



Our Chosen Business: From Impostor to Imposing Counsel!

By Robert A. Creo

Previous columns have addressed the lawyer's reputation, self-awareness, professional growth, the art of persuasion, navigating emotions and the importance of perpetual learning. The current series explores the importance of soft skills and the development of core competencies involved in decision-making and the effective representation of clients, including the science and the nuts and bolts of lawyer competency and contentment. This column speaks to the challenges posed by the impostor syndrome.

Eager to Be a Lawyer!

My friend Lori followed a common path into the law. She obtained a degree in environmental science from one of the first programs of its kind in the U.S. and started work at an international energy company. She obtained her J.D. degree after attending night school while working full time. She eagerly entered the legal profession intending to be a litigator. Her first assignment with her new firm was to draft responses to interrogatories on a novel theory of law being pursued on behalf of the plaintiff in a tort claim. She spent hours doing research and drafting. She had pride in the finished document she had produced for her partner.

She waited for feedback for days but heard nothing. Here is Lori's account of what happened next.

I approached [the partner] and asked him about the interrogatories. He responded with a sneer. He dismissively stated, "It's only an interrogatory." I was devastated. The emotions rolled over me, flooding me with self-doubt about my own value as a lawyer. It made me question all of the sacrifices I made to graduate from law school and pass the bar. All he had to do was to say that it was good work or that it met the needs of the client. I just wanted to be acknowledged and appreciated. I was hurt. The incident is seared into my memory.

Unfortunately, because I was young and lacked self-confidence as a lawyer, this left me with a jaundiced view of the law and lawyer-

ing. This incident sometimes comes back to haunt me or disrupt my work by affecting my motivation. When you are new at something, you always have some level of uncertainty and anxiety. You want to succeed. You want to please your supervisors and clients. [The partner's] approach created doubt rather than affirmation. I interpreted it as a challenge to my competency and ability to be a lawyer — that my work was not valuable in the scheme of things.

Lawyers at all levels of experience need affirmation in the quality and purpose of their work. This is human. This is normal. The profession, especially Big Law, often creates unreasonably high standards and expectations. We are expected to excel as lawyers no matter what the task. We are taught that there is no job too big or too small for our talents.

We all are subject to anxiety and self-doubt when faced with novel situations or complex tasks. Even when we are performing well and obtaining positive reinforcement, there may times when we feel we are in over our heads. And, at times, there are some jobs that are bigger than our current skill set or expertise.

Impostor Syndrome

Studies have revealed that the vast majority of the population, but especially professionals and executives, experience incidents of what is generally called impostor syndrome. Accomplished people, including Justice Sonya Sotomayor; actors Tom Hanks and Michelle Pfeiffer; writer, producer and composer Chuck Lorre; and authors Neil Gaiman and Maya Angelou, among others, have reported episodes of impostor syndrome. Researchers have found that many students and those starting new jobs deal with impostor syndrome.

Impostor syndrome is an internal thought process where people think that their success is not due to their own intelligence, talent or skills, but rather from other factors, including personal connections or luck. "Impostors" believe that they have fooled everyone about their abilities. They perceive their achievements as undeserved. Impostor syndrome affects both men and women

equally. It is not a mental disorder; however, it can contribute to anxiety, depression, indecision or other negative mental states or actions. Lack of self-confidence may affect performance.

I look back at my own career, starting in 1977 in a corporate law department as the only other lawyer besides the general counsel. There was no process or structure in our tiny law department, no reports or tracking of work. Assignments came from my boss, who was very hands off, or from other executives directly to me. I would inform my boss that labor relations or accounting asked me to look into something, and he would nod, smile and wave me from the office. I was mostly left alone, often terrified about how to do something and whether I would be exposed as a know-nothing. I latched onto the human resources and labor relations managers who were thrilled to have me work with them. I handled National Labor Relations Board hearings and arbitrations and sat at the table in labor negotiations, mostly as an observer. I travelled around the country to manufacturing plants with labor relations, working with unions. My confidence grew as nothing really bad happened on any of my projects.

