Our lawyers have had the privilege of collaborating with some of the globe’s most iconic brands, brightest minds and artists in recording a long list of great hits. We have an unmatched track record in advancing intellectual property rights across Africa and the world.

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INTRODUCTION

There are a few events that will stick in people’s minds for a lifetime. Graduation is one of them. By association, events occurring around that time are likely to remain vivid too and, for some those events will shape much of their lives. The Class of 2010, of course along with many other people, has been impacted by major events at key milestones.

Although what has been dubbed The Great Recession started in 2008/2009, the global financial crisis really hit South Africa in 2010. That, together with the Zuma years, negatively impacted the South African economy; the country has never recovered.

The conscious or perhaps sub-conscious impact of that can be seen from the responses to the question I posed on what advice the 2010 top students would pass on to the top students of 2019: don’t be afraid to take risks, get out of a job that is not doing you any good, take a break and, an aspect that speaks volumes about the decade – act ethically.

In the past 10 years female leaders have taken a determined stand to be given opportunities previously denied. Some female lawyers have endured the ‘casting couch’, others have been given a variety of labels for taking a stance, and there are those who have forged ahead, undeterred by obstacles put in their way. Many firms have an equally strong male voice in support of equal rights for all and they, in no small measure, have contributed to changing attitudes.

Now, as The Class of 2010 becomes the voice of senior lawyers and business people, there will be a need to act prudently and ethically but, at the same time, to take leaps of ‘faith’ in order to ride out the storms that will follow COVID-19. There will be a need for empathy and sympathy and understanding of the fears and uncertainty felt by everyone. This event will surely re-shape lives and thinking yet again.

I wrote in the 2011 feature about the importance of making yourself known (It’s really about who knows you) and the fact that great marks on graduating are but one of the attributes required to be successful. In these intervening years, brand marketing has become an essential part of doing business. As all in The Class of 2010 are aware, being a recognised and respected name does much for the bottom line; this will be increasingly important in the years ahead.

without prejudice has provided a platform for people to make themselves front-of-mind and to build their practices. Writing articles that provide food-for-thought, analysis on a variety of matters, and guidance for corporates has not been overlooked by some of SA’s top level, brand conscious lawyers – to their benefit as well as readers of the magazine.

without prejudice wishes The Class of 2010 ongoing success; you’ve made it travelling a bumpy road and I am sure you have the resilience to continue to do so.

Myrle Vanderstraaten

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To write anything – a letter, an email, a tweet, a thank you note – is to reveal a little bit of our story. The messages we share in writing, in conversation, in meetings and on our business calls are the breadcrumbs that can lead others to a place where they can glimpse our soul. One message alone may say very little, but over time the messages we leave in the consciousness of others shape the way we will be remembered. Like photographs of our thoughts.

We cannot slow the pace of the world around us, and we cannot hide from the whirligig of time for long; sooner or later we must grab the coconut mat and ride the helter-skelter again. But that doesn’t mean we cannot sometimes slow our minds and take a little more time to curate – with a little more care – the photographs of our thoughts that we want to share with family, friends and colleagues.

We cannot exclude strategic planning, or banish objectives, or ignore ambition (and neither should we) but we should also focus on moments that happen now. It seems to me that the only true moment of existence, which isn’t past and gone, or future and uncertain, is the one moment we give ourselves the least opportunity to be present in.

We need to practise this, not just regret it.

Are our career prospects harmed if we take a moment to thank someone, to offer help to someone, or to ask for help for ourselves? Are we a less competent colleague for enjoying a lunchtime walk on a crisp winter’s day instead of clearing another ten pointless emails? Are we less engaged in our work if we take time to truly listen to what is being said around us, rather than preparing our own clever lines to broadcast, again?

My generation of leaders and managers has left its mark on the workplace – efficiency drives, more-for-less, transformational change programmes, balanced scorecards, Six Sigma, bell curves, high-performance cultures and all the rest. All of it admirable in its way, most of it well intended but, if the tools are in the hands of tools, we all lose.

I do not want to be disparaging; we live in extraordinarily creative times in so many ways, but I believe with all my heart that we cannot outsource our humanity to a process, or an acronym or (another) corporate initiative.

We must be gripped by the importance of the moment and realise our power to be influential. If we take a little time to reflect on how we can make a difference to every interaction, every relationship, every project, or meeting or call, there will be opportunity to influence, to encourage, to notice, to share, to care and to be kind.

