



THE LAW SOCIETY
OF SINGAPORE

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Mass Call 2017 Speech

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President

May it please Your Honour, on behalf of the Law Society, I seek Your Honour's leave to address the cohort of 2017 to the Singapore Bar.

First and foremost, congratulations! You are an elite group admitted to the roll of advocates and solicitors of the Supreme Court of Singapore. This is a badge of honour.

Today marks a memorable, meaningful milestone for you and your family. A grand culmination of childhood dreams perhaps or student aspirations. But no, you have not yet arrived. And yes, you've only just begun.

Sometime soon, in the near future, after your practising certificate has been issued, you will be signing your first letter or sending your first email as a newly called lawyer, making a maiden appearance in court or using an advocate and solicitor stamp.

You've only just begun.

There is so much advice to share. This speech cannot contain the complete wisdom to a fledgling lawyer. I will focus on two distinct thoughts. The first is the journey of lifelong learning. The second, the power of falling forward.

You have gone past the primers in Part B and practice traineeship. It is a truism that the legal profession involves lifelong learning. Whether in practice or inhouse. read books, magazines, newspapers, law reports, law journals and the Singapore Law Gazette. Read widely on other disciplines too. The law is seldom understood in vacuo or as a stand-alone analytical tool.

There are deeper skills to acquire. For instance, counselling and collaborative family practice for family lawyers. Sectorial knowledge for specialist corporate lawyers or arbitration practitioners. Financial accounting and boardroom negotiation for corporate lawyers. For litigators, mastering the art of advocacy and acquiring mediation skills.

How do you shortcut your learning? Attend the SAL's and Law Society's courses. Junior practising lawyers must do so anyway: to earn 8 public and 8 private points within a calendar year. The Law Society will endeavour to maintain reasonably low costs for our CPD courses. As a governmental boost for lifelong learning, you may be pleasantly surprised to know that you have S\$500 monetized value in Skills Future credits that could be applied towards relevant courses. This year, the Law Society rolled out an unlimited e-learning portal. With an annual flat fee of S\$50, you have unlimited access to e-learning programs for a given year. Finally, our marquee CPD event, Annual CPD Day, is intentionally priced at a bare bones minimum. A mere S\$50 for a full two-day conference covering legal updates on manifold practical law topics.

Quite apart from technical expertise and black letter law, there are soft skills and practice wisdom to be imbibed. These include strategy and tactics, client care skills, court etiquette, ethics and understanding different cultures. Many times, these are caught not taught. Watch your seniors at work.

There is an important wave in your time to ride. If not, it will become a tsunami. Technology. His Honour, Chief Justice Sundaresh Menon in his speech to the newly called lawyers during the Mass Call Ceremony last year spoke about embracing technology with an open mind. His Honour made the point on how thinking of technology as a “*potent tool at your disposal to be embraced*” will empower you. His Honour’s speech perceptively incised into the psyche of the Millennials when observing that: “... *the great strength of your generation is your ability to access information technology which enables you to harness an abundance of creative energy from a multitude of vicarious experiences. Leverage on that spirit and know-how and you will have nothing to fear when the smart machines invade the workplace. Chances are that these technologies will disrupt and cut into many areas of your work, but stay nimble and receptive and redefine your role*”

Why do we keep on learning ? Not because practice makes perfect or because we need several takes to get a performance right. Simply because knowledge is not static. It is dynamic.

Fundamentally, lawyers are in the service line. We need to have a client-centric perspective. Observe how the best lawyers you work with discern their client’s objectives and manage them. Whether advising upfront on parameters and OB markers or realizing their client’s aims in a manner consistent with law and ethics. Sometimes, creatively.

Lawyers must stay relevant. In the words of Justice Frankfurter writing extra-judicially : “*if lawyers are good, if lawyers have range, if lawyers are true to their function, then they are what I call experts in relevance*”¹. To be experts in relevance, it is indubitable that you must keep abreast with current developments.

