Knowing Your Limits: A Lesson from the Track (and the Law Office)

Not every race is meant for every runner. And truth be told, that's a lesson most lawyers need to learn as well, because there's a difference between diligence and overextension. Our rules of professional conduct spell that out very clearly.

BY MATTHEW M. BEIER

My son, Leo, is a freshman in high school and recently joined the track team at his small school outside Madison. He's always been quick on his feet, so sprinting seemed like a natural fit. One night he asked me which races he should try. I gave him the same advice my coach once gave me: "Run all the sprints – the 100, 200, and 400 – but keep your eye out for the 400-pound gorilla waiting for you on the 400."

He stared at me with that uniquely teenage mixture of confusion and disbelief. "Bro – what?"

I explained that every sprinter who has ever attempted the 400 knows about the imaginary gorilla. He lives about 250 meters into the race, and when he hops on your back, your legs turn to concrete and your lungs revolt. That's when the 400 stops feeling like a sprint and starts feeling like a moral test.

Undeterred, Leo signed up for the 400 in his first meet. Sure enough, as he rounded the final curve, he looked like someone had chained cement blocks to his ankles. Afterwards, still catching his breath, he said with the honesty only a 14-year-old can muster, "I think the 400 is beyond my limits, Dad."

That's okay. Not every race is meant for every runner.

And truth be told, that's a lesson most lawyers need to learn as well.

The Track Isn't the Only Place with a Grueling Middle Stretch

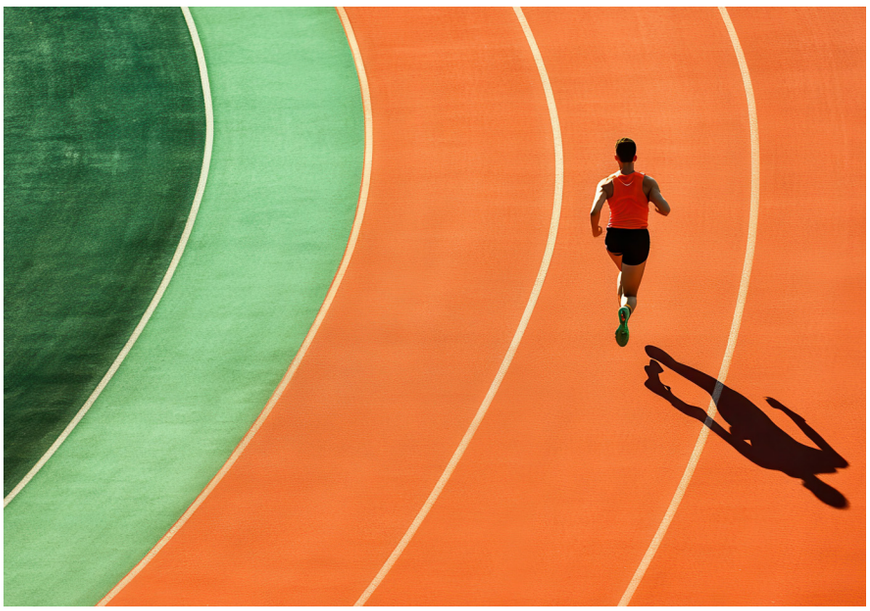
Lawyers have grit. We pride ourselves on pushing through, figuring things out, doing difficult work under difficult circumstances. But there's a difference between diligence and overextension, and our rules of professional conduct – specifically our duty of diligence – spell that out very clearly.

The rule is straightforward: A lawyer must act with reasonable diligence and promptness in representing a client.[1] But the commentary goes further. Our workload must be controlled so each matter can be handled competently.[2] That means we not only need to know our limits, we need to respect them.

The commentary reminds us that once we take on a matter, we're expected to see it through unless the representation is properly terminated. It also reminds us that clients often assume we're still handling things long after we consider the relationship to be over. If you've ever had a client say, "I thought you were taking care of that," you know exactly how quickly assumptions become obligations.[3]

Matthew M. Beier, U.W. 2000, is senior vice president at Wisconsin Lawyers Mutual Insurance Co., Madison. Access the digital article at www.wisbar.org/wl.

matt.beier@wilmic.com



Don't Run Races You Aren't Trained For

Another way lawyers get into trouble is dabbling. A lull hits your estate planning practice, you have a slow month, and suddenly the real estate client you haven't heard from in years calls asking if you can help with a complex zoning issue. Or a friend of a friend wants you to handle a time-sensitive personal injury matter "just this once." You want to help. You want to keep the revenue coming. You tell yourself, "How hard can it be?" But as many malpractice carriers will tell you, this is precisely when problems start.