We can sometimes become obsessed with the idea of our “career path”, but this deflates me a little, too. A career path is the existential highway to our retirement; it is not of itself fulfilling, joyful or important. Critically, it isn’t a path at all, but a mirage of something bigger, cleverer, or more important than what we have today. The only time we can observe the path is when we look back and we can see the moments, now past, when decisions were taken.

Instead, I believe we need to find the moments of time we live in right now, because it is in these moments that we give oxygen for our talent to breathe. Our potential is not realised in the future, but in what we do today. This is not to be complacent or unthinking – it is the very opposite. I believe we must pour our heart and soul into the moments we can be influential and then trust that our talent will take our hand and lead us on our best journey.

If that all sounds a bit too hippy-shit for our overdeveloped sense of competitive, over-achieving, out-performing, expectation-exceeding mind-sets, I stress again that I want our brilliance to shine. I am now more certain than ever that we shine brighter when we influence more, share more, feel more and contribute more.

Our stories will always have the occasional unexpected crisis, as well as (I hope) those times that will overwhelm us with joy; however, we are not defined by our job-title, or the brand name that employs us for now, or the expectations of our management team. Over the span of our working lives, there will be tens of thousands of different elements that make the mosaic of our careers but, when we take responsibility for the authorship of moments to influence, to care, to be the difference, we set ourselves free to be better, kinder and more useful.

Young or old, our stories are not yet told in all their thoughtful, generous and reflective detail. The challenge of our time is that we cannot expect the future to be ours, if we are not influential in the moments we have today.
Be more than a successful lawyer

HELEN BURT

“I’ve learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel” — Maya Angelou.

Many lawyers, perhaps as a result of their legal training and education, believe that the key ingredient for becoming a successful lawyer is to possess and demonstrate superior legal technical skills and expertise.

What this belief fails to take into account is that lawyering is a ‘people’s’ profession — one that deals with people and with their personal dilemmas. Clients do not hire lawyers simply because of their legal technical and subject-matter expertise, but also because they feel a human connection — have a rapport — with them.

Let’s be honest, most lawyers worth their salt have the necessary legal technical skills and expertise, but what ultimately makes one lawyer more successful and gives them a distinct competitive edge over their competition is their ability to connect with a client, to make them feel and believe that they understand them, and that they are their trusted confidant - not just their lawyer.

It is these ‘softer’ (a term I distinctly dislike as it implies that these skills are somehow lesser than one’s legal technical skills when, in fact, they are more fundamental and important to master and possess) skills that all successful coaches possess, and which make coaching so effective in helping people achieve success and results.

So, what can lawyers learn from the discipline of coaching that would help them to develop these key skills and attributes which would help enhance their relationships with their clients and ultimately result in them being more successful as a lawyer?

1. Be compassionate and empathetic

   To establish trust, you should not simply drum out cold hard legal facts and advice. Show compassion and empathy for your client and what they may be going through. Show genuine concern and demonstrate that you really care.

2. Be present

   Stop ‘clock-watching’ and being concerned about the length of time you may be with a client. Your client is paying for your undivided time and attention. So be completely present during a consultation and don’t think about how quickly you can ‘wrap things up’ or the other matters you need to attend to. Engage fully with, and be completely present and focused on, your client and their issue.

3. Show integrity

   Always be completely honest, open and transparent with your client — whether it is regarding fees, the options available to them, how the matter is progressing etc.

   Do not ‘sugar-coat’ things or avoid telling your client when things are not going as planned. This will only lead to distrust between you and your client and, ultimately, a lost client.

4. Listen actively

   Do not simply listen to what your client is saying, be aware of their non-verbal cues too. What is their tone of voice? How rapidly are they speaking? What is their body language telling you?

   A disconnect between the words being spoken and how your client is behaving can be a powerful tool in uncovering what is really at the heart of a problem — with the result that you are better able to provide the best and most appropriate solution.

5. Be direct in your communication

   Be clear and articulate. Tell your client exactly how things are and where they stand. Clear, direct communication creates trust and implies that you are not hiding anything from them. Use language that is appropriate for the situation and your client.

6. Don’t prescribe solutions to your client; be open to their views

   Be mindful and respectful of your client’s wishes — resist simply forcing your advice and proposed solution on them. Brainstorm possible scenarios and solutions with the client. Remember, it is the client’s agenda which you should be addressing and supporting, not your own.

