

A QUESTION OF IDENTITY

IMAGINE THAT OUTSIDE YOUR OFFICE THERE HANGS AN old-fashioned wooden shingle with your name on it. By way of acknowledging your professional status, it also says “Attorney at Law.”

But there’s a bit of room left on your shingle, providing an excellent opportunity to let prospective clients know what, specifically, you can offer them if they choose to retain you.

What if you were to say, “I’m a bridge builder” or “I’m a healer?” Or how about, “I’ll fight for you”?

Each of these strategies or orientations toward law practice implies a different professional identity, although some may have been adopted more by default than by reflective inquiry and careful choice.

For Howard Vogel, a professor at Hamline University School of Law in St. Paul, Minn., the issue of lawyers’ professional identity is so central that he has created a series of CLE programs to explore the topic. Under the umbrella of “The Courage to Practice Law With Integrity,” the programs are designed to bring to the surface issues that are rarely confronted but have everything to do with who one is as a lawyer.

One of the foundational questions of Vogel’s program, and one that serves to bring the lawyer identity to the fore, is this: “What do you as a lawyer claim about yourself when you tell a client that you are a lawyer?” It’s a valuable question, whether you want to reimagine your career trajectory or simply get clearer about what matters most to you in your work.

Vogel’s programs, which he facilitates along with Dennis Coyne, a Minneapolis lawyer and life coach, have been welcomed at a variety of venues, including a large Minneapolis law firm, the in-house legal department of a large corporation and Minnesota State Bar meetings.

‘WHO IS THE ACTOR?’

ALTHOUGH THERE IS AN ETHICS COMPONENT TO THE programs, the subject is not taught the traditional way. Instead, it is based on a method designed by William F. May, a highly regarded ethicist from Southern Methodist University in Dallas. Rather than posing quandaries about ethical dilemmas in the standard case-study format, May relies on metaphors. His first question is not “What should I do?” but “Who is the actor?” or, put another way, “Who am I, as a professional?”

In one of Vogel’s programs, a lawyer described herself quite naturally in metaphoric terms, referring to herself

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as a seamstress. In her practice, she said, she did a lot of domestic relations work, in which she saw her role as weaving things together, reconstructing.

I have long marveled at how tightly most lawyers wear the garment of their identity, often being quite in the dark about its potential elasticity. Some time ago, I had the opportunity to play around with this notion when I gave a presentation to a bar group on the East Coast. Vogel’s program brings it to mind.

I proposed an exercise. Pretend, I told the attendees, that your office is one of the following: a workshop, a house of worship, a foundry, a dance studio, a therapist’s office, a garden, an artist’s atelier.

Next, I said, try to notice how you feel there. Has anything changed in your sense of yourself or your relationship to your surroundings?

Now, take a few deep breaths, then try to bring a client to mind—a particular client, perhaps one you have seen recently, whose presence you can easily summon.

Into this creative place comes this particular client, bringing with her the same legal “problem” she brought recently. Has anything changed? If so, what is it? In your mind’s eye, observe your interaction once again.

What does this fresh context reveal to you about what might be possible in your work? Does the interaction feel different?

“I saw my client at my yoga studio,” says one person who felt sufficiently unconstrained to choose her own venue. “It was quiet, simple and spare. And when I sat down with this particular woman, who was quite upset about a number of things in her life, I felt quiet and centered inside. I became acutely aware of her as a physical being. I listened as she said things that went right past me the last time I saw her.”

“I got a bit grandiose and found myself practicing law in a cathedral,” said another participant. “And suddenly everything in the room was filled with meaning. It wasn’t totally clear to me what the meaning was, but I could feel the presence of meaning and felt certain it would be revealed over time.

“I also saw my client—a man who can be very difficult—as a child of God, or of the universe or whatever. I was able to watch him and listen to him without getting caught up in my own judgments about who he is. What was really great was that it occurred to me that, like a clergyman, I, as a lawyer, have a choice about how I want to deal with people.

“I can choose to be open and trusting instead of punctilious and closed off. I can have faith in the client’s own wisdom about what result would make him feel most complete and satisfied, or I can give him the benefit of my ‘superior’ legal wisdom. I learned quite a bit in just a handful of minutes.”

The exercise is an eye-opener, a simple way of bringing awareness of alternative ways of being and processing information. Suddenly it becomes clear that the overlays we put on our experience—or let others place there—are arbitrary and do not necessarily fit our needs. ■

