



PRACTICING IN YOUR PERSONALITY

HOW WOMEN IN LAW CAN EMBRACE THEIR PERSONALITIES AND FIND SUCCESS IN THEIR PRACTICE

BY AMANDA A. BARRETO

How I learned to practice in my personality

When you read the word “litigator” what comes to mind? Terms like “aggressive,” “insistent,” “confident,” or even “obnoxious?” Maybe “cunning,” “calculated,” “strategic,” “analytical?” What about “reserved,” “reasonable,” “equitable,” “fair?” “Calm,” “collected,” “kind?”

I knew I would be a litigator before my first mock trial tryout at Hoover High School in nineteen ninety something. What I knew then was that litigators were indeed confident and bright. And calculated, of course. **But being aggressive or obnoxious never crossed my mind as necessary traits to be an effective advocate.**

What I know now is that many others — colleagues, current clients, potential clients, the general public — expect litigators (and even attorneys generally) to be aggressive, hard-hitting, and combative. They expect litigators to fight “tooth and nail” as zealous advocates with no holds barred. They might even think that kindness and respect are signs of weakness.

Personalities are like ... opinions: everyone has one. I have always been fascinated with taking personality tests. I am sure I have taken them all: Myers-Briggs, 16Personalities, Enneagram, and even the 5 Love Languages. They all tell me that I am an internal thinker, observant, highly practical, down-to-earth, pragmatic, assertive, and yet naturally social for an introvert. Never has litigator or even lawyer been a suggested career.

But while I am undoubtedly a sensing, feeling introvert, my unique traits — like internal reflection, logical thinking, and informational focus — have proven to be the keys to my success as a litigator over the years. Those traits have kept me calm during intense arguments or negotiations; saved my sanity when dealing with overly obsessive

opponents; offered a steady sense of concentration always with an eye on doing what is best for the client; and tempered my reaction to an unfavorable decision. Yet oftentimes, in the back of my mind, I think: does my opposing counsel or client think I should have been be more “aggressive?”

Recognizing your traits is a great start, but learning to embrace them is the real goal.

As a younger lawyer, I would mostly just roll my eyes when someone questioned whether I could help a client get the best possible results in a dispute without raising my voice or interrupting opposing counsel. I would smile and reassure them that those tactics are typically used when the law and facts are not on one’s side. But constant pressure to “be more aggressive” or to “tear the other side apart” always made me wonder if litigation was indeed for me.

A while back, when in-person national conferences were still a thing, I heard a presentation about how attorneys can practice in their personalities and how law firm leaders can find success by embracing those different personalities within the same firm.

My notes from that session helped me embrace my personality and I continue to weave these words into my practice:

- Recognize your strengths, not only as an attorney but as a human being
 - I am an introvert, collaborative — not competitive; I am assertive, but rational
- Be your authentic self
 - Don’t fake it
- Personality comes from perspective; perspective comes from life experience; everyone has unique life experiences based on age, race, gender, socio-economic status, etc.
 - My way of thinking is unique and helps provide perspective while in the midst of disputes

- Cloning does not work in the legal field
 - Don’t mimic other attorneys; watch and learn, but integrate your own traits

After identifying my strengths, and weaving my authentic self into my litigation practice, I had to accept the reality that not every potential client or teammate is going to buy into the notion that I can be a kind, respectful, assured, and focused litigator. Some will always expect me to slam my fists on the conference table, make my argument louder than my opponent, and “play hardball” in settlement negotiations. Learning to say “I am not the right fit for you” has been a gamechanger in keeping my practice authentic.

After all, isn’t authenticity what makes the best advocate? Aren’t the most successful lawyers — those who are not burnt out from stress, pressure, and emotional turmoil — those who are honest with themselves so they can be honest with their clients, in turn reaching the best possible results for their clients?

Advice from other successful female attorneys on how to practice in your personality.

Knowing I was not out on an island with my premise, I reached out to other strong, successful women to gain their ever-important perspective on the topic.

- **Lydia Floyd**, The Lydia Floyd Law Firm, LLC owner is a litigator who focuses on fertility-related legal disputes. When asked how she practices in her personality, she said that her style is not an aggressive pit bull. Instead, she stays true to herself by remembering why she is a lawyer: “I need to be authentic because I care very deeply about my clients and want to do my best. It takes courage to seek help for legal issues. It also takes courage to be authentic. If I were to pretend and take on

a style that's not authentic, then I would not be at my best." Lydia says that it would be a disservice to her clients to pretend to be something she is not.

- **Carmen Verhosek** is an estate planning attorney at AlerStallings who focuses on serving older adults and families with disabilities. "I attribute being a successful elder law attorney in large part to my ability and willingness to bring my whole true self, my authentic self, to every aspect of my career. My humble beginnings, background, my upbringing, experiences — witnessing the wealth gap and lack of legacy distribution between my household and others — all coupled with my empathic and compassionate nature make up who I am. It aids me in doing the job that I do with purpose and passion. That transfers onto the clients' experience. Clients trust me because of that humility and vulnerability. Being a well-balanced, emotionally intelligent attorney (an attorney with "heart") and strong subject matter knowledge not only strengthens my practice, but it is also what makes me an exemplary elder law attorney."

- **Tara Rose** is a real estate and construction attorney at Hahn Loeser who focuses on real estate and construction transactions and litigation. Staying authentic helps keep Tara free from nerves and anxiety. "When I don't have to worry about being someone I'm not (or walking on eggshells), I can free up brain space to focus better on the real issues at hand instead of how I'm being perceived by others." Tara credits her upbringing with her success in staying authentic. "I was raised to treat EVERYONE with kindness and respect (until they prove they don't deserve it). I have gotten some pushback from my clients on this approach (complaints that I'm 'too nice' to the other side), but you can advocate strongly for your client without being a jerk." Embracing her emotional intelligence has also led to Tara's success. "I can usually predict how an opposing party will react to a move or offer because I can easily put myself in their shoes and feel empathy in their position. I can also spot holes in cases by putting myself in the shoes of the jury/judge. This has been beneficial because I can counsel

clients on expected reactions and strategies by calling out these holes as I see them."

Stay true to who you are, how you got here, and how you want to be perceived. The end goal is to provide the best counsel to your clients. The smoothest road to reach that goal is to practice in your authentic personality. The profession needs you to be you.



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WOMEN WHO LEAD THE WAY.

“ Fight for the things that you care about, but do it in a way that will lead others to join you. ”

-Ruth Bader Ginsberg

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