   Develop and hone these skills — consider hiring a professional coach to help fast-track the process — and you, your legal practice and indeed your clients will be the beneficiaries of the successful outcomes.

   Burt is a Business and Personal Development Coach.
Top students 2010, where are they now

University of Cape Town

Sheldon Laing
I am an attorney in the Investment Fund Group of Kirkland & Ellis LLP, based in New York City. This is generally what I anticipated - five years ago I was back in SA completing my articles, with a view to return to practice in New York once done.

The career achievement that has given me greatest satisfaction is assisting clients with closing successful, oversubscribed funds on tight timelines and dealing with investors in multiple jurisdictions.

My area of practice, the private fund space, is subject to increasing regulatory scrutiny in jurisdictions around the world, which makes for a more challenging (but also more interesting) experience.

My advice for young professionals is to find people (i.e. more senior attorneys) who you can learn from and who show a willingness to teach, and do as much work as you possibly can for those people.

Francis Aldrich
I work in financial services at PPS Insurance. I fulfil a dual role: Technical Marketing Specialist & Market Segment Manager: Graduate Market. This was not what I anticipated five years ago. I’ve progressed in novel ways by getting involved in opportunities I didn’t anticipate.

The career achievement that has given me most satisfaction is heading up the development of an innovative product solution and starting my MBA.

In my area of work, the greatest change has been shifting from technical work to holistic, overarching work requiring integrated thinking. It is both beneficial and challenging!

My advice to those climbing the corporate ladder is, don’t be afraid to take a leap; pitch your ideas and question the status quo.

University of the Free State

Wiaan Hanekom
I am employed at Snpafund (Specialized Funding Solutions) as in-house counsel. Our main fields of service include business rescue, turnarounds and financing. I work in the area I anticipated and am with the same company I was five years ago, and I am excited about what the future will hold.

The aspect of work that provides me with the greatest satisfaction is seeing the business evolve and dealing with new and exciting matters every day. The law changes all the time and the changes are sometimes challenging, but it remains exciting.

My advice to those who are climbing the ladder over the next five years is that it is important to do what makes you happy.

Steven Mushet
I practise at the Maisels Group of Advocates in Sandton. Over the past few years I have litigated on various aspects from company to labour law as well as criminal law. Irrespective of the field of law, I just enjoy being in the trenches, litigating. This is definitely not what I anticipated - I have moved from litigating on administrative principles to labour law.

The career achievement from which I derived most satisfaction was assisting an individual to regain his property after the banks unlawfully foreclosed.

The delays experienced in obtaining a quick resolution of disputes, through the court, remains problematic. My advice: follow your passion - Law can be an unforgiving gauntlet, but if you enjoy it, it can be incredibly rewarding.

Tammeryn van Heerden (Bruce)
I am a Regional Court Prosecutor assigned to the Sexual Offences Unit, and I was aware of the challenges that I would face.

The greatest satisfaction for me is empowering the survivors of the heinous crimes we deal with; it is a daily achievement. Unfortunately, I would have to say that the work ethic has diminished since I joined, which is a great challenge and frustration.

My advice to professionals is to stay true to your guns. There will be many challenges that may try to bring you down but rise above them.
Pieter Willers

I am currently self-employed as a Director at Willers Attorneys in Bloemfontein. I deal mostly with Civil Litigation, Appeals and Labour matters, with dedicated staff attending to the other fields. Five years ago I would not have believed that I would be here so fast – it was a blessing.

The career achievement that has given me the most satisfaction has been opening my own firm. Debt Collection has become the most challenging area of law over the past 10 years.

My advice for young professionals is, never be afraid to try new things, and keep learning.

University of Johannesburg

Louietta du Toit

I work at a small commercial litigation practice and I teach yoga (not in the office!). This is not specifically what I anticipated but I am pleased with how the past five years have unfolded.

The career achievement that has given me the most satisfaction is acquiring professional mastery while providing clients with support and closure, every day.

The law itself does not change that rapidly. The greatest challenge (and exhilaration) of this profession has always been that, ultimately, it’s about people.

The single piece of advice I would give young professionals with five years’ post-graduate experience, who will be either climbing the ladder over the next five years or, perhaps, making a change, is that they strive for a balance between making bold personal moves and following the natural trajectory of their careers.

