James Gilson, '89, is the current president of the Utah State Bar. In the interview below, he describes the bar’s current activities, reflects on how legal education has changed in the past 25 years, and offers practical advice to young attorneys, including the importance of putting the client’s best interests first.

What inspired you to run for office?

Time will tell if it was an inspired or a bad idea, but so far so good! Throughout my career I have enjoyed being involved in pro bono and other volunteer community work to help me keep grounded in my practice–to keep perspective on what’s really important. I’ve found that interacting with other lawyers on Bar or other community matters on a win/win, non-adversarial basis provides satisfaction and hopefully we’ve done some good. Bar service is a good anecdote to becoming cynical. Back in 2008, there were two openings on the Bar Commission and I decided to run for one of the seats. After being on the Commission for five years, and realizing I was one of the more senior members, I decided it was my turn to step up to the plate as President. No one opposed me in that election. I like to think that I won by acclamation, but it probably was more by default.

What is the Bar doing well? What could it do better?

The Utah State Bar does a lot of things very well. In fact, some of our programs have served as models for other state Bars. The Bar’s New Lawyer Training Program, which matches experienced attorneys to serve as mentors to first year attorneys, has been very successful and beneficial to the participants, the profession, and the public.

The Bar’s Pro Bono and Modest Means Client Referral programs are also fairly recent initiatives that have helped hundreds of people get the benefit of a lawyer to navigate through the justice system. Those two access-to-justice programs need to be expanded and taken to the next level to reach even more people who need legal services.

I believe the Bar’s continuing legal education programs are usually very well done and are reasonably priced. We need to do a better job in getting more lawyers to take advantage of these offerings. A lot of time and effort goes into the Spring and Summer Conventions, and the Fall Forum, and most of the lawyers who attend give those conventions high marks. I hope even more lawyers will take advantage of those opportunities—to not only get good CLE, but to network with colleagues and judges.
How has the law practice changed since you graduated in 1989?

Al Gore hadn’t invented the Internet yet when I started practicing law. I communicated by letters, faxes, and phone calls in the early 90s. Today, of course, most communications are through e-mails and, to a lesser extent, phone calls. Rarely do I send a letter. It’s been years since I’ve sent a fax. Technology has made a huge difference in the day-to-day work we do. Court filings are by e-mail instead of paper filings. Instead of looking through boxes and boxes of paper files in discovery, files are produced and reviewed electronically. Clients have come to expect almost instant responses, in writing, to their questions. Technology enables us to accomplish a lot more work in less time, but I think the stress level has increased commensurately. Also, I believe that clients have come to expect lawyers to deliver their services, not only faster, but less expensively. Due to the Internet, clients have many other sources for information about “the law” without contacting a lawyer. Some clients think that they can, in effect, practice law themselves due to the amount of information and legal forms that are available on-line, often for free or at very low cost. The challenge for lawyers today is to demonstrate that we do add real value to solving clients’ problems and helping with their significant transactions. Before the Internet, clients trusted and relied upon lawyers more because they had fewer alternatives. Having the benefit of a lawyer’s customized advice is still the best course of action when faced with a complicated legal issue. Nowadays lawyers need to continually prove to clients that we are worth the added cost.

What would you like to communicate to today’s law students?

The world is more complex than ever. There will always be a need for lawyers. There will always be work available for those who are diligent and who put the client’s interest first, as a professional should. I think that today’s law students should have more modest expectations about what they can expect to earn in their career, which is particularly unfortunate given the much higher cost of going to law school. I also encourage law students and young lawyers to develop a niche or specialty. If you have an expertise it is easier to develop a practice.

What kinds of services does the bar provide to students and recent graduates that they might not be aware of?

Law students can sit in on any Bar convention or CLE offerings for free. They are also included in many Inns of Court at no cost, and we try to involve students in Bar programs when possible. For example we recently offered to include law students in our Constitution Day Teach-in for elementary-through-high schools. Lawyers during their first year of practice are paired up with a mentor attorney through the Bar’s mandatory New Lawyer Training Program. New lawyers in their first 5 years of practice, or until the age of 36, are automatic members of the Bar’s Young Lawyers Division. YLD provides many service and networking opportunities that all young lawyers should definitely take advantage. YLD coordinates the Bar’s Tuesday Night Bar and Wills for Heroes programs. YLD is a great way to get to know what the Bar has to offer.

What was the most important thing you learned in law school respecting the practice of law?

I think the academic rigor of law school helped me to develop the mental toughness necessary to practice law. Learning how to sort through a bunch of facts and determine what is relevant was something that I began to learn in law school. Law school also helped me to understand that there are at least two sides to most issues, and that the law is usually only clear before it has been applied to a particular set of facts.

Based on your experience, what are the most important attributes that a young lawyer can develop to ensure he or she will be successful?
