I enlisted in the U.S. Army at 17 years old. During my first night on active duty, I lay awake for hours on my bunk in the basic training barracks at Fort Jackson in South Carolina. I was far too excited to sleep, and I held my newly stamped dog tags clenched in a fist. I felt like I was part of something greater, something sacred.

Over the next decade, in peace and in war, I had the privilege to serve with some of America’s greatest assets: the men and women of our Armed Forces, who we remember on Veterans Day. General Douglas MacArthur described them as “unquestioning, uncomplaining, with faith in their hearts, and on their lips the hope that we would go on to victory.”

Thanks to these men and women, I have witnessed extraordinary acts of valor, sacrifice, compassion and inner strength. America is forever blessed and its ground hallowed by the generations of veterans that have kept us free.

My military service also indelibly shaped my personality and the way I practice law. There are four values that I consider crucial to my success:

1. Keep moving. A static target is much easier for the enemy to hit. In 2003, a poorly refrigerated Thanksgiving dinner in Sadr City forced me to spend some time in a row of Porta-Johns that had been not-so-strategically placed within view of the nearby rooftops. After about 10 minutes of quiet, the “thwack” of an object slapping into another Porta-John startled me. I stayed put. Thirty seconds passed, followed by a loud “thwack-buzzzzzz,” and I noticed a new set of bullet holes in the front door and...
a side wall. Obviously, I had been in one place too long, and it was time to keep moving.

To prevail, lawyers must constantly move toward a goal. Never let opposing counsel be able to predict your entire strategy for a case, deposition or argument. Ensure that you have a tempting diversion for them to waste effort on, as well as a back-up plan for yourself (no plan will survive beyond the start of the conflict). And, if caught in a bad situation, ask, “How do we fix this? Where should we go next?” Don’t get paralyzed into inaction by overanalyzing the issue of “how did this happen?” The time for recriminations and analysis is never during the fight. Maintain forward momentum.

2. Not all battles are worth fighting. We all have limited resources, time and money. Don’t be the lawyer who fights everything, even the minor and immaterial issues. If opposing counsel asks for a few extra days to produce documents, why not agree? Being needlessly contrary will lead to drafting a motion to compel, setting it for hearing and explaining to the judge why he has to mediate a discovery fight (always a sure way to be remembered). To use a military cliche, is that really the hill you want to die on? In my experience, most folks will return similar courtesy, letting both sides focus on the issues truly in contention.

3. Trust and support your people. I believe that micromanagement is a guaranteed way to destroy productivity and morale. Rather than controlling every aspect of a project and peering over the shoulders of junior attorneys and staff, I establish my overall intent and provide periodic guidance. In doing so, I am constantly surprised at the resulting creativity and intelligence.

This does not mean I can wash my hands of the whole matter if things go badly. It may not be my fault, but it is my responsibility. A leader must own all failures, but share the credit for successes. Win a victory for a client? Send a congratulatory email to the client and firm management praising the efforts of the team, while downplaying your own leadership. Court ruled against you? Take responsibility, identify any lessons learned and move ahead.

4. Be the nicest person in the room. General James Mattis cautioned his combat troops to “be polite, be professional, but have a plan to kill everybody you meet.” During the first year of the war in Iraq, I mediated district council meetings in Sadr City with a constant smile, a cup of tea in my hand and a loaded M-16 resting in my lap. While this obviously needs a bit of toning down for the civilian context, the lesson remains true: Civility and adherence to internal values remain paramount considerations in wartime and in the legal profession.

I’m not advocating that one should compromise a client’s position just to be amicable. I do recommend divorcing the underlying conflict from the way that lawyers interact with others. Always have a smile and handshake for opposing counsel, and keep in mind that all lawyers are professionals, fighting and advocating for a cause in their own way.

On Nov. 11, please pause to remember the American veteran. In the words of Father Denis O’Brien:

A veteran is a person who offered some of his life’s most vital years in the service of his country, and who sacrificed his ambitions so others would not have to sacrifice theirs. He is a soldier and a savior and a sword against the darkness, and he is nothing more than the finest, greatest testimony on behalf of the finest, greatest nation ever known.