchinson LLP since April 2016. She works at Brown Hutchinson's main office in Rochester, New York, where she focuses primarily on matrimonial and family law, personal injury, and other matters affecting individuals and families. Ms. Howley was admitted to the New York State Bar in January 2016, after graduating among the first class of Pro Bono Scholars from SUNY Buffalo Law School in 2015. She also received her Master's in Social Work through SUNY Buffalo's JD/MSW program. Prior to this, Ms. Howley completed Niagara University's Honors Program and graduated *summa cum laude* with a degree in Political Science. In her free time, she enjoys playing with her two dogs, Max and Monstar.