None of you should ever feel now, or later in practice, that you are mere economic digits. That will negate both your humanity and sense of calling to the legal profession. That said, it is unrealistic and artificial to overlook the economic dimensions involved in your learning while in practice. For the first few years of your career, modern law firm management accepts that there is an investment cost to the firm. Your supervising partner could be writing off a fair amount of your time costs. Do not get offended by that. There is a place and space for growth and learning. Especially in areas you have not learnt before whether in law school, Part A , Part B or as a practice trainee.

Investment costs are not a one-way street. Consistently maintain an ethos of hard work. Go the extra mile to master your craft. That could be synonymous with long working hours. This may not be music to many of your ears. In the work-life balance equation in your early career life, the balance will likely be tilted more in favour of learning the tools of your trade. In practice, you learn more optimally on the job than you would didactically. On-the-job learning is parallel to the pedagogy of experiential learning.

One of the best ways to experience that type of learning is participating in pro bono activities. At a young stage of your career, build a hinterland of expertise and experience. Realistically, the landscape today (certainly, in the bigger firms) may mean limited opportunities for juniors to be first chair. Through pro bono cases, you cut your teeth early. Confidence begets confidence. As you take ownership of a matter and see it through to a logical conclusion, you will gain invaluable experience and confidence. I have seen young lawyers bloom in self-belief

¹ Frankfurter, Personal Ambition of Judges: Should a Judge “Think Beyond The Judicial?” 34 A.B.A.J. 656, 747 (Aug. 1948)

when they make judgment calls, build valuable client-care skills and achieve the client's objective (either litigation success or satisfactory resolution) in pro bono settings.

You may need to over stretch at times. And without detracting or distracting from focus, over research a little at the boundaries. Thankfully, you do not yet have to contend with AI as a competitor. That may come sooner than you think! As you start your journey, build your file of research notes. Organize personal precedents. As a junior lawyer, I retained the first letter I had drafted. Only a comma survived my pupil master's pen, or scalpel as it felt like at the time! One golden key in practice is that it is less about *what you know* and instead *how to find what to know when you need it*. "How" is more important than "what" in many cases.

When attending at a client's meeting, take note and take notes. It's as much about reading the clients as well as reading the books. That involves listening skills, accurate transcription and discerning non-verbal cues and clues from body language.

For litigators, attend court to watch senior lawyers in action. Observe and learn vicariously. Discern the good, the bad and the ugly.

Learn the very best qualities from your seniors. There is more than one style of litigation in the courtroom and negotiation in the boardroom. In your early years, your own unique practice style is evolving. The counsel of prudence is to learn and apply the style of a good mentor. Think the way your best mentors do. Learn from their thought process and the questions they ask. One way is to ask yourself in the course of a file management as developments unfold : What would your mentor advise ? And then compare that with your mentor's *actual* advice.

There is much to discover on your journey of lifelong learning. It may take you a few years to tool competently. Look for a mentor and a coach. Sometimes, they could be the same person. A mentor in your firm to guide your career development. A coach with practice expertise to impart lawyering techniques to you.

Over and above that, the Law Society has a PracMentor scheme. This is practice mentorship. A scheme consolidated under the Law Society's Pastoral Care programme. Via the Prac Mentor scheme, young lawyers may seek guidance and advice on various practice areas including niche specializations.

Once you know your passion and forte, specialize. If you do not, experiment. Try different things until you find your cup of tea. There are enlightened employers who will understand. Frank conversation between you and your bosses always helps.

To be a life-long learner, cultivate a natural curiosity. Learn, unlearn and relearn. Albert Einstein is quoted as saying : "*He who can no longer pause to wonder and stand rapt in awe, is as good as dead; his eyes are closed*"

The second thought to share with you is "falling forward". It may seem odd to speak of falling at a time of calling. A moment's reflection reveals that falling forward is a specific illustration of lifelong learning.

None of us can soar from success to success all the time although try to attain that we must. No one has moved on a smooth trajectory of upward growth to upward growth year upon year, month upon month in their career life all the time. There will be blips, bumps and everything in between.

I am not speaking about "The Power of *Failing* Forward". Failing has a different connotation. Few of us like to think of ourselves as failures. When you fall, you pick yourself up. It's only a temporary stumble in the journey.

