

Practicing With Purpose in the Commercial World*

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Commercial lawyers too often are given (or take) a free pass when considering whether they are practicing with a sense of purpose – at least one that extends beyond meeting billable targets. This may be due to the difficulty of connecting their day-to-day work with the broader ideal of “search(ing) for truth through a focus on morality and social justice.” Yet, at its core, commercial practice shares a commonality with all other types of law: serving clients in an honest, ethical, and effective manner.

For me, fulfilling this common purpose draws on two concepts heavily emphasized during my time at the University of St. Thomas School of Law: servant leadership and the trusted adviser model. These concepts – one given (servant leadership) and one earned (trusted adviser) – are consistent with the type of service business clients expect and deserve and, ultimately, contribute to a fulfilling practice.

According to UST School of Law Professor Neil Hamilton, servant leadership “encourages leaders to serve others’ highest priority needs, helping others to reach their potential, to be their better selves, to be what they are capable of becoming.”

My practice is somewhat unique in that I work with businesses of all sizes, from Fortune 500 companies to closely held businesses. Regardless of the size of the client, I can always identify people on each project that I can help “be their better selves.” Within the confines of Model Rule 1.13, identifying with and relating to the people you work for through a strong servant leadership-ethic contributes to a deeper meaning in corporate practice. For example, servant leadership transforms a completed transaction from a few more dollars booked (or hours billed) to a means of helping my

counterpart advance his or her career. In this way, servant leadership both draws upon and contributes to a purpose-centric view of commercial practice.

Ultimately, a strong servant leadership ethic helps form the basis of a trusted adviser relationship. The adviser provides not only technical answers, but also perspective and insight into broader issues. Achieving a trusted adviser relationship occurs through a continual demonstration of technical skill and a commitment to others’ wellbeing (*i.e.*, servant leadership. Because it is something earned, it looks different from deal to deal, client to client, and year to year.

One client may entrust you with a bet-the-firm deal early in your career while another might not bring you into broader issues until you are the most senior of senior partners. Yet once earned, the trusted adviser receives the benefit of engaging clients in a deeper, more meaningful way. Further, as the view of “doing well by doing good” continues to challenge the accepted wisdom that the only intention of business is to maximize profits, advising clients from a broader, purpose-centric perspective will become increasingly synonymous with corporate practice.

It is always important to remember that commercial practitioners do have a role in our broader legal system consistent with “the search for truth.” At a recent Mission Roundtable discussion at UST School of Law, I pointed out that the attorney who represents utilities in rate proceedings and banks in commercial lending transactions is not necessarily a natural fit for such a talk. While the joke helped grab people’s attention, it failed to acknowledge the importance all commercial attorneys play in the larger legal system.

Rate cases are not just about increasing utility revenue; they are a necessary process by which a private party is given just compensation for the public’s use of its property. Commercial lending facilitates economic growth and reinforces the importance of private parties creating their own law through contractual relationships. Commercial practitioners uphold these and other fundamental tenants of our legal system on a daily basis. In doing so, we ensure the rule of law continues to have a place in our society, a benefit that extends beyond the particular transaction in question. Fulfilling these roles within our legal system is entirely consistent with an intention-driven practice.

My legal education helped provide the building blocks for a meaningful, purpose-filled commercial practice. At its heart, the practice of law is a commitment to serving others, a concept enshrined in the school’s mission and character. My time in law school helped me internalize that by directing my efforts toward the betterment of others, I am a better, more successful, and ultimately more satisfied attorney.

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