Taking on cases outside your wheelhouse doesn't just increase stress – it increases risk. SCR 20:1.1 reminds us that competence isn't about knowing everything but about having the legal knowledge, skill, preparation, and thoroughness necessary to handle a client's matter responsibly – and knowing when a matter falls outside those boundaries. The rule of thumb is simple: If the matter requires you to sprint at a pace you aren't trained for, you're going to feel the gorilla on your back sooner rather than later.

Recognizing this makes saying "no" easier. When someone calls with an impossible deadline or a matter you know you can't responsibly wedge into your schedule, trust your instincts and decline. Offer referral names. Help the person find someone who can meet their needs. But try to be honest with yourself about what you've already committed to and what you can realistically deliver. Sometimes the best service you can give a potential client is helping them find a different lawyer.

If You Can't Say No, Then Delegate

Not everyone is wired to turn work away – especially lawyers who built their practices from the ground up. There's an instinct to say yes to everything, often out of fear that the next case might be the last case. So if you can't say no, learn to delegate.

Some of the most successful attorneys I know don't do it all themselves – they act more like coaches. They manage a team of associates, staff, vendors, and specialists who work together toward a common goal. Delegation is not a sign of weakness; it's a sign of professionalism. It's recognizing that it is not always your job to be the best player on the field; when you can't be, you must ensure that your team does the work well.

It's wise to rely heavily on your staff. Give your legal assistants and paralegals appropriate access to your email and calendar. When you're out of the office, they can review incoming messages and coordinate with another attorney if something needs immediate attention. They know the rules and procedures. They know your cases. They're central to the way your practice functions, not just operating out of sight in the background.

Delegation only works if you invest in your systems and your people. Create a shared calendar with real-time coordination. Be sure to have backup plans for when technology fails. And effective communication keeps everyone on the same page. Having a well-trained team doesn't only make things more efficient – it allows you to take a breath.

The Non-Client Demands Add Up, Too

It's easy to forget that not everything that occupies your time comes from

clients. There are administrative responsibilities, management responsibilities, marketing efforts, firm obligations, bar obligations, family obligations – and the obligation to take care of yourself.

How you handle all those non-client pressures affects how well you handle client matters. If you're scrambling at home, that stress follows you to the office. If you're behind on firm administration, it shadows your client meetings. A disorganized life creates a disorganized practice.

Try to follow the "one-touch rule" with non-client tasks: when something comes across your desk – an email about a committee meeting, a registration deadline, a form to sign – do it right away, on the first touch if possible. Letting those things pile up creates a second layer of stress we don't always recognize until it's too late.

And for the record, when your spouse says it's time for a vacation, take one. They can spot your limits even when you can't.

Knowing Your Limits Isn't Weakness – It's Professionalism

Watching Leo run that 400 reminded me that we all have a point when effort alone isn't enough — when pacing, planning, and preparation determine whether we finish strong or stagger across the line.

In the law, knowing your limits isn't a defeat. It's a safeguard – for you, your clients, and your license. It's how you deliver competent, diligent representation without sacrificing your well-being. It's how you maintain a career that lasts decades instead of burning out in five years.

We all want to run a good race. But no one says you have to run all of them. **WL**

ENDNOTES

[1]SCR 20:1.3.

[2]*Id.*, Comment [2]: "A lawyer's work load must be controlled so that each matter can be handled competently."

[3]*Id.*, Comment [4]: "Unless the relationship is terminated as provided in Rule 1.16, a lawyer should carry through to conclusion all matters undertaken for a client. If a lawyer's employment is limited to a specific matter, the relationship terminates when the matter has been resolved. If a lawyer has served a client over a substantial period in a variety of matters, the client sometimes may assume that the lawyer will continue to serve on a continuing basis unless the lawyer gives notice of withdrawal. Doubt about whether a client-lawyer relationship still exists should be clarified by the lawyer, preferably in writing, so that the client will not mistakenly suppose the lawyer is looking after the client's affairs when the lawyer has ceased to do so. For example, if a lawyer has handled a judicial or administrative proceeding that produced a result adverse to the client and the lawyer and the client have not agreed that the lawyer will handle the matter on appeal, the lawyer must consult with the client about the possibility of appeal before relinquishing responsibility for the matter. See Rule 1.4(a)(2). Whether the lawyer is obligated to prosecute the appeal for the client depends on the scope of the representation the lawyer has agreed to provide to the client." **WL**