What kinds of falls could you have in legal practice? Here are some non-exhaustive examples:-

- (a) a client scolding or complaint
- (b) losing your first case in court
- (c) receiving criticism from your bosses for sub-standard work products.
- (d) making a mistake on a file

We cannot underestimate extraordinary work pressures and the job stresses in Singapore that may lead to falls. The legal world is not immunized from the same. This is a different world from what you've been used to in your school life or undergrad days. Welcome to the working world.

UK research earlier this year from the Junior Lawyers division of the UK Law Society suggests that more than 90% of young lawyers have felt under "*too much emotional or mental pressure*" at work. I think it's fair to say that those observations have a ring of truth even for juniors outside England and Wales.

There are anecdotes aplenty that seniors can share with you about falls. In a solicitors' negligence case, I remember interviewing a junior lawyer once. She was the counsel turned witness. Palpably traumatized after a disastrous first case conducted in the High Court.

Today, many young litigators have good outings in court. Most judges are patient when juniors appear before them. The judiciary gives as much latitude to learn as they reasonably can. At the same time, this is no free pass on ethical transgressions. It behoves junior litigators to start off right. Learn the ethics and etiquette involved in practising your court craft in the right way. You don't want to cross the line and end up with a fall from grace.

Everyone has a coping and catching mechanism when we fall. Faith, family and friends rank right up there for many who fall. Coaches and mentors are invaluable in such moments. In the near future, over and above the PracMentor scheme, the Law Society will match every junior requesting mentorship with a senior mentor. In a nutshell, this is a profession-wide relational mentorship. We will roll this out within the next two months. Watch this space. Through this mentorship, you can speak to a senior in the legal profession if you seek career counselling, desire a sounding board on an ethical conundrum or need a listening ear if feeling exceptionally stressed at work. The Law Society Council and Young Lawyers Committee will continue to engage with the youngest stakeholders of our legal profession as we did during a Young Lawyers Forum last month.

Falling *forward* is not falling backward, falling flat, falling short or falling into pieces. In one word, it is resilience. The ability to bounce back as George Patton's famous quote told us. As an inventor, Thomas Edison made 1,000 unsuccessful attempts at inventing the light bulb. When a reporter asked : "*How did it feel to fail 1,000 times ?*" Edison replied, "*I didn't fail 1,000 times. The light bulb was an invention with 1,000 steps.*"

Could you persevere on, despite the odds and challenges, to see your career dreams fulfilled ? Only the stayers, not quitters, will savour the sweetness of that moment.

In Nozomi Morgan's blog piece "Falling Forward to Achieve Success"², the author writes :

"... The hardest step is always the first one. Fear of failing is something all of us must contend with. However, successful people don't allow the fear to become an excuse. They feel the fear and proceed in spite of it.

Why? Because "failing" is how you earn stripes on your way to success ...

The secret is to take action anyway. Stand up; try again. Reconsider, then redo.

² (<http://m.huffpost.com/us/entry/9994038>) published on 17 May 2016

... Success comes to those who live a leadership lifestyle by taking action and falling forward.”

You may think that falling or failing is pure semantical word play. Viewing this even from the “glass half-empty” perspective of failing, there is redemption. In Sandberg’s and Grant’s chapter “Failing and Learning at Work” in their bestselling book “Option B – Facing Adversity, Building Resilience, Finding Joy” (2017), the writers make the point that “*Not only do we learn more from failure than success, we learn more from bigger failures because we scrutinize them more closely*”. This is true of legal practice as well. Speaking for myself and am sure, a number of dispute resolution lawyers too, I recall my litigation defeats far more painfully than my litigation victories. The losses become a source of reflection, not self-flagellation, for future improvement.

No matter how brilliant your grades were in law school, the adventure of legal practice involves a different (and frankly, difficult) terrain. A right attitude (not just the right aptitude) is needed. That also means being able to swallow the bitter pill of accepting criticism. Being open to criticism gets you even more feedback that makes you better.

Fundamentally, this is about having a forward outlook not a backward look. Paradoxically, when you do so, one day, you will connect the dots by looking backwards at that fall.

Today, you enter through the front door of an immensely rewarding and deeply fulfilling profession. Keep your head up as a lifelong learner. And keep your heart strong by falling forward.

Congratulations once again to each and every one of you on being called to the Singapore Bar.