

UCI Etiquette Class Makes Networking a Bread-and-Butter Issue

By Don J. DeBenedictis
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IRVINE — The UCI School of Law teaches its first-year students contracts and torts, how to interview clients and the importance of pro bono work. In an unusual program, it also teaches the new law students how to network, how to dress for success and which spoon to use for dessert.

At a four-course dinner Tuesday evening, about 60 students honed their table manners over chicken and risotto while talking to judges and politicians. Tips ranged from “Button your coat when you stand to make a toast” to “Don’t tuck your napkin in your collar,” which came as a surprise to at least one student.

The two-evening presentation on Professional Protocol, Decorum & Dress may seem an unusual offering for a law school aiming for a Top-20 ranking. There are good reasons for it, program organizers say.

After all, at the new law school’s first etiquette dinner last year, “we had a student who’d never eaten in a restaurant,” said Glenn Hodson, the catering manager of Newport Beach’s Island Hotel, who on Tuesday guided students through flatware, stemware, linens and plates.

The real goal of the program is to help students present themselves well to the older lawyers and judges who, all hope, will be offering the students jobs as soon as this summer.

Those are “people way above you in social standing,” Irvine attorney Anne Andrews told the class. “This is all designed for you to enter the generation above you.”

The program is rare but not unique. Law schools from Stanford to Emory, Baylor to St. Louis have similar short classes. Capital Law School has an etiquette page on its website that advises students not to slurp their soup, lick their knives or flip their ties over their shoulders at dinner.

UCI’s is unusual among other etiquette



UC Irvine School of Law first-year students enjoy dinner with Justice Richard Fybel, right. Students are, clockwise from far left, Lauren Gruber, Danila Toscano, Brian Murray, Jaclyn Stahl, Darren Kerstien, Andrea LaFountain, John Bridge. The dinner was part of the law school’s “Professional Protocol, Decorum and Dress” training sessions.

classes because it is offered to first-year students, Andrews said.

Andrews, a mass-tort attorney with Andrews & Thornton, designed UCI’s protocol and decorum sessions last year as a member of Dean Erwin Chemerinsky’s advisory panel. The classes paid off, she said, when all of last year’s first-years landed summer clerkships.

This year, during the first session last

week, Andrews covered what to wear — dark suits, white shirts and lace-up, dress shoes for men — and how to network at receptions — cell phones off, name tag on right shoulder, drink in left hand to keep handshakes dry.

She suggested questions to use in conversations, such as area of law practice or law school alma mater, and ones to avoid, such as sex, religion and medical problems. She

also warned them not to ask judges about pending cases.

Andrews advised the mostly 20-something students to keep their tattoos covered and their Facebook walls dull.

Social media “is a revolution in your culture that we don’t quite know how to handle,” she said.

Though she told students never to table-

hop during bar association or law firm dinners, on Tuesday, Andrews prowled the dining room with a microphone asking dignitaries to share tips.

U.S. District Judge Andrew J. Guilford said that to be a good conversationalist one has to like, even love, people “or sincerely pretend.”

State Bar Executive Director Joseph L. Dunn, a former state senator, forbade even telling a joke when giving a toast and recommended sending handwritten notes to people met at receptions.

“It will probably be the only one they get all year,” he said.

Orange County Superior Court Judge Kim G. Dunning told the students not to be chatty with judges when the judges are on the bench. Her colleague, Judge Lon F. Hurwitz, said when in need of a conversation starter, “ask me about my dog.”

Hodson took the students through the basics of polite public dining from soup to crème brûlée (eaten with identical large spoons). There were a few surprises, including that the knife on the far right was for the salad.

“I never knew you were supposed to cut your salad,” one student said.

First-year student Sabyll Landrum, who was a professional poker player before starting law school, said that “it was reassuring to learn some things you don’t have to do,” such as spooning up soup with an away motion.

Hodson said he was there to teach protocol, not high etiquette, and that soup-spoon directionality didn’t matter to most people.

Even some of the non-students seemed to pick up a tip during the evening. When Hodson discussed literal bread-and-butter issues, Guilford seemed pleased.

“My wife always elbows me when I put the butter right on the bread. She tells me to put the butter on the plate,” he said.

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Bubble in Law School Applications Finally Bursts

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School of Law, which saw a 9 percent dip in applications for fall 2011.

Admissions season is still winding down — some schools stop taking applications March 1, others not for a few more months — but preliminary numbers show an almost across-the-board slowdown.

