

ABOUT THE AUTHOR



Here's a synopsis of my life in the law, and beyond. After graduating from Oberlin College in 1970, I attended Cornell Law School, where I was on the moot court team. Upon graduation from Cornell in 1973, I began my forty-year career as a commercial trial lawyer at Cohen and Wolf, P.C., in Connecticut. I knew this was the firm for me when, at my interview, the senior partner, Herb Cohen, expressed a more keen interest in my experience as a French horn player than anything else. (I had graduated from the Eastman School of Music Preparatory Department, and continued my horn studies at Oberlin.) I later learned that, without fail, Herb and his cronies played string quartets each week—Herb on his Stradivarius.

That interview was eye-opening, making me aware that to be a successful trial lawyer required cultivating interests beyond the law. Under Herb's tutelage, and that of other trial lawyers at the firm, I developed my professional skills, and learned essential fundamentals such as these: You get what you give. Opposing counsel is not your enemy but your adversary, each doing your best to represent clients zealously and ethically. I also learned from successes and failures, including my disastrous first court appearance.

I supplemented my law school education by completing the Advanced Course in Trial Advocacy at Stanford Law School, and the Teacher Training Program at Harvard Law School, both under the auspices of the National Institute for Trial Advocacy (NITA).

As I gained experience negotiating, mediating, arbitrating, and litigating commercial cases in state and federal trial and appellate courts,

I became a principal of the firm, took on management positions on the firm's marketing and executive committees, and chaired the litigation group, which more than quadrupled by the time I retired in 2015.

In 1995, I began my twenty years teaching clinical courses at Yale Law School, an experience that was initially intimidating. The students were all off-the-charts brilliant, their learning curve nearly vertical. But I had the professional experience they hadn't, so there was much I could teach them. I used the NITA method of learning by doing. Seeing students' progress each semester was very gratifying, as was their feedback, including a student's comment about the civil litigation course I co-taught, which covered from the first client meeting to a jury trial. She described it as "the best, most informative class to take at the Yale Law School."

I taught in other venues as well, as a faculty member in various programs presented by NITA, ALI-ABA (now ALI-CLE), and at state and local bar seminars. I served as a Settlement Special Master in federal court, and as Counsel to the Federal Grievance Committee in Connecticut, and published numerous articles for trial lawyers in several publications, including *Litigation*, *Trial*, and *The Practical Litigator*.

Remembering the lesson from Herb Cohen at my firm interview, I kept up my French horn playing, as a founding member of a woodwind quintet, Prevailing Winds, and as a member of Cumulus, a woodwind dectet. In retirement, I joined the Stockbridge Sinfonia. I have been tooting my horn for more than six decades now, and recently took up the flugelhorn to play the Great American Songbook.

As I mentored litigation associates at the firm, and taught students at YLS, I realized that I could write a book summarizing what I had taught, on subjects more all-inclusive than any one book for trial lawyers. That realization was the impetus for the first edition of *How to Succeed as a Trial Lawyer*, which the ABA published in 2013.

Since retiring in the Berkshires of western Massachusetts, I have been active in the local community, serving on several nonprofit boards, including as president of the board of the Stockbridge Library Association. In retirement, I have plenty of time to read, cycle, hike, play tennis and squash, and cross-country ski. I also teach weekly squash clinics, last year taught an adult-education course on etymology (based in part on my first book, *Dubious Doublets*, published by John Wiley & Sons, Inc., in 2003), and continue to serve on the Neutral Panel of the American Arbitration Association.

In the kitchen, I'm honing my skills as the sous chef, assisting my talented wife, Lynn, who conjures up scrumptious meals, mostly from vegetables we grow in our garden and we buy at local farmers' markets. I make the granola, based on a less high-octane version than the one I learned to make in my Oberlin days.

Most significantly for you, the reader, since retiring I have had the time to write the second edition of my book, which incorporates what I have gleaned from books I read over the past few years of benefit to trial lawyers, and adds advice about negotiation strategies, the art of persuasion, the effective implementation of the most recent amendments to the Federal Rules of Civil Procedure, fifty essentials for success, and an updated reading list.

The most important lesson I have learned about succeeding as a trial lawyer is the importance of achieving a dynamic equilibrium between professional life and everything else life has to offer. That's why Chapter 7(D) may provide the most important guidance in this book—the ability to cope with stress being the *sine qua non* for everything we do as trial lawyers. I would write more about my life (I have much to add about my amazing grandchildren), but I must go practice my horn.

I welcome your comments. My e-mail address is stewedelstein@gmail.com.