Mentoring Professional Identity
Expanding What it Means to be a Lawyer
by J. Ryann Peyton

Becoming a lawyer changes us. Research shows that simply preparing for the LSAT changes our brain structure,¹ and the methodology of legal education changes the way our brains process fear and anxiety.² At a psychological level, accepting the immense responsibility of solving the problems of others and protecting the rule of law means we must embody a new self upon entering the profession. This “professional” self or identity ultimately serves as the cornerstone of our professional values and behavior, our ethical decision-making, and our well-being as lawyers.

The Importance of Professional Identity

It used to be that in the legal profession, experienced lawyers would hand down a “professional identity” to new lawyers, usually through apprenticeship or clerkship.³ Today, however, most new lawyers lack opportunities for face time with seasoned attorneys, and the notion of legal apprenticeships has all but disappeared.⁴ For many new lawyers, personal relationships with veteran lawyers who model professional identity and the attributes of a well-defined professional self may be inaccessible or unfeasible. As a result, new lawyers are at higher risk of developing a “thin professional identity” whereby they must bifurcate their personal values and professional behavior. Such bifurcation can result in new lawyers exhibiting higher moral neutrality and bleached out professionalism.⁵

Professional identity can mean different things to different people. For some, it incorporates virtuous character. For others, it promotes civil actions and behaviors. For many, it is a combination of character and behavior.

Embodying the attributes of a “citizen lawyer” and conducting oneself as a competent professional are of course important reasons for any lawyer to consider professional identity. These attributes, however, are not the only reason to seek out a professional identity. Professional identity is vital to improving public perception of the legal profession, creating and maintaining well-being, and generating professionals whose personal values intersect with and guide their professional behavior.
Developing a Professional Identity

“So, what do you do?” This question is asked hundreds of times during a typical networking event. The usual responses include: “I’m a lawyer.” “I’m a bankruptcy lawyer.” “I’m a partner at [insert big law firm].” “I’m a solo family law attorney.” “I’m a district court judge.” “I’m in-house at [insert corporation].”

These responses may seem varied, but they are really the same iteration of a simplistic professional identity: a lawyer, who practices a certain type of law, in some type of setting. While one’s professional identity is of course much broader than a cocktail party sound bite, the repeated narrow description of “I’m a lawyer” in most social contexts can cause lawyers to eventually lose sight of their broader skills, values, ambitions, and identities.

To combat this “unconscious” narrowing of identity, lawyers should instead consciously focus on locating and developing a broader professional identity among the other aspects and roles of their professional and personal lives.

Shared Attributes

As lawyers, we are a homogenous bunch. We all went to college. We all took the LSAT. We all went to law school. Most of us took the bar exam. Many of us are licensed to practice law. The skills needed to accomplish these undertakings include logic, confidence, competitiveness, critical thought and reason, attention to detail, and diligence.

These are all “performance requirements” that every lawyer needs to make it past the threshold of earning a JD or a license to practice law. But while they may open the door to practicing law, they may not actually predict success in the profession and, as a result, shouldn’t be the sole foundation of a lawyer’s professional identity.

Yet all too often, a lawyer’s professional identity embodies only these core performance indicators of lawyering. Although these qualities don’t define us as individuals, they shape our identities and unnecessarily limit our perception of our professional strengths.

Separating Yourself from the Herd

Lawyers can begin to separate themselves from the proverbial herd. Professional identity can move a lawyer away from the self-limiting and universal identifying traits of all lawyers and
toward those unique and expansive traits that make the lawyer successful as an individual professional. Consider the following steps to uncover your professional identity.

**Step 1: Define Professional Success**

Describe what professional success looks like for you a month from today, a year from today, and 10 years from today. Although responses vary significantly from one lawyer to the next, it is likely that these questions may be more difficult to answer than you anticipate.

Consider whether your definition of professional success is truly your own, or a regurgitation of a vision of success that has been conveyed to you by law school professors, family members, colleagues, the legal community generally, and so on. Next, consider how many qualities of your definition of success are focused on extrinsic rewards and client outcomes versus intrinsic rewards.

A 2016 article in the *Journal of Addiction Medicine* considered the prevalence of substance use and other mental health concerns among American attorneys. The study concluded that attorneys experience problematic drinking that is hazardous, harmful, or otherwise generally consistent with alcohol use disorders at a rate much higher than other populations. Depression, anxiety, and stress are also significant problems for the lawyer population.

While this study did not draw conclusions about why lawyers are at a heightened risk for depression and alcohol abuse as compared to the general population, the study found that young lawyers are particularly prone to problem drinking. Specifically, 32% of lawyers under age 30 are classified as problem drinkers. Additionally, problem drinking occurs in 31% of junior associates in private practice and 19% of solo attorneys. This is compared to problem drinking in 17% of law school students.

This could indicate that something happens between law school and the first few years of practice that causes an increase in problem drinking and mental health concerns in new and young lawyers. The lack of attention paid toward intrinsic definitions of success and the inability of lawyers to define professional success for themselves are some of the reasons for substance abuse, poor mental health, and professionalism issues among new and young lawyers.