As of Feb. 11, the number of people seeking admission to law school nationwide was down 11.8 percent over the same time last year, and the number of total applications was down 12.7 percent, according to the Law School Admission Council Inc., a nonprofit organization that administers the Law School Admission Test. The two numbers differ because applicants virtually always apply to several schools.

All told, the council recorded that 87,500 people sent in 604,100 applications last year. Total numbers for fall 2011

admissions won’t be finalized for several months.

UCLA School of Law, which attracts the most applications of any law school in the state, expects to get roughly 7,500 applications this year, compared to 8,700 last year, said Dean of Admissions Robert Schwartz. That marks a drop of nearly 14 percent. The number of applications received at other California schools this year ranged from 2,000 to 7,200.

“It’s an inevitable adjustment to the over-inflation we’ve seen the past four years,” Schwartz said. During that time, the school saw a 50 percent increase in applications and became the nation’s fourth-most applied-to law school. “It can’t keep going up.”

Some attribute the decrease to prospective law students finally heeding the advice of legal blogs and other media that question the value proposition of going to law

school in today’s climate.

“The word is out that a cushy job is no longer a sure bet,” said Greg Canada, assistant dean of admissions at UC Hastings. He said that in the past, even those students who were unsure about why they went to law school could land some sort of job, or “at least make mom and dad proud.” Now, he said, “What is a sure bet is easily amassing \$100,000 in student loans.”

Many admissions deans noted that though the volume of applications is down, the quality of the applicants is stable or up, as judged by metrics such as LSAT scores and grade point average.

“A good number not applying are those halfheartedly going to law school,” Canada said. “Maybe the silver lining is this is a kind of weeding out.”

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Law School Applications for 2011

Law School	Change in Volume From 2010 to 2011*
Nationwide Average	13% decrease
Chapman University School of Law	No change
McGeorge School of Law	Double-digit increase
Pepperdine University School of Law	Approximate 12% increase
Santa Clara University School of Law	7% decrease
Stanford Law School	Not yet available
UC Berkeley School of Law	13% decrease
UC Davis School of Law	3% decrease
UC Hastings College of the Law	15-17% decrease
UCLA School of Law	14% decrease
USC Gould School of Law	9% decrease
Western State University College of Law	6% decrease

*Numbers are preliminary because applications are still being accepted. Source: Law School Admission Council Inc. and data reported by the law schools

Trust or Consequences

By Timothy Tosta

From my experience, trust is not a word much used in the legal profession except, perhaps, to describe its absence. I recently had occasion to raise the issue of trust directly with a co-counsel and recognized, almost from the moment I uttered the word, that I was creating confusion and discomfort. And, it’s ironic. Trust is not naive or unsophisticated. Rather, it offers a highly complex and insightful path to a beneficial relationship, whether based on negotiation, collaborate, mediation or litigation. It creates a platform for innovation and creativity, which otherwise cannot be obtained in trust’s absence.

Because most of us in the profession are either co-owners or employees of institutions, we exist in a world of trust, whether we choose to recognize it or not. The same can be said for the relationships in our private lives, with family members or friends. We may not talk about it, nurture it or even really believe in it, but trust is there in one form or another.

What I suggest here is we take trust “out of the closet,” dust it off, and examine it closely to discover whether we’ve been ignoring something very useful, powerful and professionally and personally life enhancing.

“Building Trust,” written by Robert C. Solomon and Fernando Flores, was first published in 2001. It is a relatively short read (about 150 pages), so I would encourage you to pick it up from your library or

acquire it, if the subject intrigues you. Solomon and Flores identify a number of “operating principles” for framing considerations of trust. First, trust is an emotional skill. It is something you learn. It is dynamic and involves personal responsibility and commitment. It is not a set of beliefs, but rather a social practice. It involves sincerity, authenticity, integrity, virtue and honor. It also goes hand-in-hand with truth. Truth establishes trust; lies destroy it. Trust is a precondition of civil society and never more relevant or important for the well-being of our global society and planet.

The problem with trust is practical — how do we create and maintain it? Thinking and talking about trust makes trust possible. It changes not only our beliefs, but also our behavior. Trust does not limit our freedom; rather it makes freedom possible. Trust is a matter of moods and emotional skills. And, our moods and emotional skills shape the way we engage the world. Moods and emotions can change with practice and be cultivated. Self-trust is the most fundamental and, ironically, most neglected form of trust.