Looking back, there was one matter that seemed to dispel what I now know to call imposter syndrome. There was a long strike at our local plant and the picket line was blocking access to product that had to be shipped to meet a customer deadline for essential steel on a large construction project. The railroad refused to cross the picket line to go in and move the steel out. I was asked if I could solve the problem. I had no idea how to proceed, although I thought the law required the railroad to meet its contractual obligation. I walked up to the law library to try to research options, using books and articles, of all things. I was hopelessly lost on the law and options. I went back at lunchtime and informed the labor relations vice president



that I was not sure what to do and that I would continue looking into it. I suggested hiring outside counsel. This was nixed immediately due to cost considerations and the delay to get them up to speed and moving. Our vice president asked me to call the railroad manager. I had no choice. An impending sense of doom came over me. I went into my office and called — with no script or plan for how to get the train across the tracks.

I informed the manager that I was a young lawyer, less than two years from law school, tasked with convincing the railroad to meet its obligations or face legal action. I said we both knew that what they were doing was unlawful and that, ultimately, after much legal fuss, they would have to do it. I said I fully understood how uncomfortable it would be for the railroad personnel, all union members, to cross the picket line, but perhaps they could use

managerial personnel, just like we were going to do, to load the steel. I explained that if we could not resolve the matter very soon, I would have to turn it over to outside counsel, who would be aggressive about filing actions and complaints, including probably filing suit for damages. I asked the manager if he would look into it and see if there was anything he could make happen to save us all much hassle. (We commonly used words like “hassle” back then.) I told my VP that I had talked to him and then went back to the library to do more research.

After an hour, I was so legally lost and frustrated that, when I went out for a very long walk and an ice cream cone, I wondered if the lawyer’s life was for me — it seemed so hard at that moment. When I returned to the law library, the librarian said that my boss had called and had asked them to look for me in the stacks since



there was an emergency. So now not only was I feeling incompetent, but I was missing in action! I decided not to call and slowly walked back to the office to be exposed as a fraud and to “face the music.”

When I shuffled into the office, everyone was all smiles. My boss congratulated me. The train was already inside and the steel would be shipped. The union had not only agreed not to block the train on the way out, but was sending in their top national negotiator to return to the table to make a contract and end the strike. The chairman of the board, a very scary old man I avoided whenever possible, wanted me to come to his office to thank

me for being an excellent lawyer. The VP said that shortly after I left, the railroad had called the plant manager to ask if they could send the train in immediately. They called me to sit in the conference room with senior executives as they received a live report on the train’s progress from the plant manager.

By making that one call, I had broken the logjam, and the ripple effect looked like it was going to end the whole strike, which indeed happened within a few days. I felt I had arrived, although I was absent from the drama of the journey. The lawyer’s life for me! (Sung to the tune from “Pirates of the Caribbean.”)

Becoming Imposing

In July 1979, I started my own storefront solo law practice a few blocks from my boyhood home. Although there were run-ins with impostor syndrome over the years, I created strategies to provide effective representation to my neighbors despite my limited experience. My autonomy was both a blessing and a curse. I bought the Purdon’s statutes and the Bongiovanni books filled with forms and practical answers. I asked for help from my colleagues. I wanted to master the law and its practice.

I learned recently that social scientists call this intrinsic motivation. This is opposed to extrinsic motivation, which involves external rewards, systems and incentives/disincentives. True long-term success generally requires a high degree of intrinsic motivation. A 2013 study by Queena Hoang concluded that intrinsic motivation can combat imposter syndrome. The recommendations include revising current beliefs and thinking. The following mental hacks are examples:

- I won’t give up and I have too much pride to walk away.
- If I can do this, I will be able to help others in the future and work with people as motivated as I am.
- I know I can do this.
- I will learn how to accept and believe compliments.

The literature on imposter syndrome, work by Randall Kiser and my own experience developing and teaching courses on soft skills, peak performance and lawyer contentment offer a number of ways that may work for you.

Perpetual Mentoring

- Seek out and be available to mentor.
- Ongoing mentoring programs minimize self-doubt and provide resources that lawyers are not embarrassed or reluctant to use.
- Mentoring is not a one-way street; mentors themselves gain valuable insight into critical thinking and problem-solving.
- Mentoring builds strong relationships and connections among colleagues and helps to bridge any generation gap.

Authenticity

- Be honest about your concerns and limitations at the start of the assignment. Being candid with clients about your limited experience or subject-matter knowledge will be appreciated and will build a stronger attorney-client relationship.
- Discuss and, when necessary, document exactly what is expected of you by the supervisor or client, including scope of the work, time constraints and projected fees.
- Develop realistic expectations about yourself, including the possibility of transient ignorance, setbacks and failures.