There is a large disconnect between the new or young lawyer’s definition of professional success (or lack thereof) and the experience the lawyer has upon entering practice. In response to this disconnect, new and young lawyers may experience negative outcomes in practice. As a result, it is critical for lawyers to create a realistic and meaningful definition of professional
success for themselves—one that includes a balance of intrinsic rewards, extrinsic rewards, and positive client outcomes. This will serve as a foundation for the lawyer to develop a significant and achievable professional identity.

**Step 2: Identify Indicators of Success**

Once you have created a personal definition of professional success, the next step is to identify the unique indicators of success you bring to your practice. Not surprisingly, most lawyers will start with the routine list of performance indicators discussed earlier (logic, confidence, diligence, etc.). Your goal is to look beyond these common lawyer attributes to identify the personal characteristics that have helped you find success in other areas of your personal and professional life.

Start by asking yourself the following questions:

- What is a situation in which I felt like giving up? How did I persist?
- What college and law school classes did I absolutely love? What made them so enjoyable to me? How did I find success in those classes?
- What do I do on Saturdays? Why do I choose those activities? How am I successful at these activities?
- How do I relate to people? What makes me feel good about a social interaction with another person?
- How do I prepare for competition of any kind? Why do I prepare that way?
- What do I do only for myself? Why do I do those things for myself?
- What do I do only for other people? Why do I only do these things for others? What do others see as my strengths?

By answering these types of questions, you start to become aware of the traits and characteristics that are unique to you and to the strengths and successes of your life. These indicators of success generally will contain two important features. First, they will be substantive and transcend the practice of law—you’ll see these characteristics at play in almost every area of your life. Second, they will be innate to you—you won’t need to improve, train, or force yourself to embody these characteristics or skills.

Indicators of success might include skills such as resiliency, relationship building, storytelling, or nimbleness. These personal indicators of success are the most likely skills to help
you achieve your definition of professional success and will serve as a critical component to your professional identity as you face career challenges and opportunities.

**Step 3: Take the “30,000 Foot” Point of View**

The final step in developing professional identity is to take a “30,000 foot” look toward your professional life. We are lawyers, of course. But not all of us will be lawyers for the entirety of our careers, nor will we be perfect lawyers every day of our practice.

If your professional identity is narrowly defined as simply “lawyer,” it begs the question: What happens if you no longer want to be a lawyer? Similarly, what happens if you have a terrible day as a lawyer or experience a huge professional failure as lawyer? Will a narrow professional identity allow you to overcome such setbacks?

A more expansive professional identity gives lawyers the agility to overcome professional challenges and experience professional success in a wider sense. Everyone will have a bad day or two as a lawyer. Everyone will make a mistake, lose a case, lose a client, or face adversity in practice. The strength of your professional identity can be the difference between going on to thrive in practice or succumbing to the obstacle.

To that end, we encourage you to develop a professional identity that encompasses the entirety of who you are, including where you have come from professionally and where you are going professionally. By drawing on your personal definition of professional success and your personal indicators of success, you can embody a professional identity that is holistic, comprehensive, and portable.

**The Role of Mentoring in Creating a Professional Identity**

Professional identity cannot be created in a vacuum. It is through relationships, observation, and discussion with positive role models that we discover more about who we are and who we want to be professionally. A good mentor helps us deal with adversity, take advantage of opportunity, learn from mistakes, better understand our strengths and weaknesses, and grow as leaders, managers, and human beings. By providing guidance and wisdom, mentors play a significant role in directing us along the journey of our lives. In addition, they help us internalize concepts of civility toward others in the profession, a true service mentality, and our unique obligation to assist underserved populations through pro bono work.
A unique and comprehensive professional identity is a wonderful instrument in the lawyer’s toolbox. Mentoring can also assist lawyers in understanding how to utilize their professional identity to achieve success in the lawyer’s professional endeavors. Specifically, mentors can utilize professional identity to help lawyers:

- Diversify and avoid putting all their intellectual and professional eggs in one basket. Professional identity leaves lawyers open to finding professional success across practice areas, professions, and work environments.
- Know themselves and work to their strengths.
- Have patience and recognize that the process of becoming a successful lawyer takes several years.
  - Use professional identity as a mooring when things get stormy and days in practice are challenging.
- Be open to change and realize that the professional career one envisions at the start of a legal career may not be the career that results when the dust settles.
- Be service oriented and remember that for clients, law is, above all else, a service.
- Recognize their unique capability and act accordingly.
- Broaden their horizons.

Any journey to generate a professional identity should include mentorship as a core component. Socialization and identity development among early career lawyers are integral in the mentoring process. Mentors can be found in your organization, across the counsel table, or on the bench. Look as well to your local bar association or statewide mentoring program to identify mentors to assist you in this process. Mentoring is the power that brings professional identity to life.

Notes


4. *Id.*


7. *Id.*

8. *Id.*

9. *Id.*

10. *Id.*