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No matter the career, 'it's in the try'

My 16-year-old son started "clerking" for our firm this summer. A fractured back prematurely ended his football career.

I use quotes around the phrase clerking, as he does not yet have a skill set that transfers over to a law firm. In other words, there was a good chance my wife would kill him if I did not get him out of the house this summer.

Candidly, I am hoping this summer teaches Jack how to adhere to a train schedule, how to master the art of jaywalking and how to avoid the misfortune of being robbed — all much-needed skills to survive in our urban jungle.

I do not know what he wants to do as a career. He's too young to know. Yet, I am hoping our conversation on the first day of work sunk into his "Fortnight"-filled skull.

I tried to explain that success in any chosen career is not something owned. It is something rented, and rent is due daily. A person needs to improve on their craft each and every day.

Trying to explain this concept to a teenage boy most likely fell on deaf ears. To try and further my point, I showed him a clip from the TV series "Friday Night Lights." Surely, using football as a guide would help.

There, the coach had a conversation with a player regarding effort. He told this student-athlete, "I didn't say you needed to be better than everyone else. But you gotta try. That's what character is: It's in the try."

Wow — "It's in the try." How true is that comment?

I lost my first four or five trials. When my mentor, Bob Clifford, reminded me that the goal of a plaintiff's attorney was numbers and not letters. It stung. I questioned my abilities as a trial lawyer. Clifford sent me to talk with Jack Hayes.

Jack Hayes was a legendary trial lawyer and partners with Joe Power. At the time, I was not sure why Bob sent me to Mr. Hayes. It turns out, Hayes had lost several trials to start out his illustrious career. He is the epitome of the adage, "it is not where you start but where

BALANCING LIFE AND THE LAW



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you finish." When his career wrapped up, he was one of the greatest trial lawyers in the history of Chicago.

Mr. Hayes closed our meeting with a memorable story. He asked me if I liked baseball. I told him I did. He told me Babe Ruth had 1,330 strikeouts. He looked across his desk at me after the Babe Ruth comment, smiled and said, "keep on swinging."

I do not like to lose, but I am not afraid to lose. There is a big difference between the two. I have learned this trait from the

Bob Cliffords, Terry Lavins and Pat Salvis of the world.

As trial lawyers, we need to keep swinging. Being a trial lawyer is tough. Our highs are high, and our lows are low. After a loss, I will walk back to the office and am always dejected. A sense that the jury rejected me — not my client. Pathetic? Possibly, but truly honest.

I am proud to be a trial lawyer. Most, not all, of my fellow trial lawyers are amazing human beings. I do not like the needless and frivolous objections to discovery, nor do I like the attorney that hides behind countless objections in discovery and evidence depositions. You know who you are.

On the other hand, the great ones really do enjoy the competition. It truly is "in the try."

That's one of the things I love most about our profession — the try.

Jack, here's to hoping you do not miss a train, you do not get hit by a car and you do not get robbed this summer.

Most important, try and be a little bit better every day. After all, it's in the try.