Meeting Goals and Objectives

- Focus on the practicable and not on an unobtainable ideal.
- Push back immediately on unlikely outcomes by deflating unrealistic expectations.
- Break bigger jobs into smaller tasks and pieces and then complete them one at a time without focusing on or fearing later challenges or tasks.
- Seek frequent feedback when faced with a big job.

Suboptimal Outcomes

- Allow yourself the freedom to make mistakes and, if you need a justification for this freedom, treat mistakes as educational opportunities or as experiments or strategies that did not work.
- Regret is corrosive; do not wallow in it. Let go and move on.
- Litigation always produces at least one loser. Remember that it is the business we have chosen.
- Ask yourself, in hindsight, were your decisions reasonable with the knowledge and uncertainty you had at that time?
- Ask yourself if you had done something else, is it possible that the outcome or consequences could have been worse?

TAKEAWAYS

- Most lawyers experience impostor syndrome.
- Do not feel guilt, shame or helplessness.
- Seeking advice and having mentors is for all levels of lawyer experience.
- Authenticity and candor work.
- Journaling or documenting success combats impostor syndrome.

Positive Everyday Steps

- Confront negativity and incivility with civility and constructive responses.
- Understand confirmation bias is hard-wired in our brains and inclines us to accept what we already believe or fear. Challenge the stimuli that feed impostor syndrome.
- Accept praise at face value, understanding all of the reasons that the source is credible and the praise is accurate.
- Document your accomplishments in your own private way; read them if and when “the imposter” appears.
- Join affinity groups to enhance skills, network and build your identity.
- Reach out to friends and colleagues for support and affirmation.
- Grow beyond CLE requirements by engaging in perpetual learning.
- Use reliable information from the internet as a resource and a check on what you know and do not know. ☞

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Pittsburgh attorney Robert A. Creo has practiced as an in-house corporate lawyer and a solo and small firm general practitioner before focusing on being a neutral. He has mediated and arbitrated thousands of cases, including as a salary arbitrator for Major League Baseball, a grievance arbitrator for the National Football League and a hearing officer for the U.S. Senate Select Committee on Ethics Office of Fair Employment Practices. Since 1996, he has been on the mediator roster of the Court of Arbitration for Sports in Lausanne, Switzerland, which provides ADR services for international sports, including the Olympics. Since 1991, he has served as adjunct professor at Duquesne University School of Law and the University of Pittsburgh School of Law. He is the 2018 recipient of the PBA ADR Committee Sir Francis Bacon Alternative Dispute Resolution

Award. He is annually included in *Best Lawyers in America* and named as a Superlawyer. He has a passion for storytelling and is a frequent presenter at The Moth in Pittsburgh, Twin Cities and elsewhere. He is the principal of Happy! Effective Lawyer LLC (www.happy.lawyer) and author of *The Effective Lawyer* blog (<https://happyeffectivelawyer.org/>). His website is www.robertcreo.com.

Sources and Additional Reading

Robert A. Creo, “The Effective Lawyer: Professional Development Core Competencies: Perpetual Learning,” *The Pennsylvania Lawyer* (November/December 2018).

Queena Hoang, “The Impostor Phenomenon: Overcoming Internalized Barriers and Recognizing Achievements,” 34 *The Vermont Connection*, Article 6, (January 2013).

Randall Kiser, *Soft Skills for the Effective Lawyer*, Cambridge University Press (2017).

Jaruwan Sakulku & James Alexander, “The Impostor Phenomenon,” 6 *International Journal of Behavioral Sciences*, No. 1, 74 (2011).

Neha Sampat, “A call to deal with impostor syndrome, a hidden source of attorney distress,” ABA Journal Online, Your Voice, posted Nov. 20, 2018, 12:45 p.m. CST (http://www.abajournal.com/voice/article/a_call_to_deal_with_imposter_syndrome).

Sonja Sotomayor, *My Beloved World* (Alfred A. Knopf, 2013).

Jasmine Vergauwe et al., “Fear of Being Exposed: The Trait-Relatedness of the Impostor Phenomenon and its Relevance in the Work Context,” 30 *Journal of Business Psychology*, No. 3, 568 (2015).