

Write Like It's Going Out of Style: How Embracing My Passion Helped My Practice

Writing for pleasure can help you show up for clients. Here are three reasons why everyone should try creative writing.

By Emily Wessel Farr

It's 7:30 a.m., with one school drop-off complete. I power up my tablet and start writing. But my morning is not for briefs, memos, or emails, but rather my "morning pages." Whether I'm working on my next screenplay, that pesky, never-complete novel, or that how-to book that I never get to, the quiet morning is for creative writing, not work.

This exercise does wonders for my mind-set and jump-starts my day. Plus, it makes me a more interesting person (or so I think). To have goals outside of work is not a mere exercise in self-care. It's also self-preservation. But it also has an added, surprising benefit: It's great practice for my practice.

As litigators, many of us read and write all day long. I have met many litigators who admit that they haven't read a book in years because they read for a living. I too am not the best at "leisure reading," often catching myself thinking that I should be reading an article on employment law or the docket before the Supreme Court instead of getting lost in turn-of-the-century Paris.

Writing, for me, has always been different. Like riding a bike in the city, you have to be present while writing. The exercise requires focus. You likely won't drift off while writing as you might with a hardback at the end of a hard day. With writing, you are not consuming; you are creating. While writing is just one way to create, it is one very familiar to the typical litigator. For this reason, it is approachable, possible, and achievable as a hobby. If you haven't tried it, I encourage you to pick up a pen or a laptop.

Here are three reasons why everyone should try creative writing:

1. Creative Writing Will Make You Calmer

Have you ever felt like you were walking in a minefield? Yes, I've cite-checked, too. Litigators are necessarily worried over the details. We want perfection, and our clients expect us to get close. But creative writing is not about being flawless or even correct. It is about truth and vulnerability. Once you start writing with those goals, your writing will take on a new dimension. While it might not transfer to your brief, it will show up in your practice. Like every litigator, I have heard "I wish we were meeting under better circumstances" more than a few times in my career. Let the calm, forgiving nature of creative writing wash upon your clients! Am I being too dramatic? Sue me.

2. Creative Writing Will Increase Your Empathy

Empathetic people are good for business. After all, clients want to feel that their attorney cares about them. Empathetic people also come across well to judges, opposing counsel, and colleagues. Regardless of what that one sad, angry attorney told you back in your clerkship years, it's not a great look to be a bulldog when your clients should be settling their case. We all know those attorneys, and we never refer business to them.

Creative writing will make you more empathetic. Perhaps you are exploring a character who is nothing like you. She's not particularly intelligent and suffers a humiliating rejection in the most romantic of places. You have this idea—a shell of a person—but you need to explore her experiences, perspective, and motivations. By going through this exercise with each character, you pull from your circle of friends, family, and even acquaintances. You imagine how *that* person would react to *that* conflict. How often do you do this in real life? Not a lot. Even before social distancing, human beings weren't wired to walk around in strangers' shoes. By living with your characters, you get your steps in.

3. Creative Writing Will Make You Happy

Writing can feel selfish. I could spend those ten minutes that I put toward my morning pages in ways that directly affect others. I could chat with my husband, order Christmas presents, catch up on emails, call an old friend, or do dishes (anyone notice all the dishes these days?). But writing makes me happy. It's also comforting. As your characters develop, you look forward to seeing them again.

Lawyers aren't known for being happy. Perhaps it's the nature of the job, or maybe it's just the invention of the cell phone, but we are a salty bunch. You can't discount the psychological impact of nerves, either. People call us when they are nervous, and we ingest their nerves and process them as if they were our own. While that visual is less-than-appealing, here's one that is:

She was sitting on a beach, quietly sipping her margarita. The sun beat down on her itchy straw hat, which was less for protection than it was for show. A chunk of salt fell to the sand. Camouflaged, hidden. I wish, she thought. Just then, a shadow appeared to her left. The lump—the manifestation of her humiliation—appeared. She choked on lime juice. But it was not him. The old woman smiled. "I have something to tell you. You are just like me, and you will be just fine."

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