Solomon and Flores distinguish four types of trust. Basic trust is established in early childhood. It is “basic” by virtue of its foundational nature, arising from our earliest childhood experiences. It may be inherited or innate. But whatever its origin, it is enhanced or undermined by subsequent experiences. Basic trust establishes the foundation for our personality and our world orientation, since it concerns not only our physical security, but security in

our own being and our place in the world. Although it originates in the family setting, once we go beyond that setting, it is a trust that must be learned. Basic trust is relatively open-ended and indiscriminate. It is fundamentally a trust that “bad” things will not happen. Without basic trust life would be terrifying.

I recently had occasion to raise the issue of trust directly with a co-counsel and recognized, almost from the moment I uttered the word, that I was creating confusion and discomfort.

Simple trust is trust that remains unthinking and unreflective. It is naive. The absence of suspicion is what makes it “simple.” It arises by default, not from analysis of deliberation. In some respects it is, in the words of Solomon and Flores, “focused optimism.” Simple trust is not sufficient for effective functioning in the world. If simple trust is innocent, blind trust is not. Blind trust is denial, a form of self-deception. The contrary evidence is before you, but you refuse to see it. You could ask questions, but you don’t. It is willful self-deception and it is dangerous.

Authentic trust is about relationships and what it takes to create, maintain and restore them. It is fully self-aware, cognizant of individual and environmental conditions, open to new possibilities, yet constrained by possible changed conditions. Authentic trust requires wisdom. It is always qualified, focused, conditional and, consequently, limited. It is a mode of interpersonal engagement. It is open and flexible, based on a judgment of what is particular to each relationship. By its nature, authentic trust is articulated — it is spelled out. Both parties are aware of their obligations and responsibilities as well as a significance of the relationship for each

of them. Fundamentally, authentic trust is negotiated. It arises from interaction and conversation. It includes an assessment of risks and liabilities, but maintains the self-confidence to trust, nonetheless.

The central thesis of Solomon and Flores in “Building Trust” is that trust is an action. It is not a medium or an atmosphere. It

is something we create and sustain. It is a choice we make, involving skills and commitment. Trust is always housed in a relationship and entails the possibility of the betrayal. Trust always has limits and involves risk. Being aware of those limits and risks is essential to the trust calculus.

Often, trust is implicit. We put ourselves in trusting relationships all the time. But, familiarity with another is not a sufficient reason to trust. It offers no assurance of reciprocity or competency. Nor is trust about predictability. We are not attempting to predict another’s behavior when we trust. We are building a reciprocal relationship, based on mutual expectations, responses and commitments.

Trust tends to be reinforced by trusting. The psychological reward of trust is that it is gratifying to trust as well as to be trusted. Trust indicates respect and creates a bond. But, to be functional, it must be mutual.

Although institutions differ from individuals, institutions are human entities. Consequently, they can be appealed to, negotiated with, and depended upon to fill commitments. Trust, in a corporate setting, then is viewed in terms of its collective human relationships.

So what stands in our way of building trust? The first is our personal narrative

— the story that we tell about ourselves and the world. If our early life experience denigrated our basic trust, we have a much longer climb. Another factor is our capacity for awareness. Are we so encumbered by our judgments and beliefs that we can no longer witness what is transpiring in our relationships and our environment? Another related factor is our emotional intelligence. How capable are we of assessing our own emotional states as well as the states of others? Then, there is our social intelligence — do we have the ability to listen and communicate profoundly? Can we see the world from different viewpoints? Can we compromise? Can we set aside our own desires for the sake of the relationship?

Trust is a path upon which you must decide. Once you begin to think about it and talk about it, you may find that it may be a path “less traveled,” but one that is extraordinarily rich. Give yourself a little test. Answer the following questions:

What have I done to inspire another’s trust? What did I do or fail to do that weakened another’s trust? How did I know whether another was trusting me, more or less? What future actions will I take based upon the foregoing observations? What did another do to inspire my trust? What did it another do or fail to do that weakened my trust? How did I know whether I was trusting the other, more or less? What actions will I take based on the foregoing observations? What would it be like for me to intelligently engage the issue of trust, to build relationships, to engage in creativity and collaboration, to openly resolve disputes? What is missing from my life owing to my lack of trust? How might we support one another, through trust, to elevate the impact of our profession on ourselves, our societies, our families and our communities? How might we use trust to build working environments that support our personal development and that of our colleagues, our relationships with our colleagues, our families, our communities and our world?

Please start “trust conversations” with those around you. Let me know where they go and what transpires.



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