Sheena Groenewald

I am a Director at Biccan Bollo Mariano Inc, the same firm where I completed my articles. I specialise in Sectional Title Law, however, a small part of my practice is general litigation and conveyancing. Five years ago I may not necessarily have anticipated that this is where I would have been, but it is what I had hoped for.

Becoming a Director at a reputable law firm and being involved in cases which were successful and reportable are career achievements that have given me the most satisfaction.

The greatest change over the past 10 years has been the introduction of the Community Schemes Ombud Services in October 2016, which proved to be challenging, as it impacted my practice and how my clients’ issues were to be resolved.

My advice to those climbing the ladder is: mistakes happen, take ownership of them and learn from them.

Jané Visagie (van Reenen)

I am a tax adviser at Renmere Consulting, specialising in corporate, international and mining tax. Five years ago I anticipated being in this area of work, but I did not anticipate the shift to the boutique consultancy environment.

I gain the most satisfaction from teaching others, whether in an academic setting or on the job.

In my area of practice it is the ever changing tax laws that pose constant challenges. Definitely beneficial - it keeps me on my toes!

The single piece of advice that I would give young professionals is that climbing the ladder is important, but so is self-care. Look after yourself.

University of KwaZulu-Natal

Jeremy Capon

I am a partner in a boutique law firm in Pietermaritzburg. My practice consists of mainly corporate/commercial work with a smattering of general litigation and estate work. Would I have anticipated this five years ago? Not entirely. However, while I did not anticipate being in this position, I am satisfied to be here and am looking forward to what the future holds.

The career achievement that has given me the most satisfaction is being promoted to partner last year. It gave me immense pride and I saw it as the culmination of many years of input from various individuals.

Given that I have shifted dramatically from what I was doing since I graduated, the question of what has changed the most is slightly different for me. This shift to a greater commercial focus is something that I find both stimulating and immensely rewarding. Within the practice area, the impact of the 2008 Companies Act continues to be felt.

I would advise practitioners to find something that resonates with them and to remember that enthusiasm is often valued over knowledge.

Sarah Passmoor (Pinder)

I am currently at Werksmans Attorneys (where my journey as an attorney started), in the dispute resolution department. Five years ago I did not anticipate that I would be involved in so many interesting matters by this stage, and I am grateful for the exposure I have had.

The career achievement that has given me the most satisfaction is obtaining a judgment in our client’s favour which ultimately positively impacted South Africa as whole, due to findings made by the court.

In my area of work, the greatest change is an increasing drive to encourage the settlement of disputes more, such as the recent introduction of Rule 41A to the Uniform Rules. This is certainly, in my view, a beneficial development.

My advice to young professionals is that you can never be too prepared. You will make mistakes along the way – how you deal with mistakes will speak volumes to those around you.
Peter Smith
I am an advocate at the Johannesburg Bar. Did I anticipate this five years ago? Yes, probably. I had anticipated that I may move from the sidebar to the bar at some stage.

What has been the career achievement that has given me most satisfaction? I’m not sure. The contenders would probably be: my year spent studying abroad; my year clerking at the Constitutional Court; my retention in the Public Law team at Weber Wentzel; and my admission into the Group in which I currently practice.

In my area of practice, it is the scope of my practice, which is now broader, that has changed most. This is one of the reasons I went to the Bar, and the change is challenging and intellectually stimulating.

What advice would I give to young professionals? It’s simple advice from my Father, which is hard to apply but essential: don’t take life too seriously.

Inge Schneider
I work as legal counsel in the investment funds team at CDC Group, the UK Government’s development finance institution that invests in businesses in Africa and Asia. I did not anticipate finding a field where I could work in a corporate environment but still make a difference in the world.

The career achievement that has given me the most satisfaction is having graduated from University of Cambridge with a LLM International Law and becoming qualified as an English solicitor. In my area of speciality, the advancement of technology has made it easier for lawyers to be flexible, work remotely and to strike a better work-life balance.

My advice to others: Don’t be afraid to take risks, leave a toxic job or to consider options outside of the traditional law firm structure. There are so many new and exciting opportunities out there for young lawyers.

Nelson Mandela University

Catherine Grobler
I am an Attorney, Notary Public and Conveyancer attending to anything and everything legal (excluding criminal law) with Pieter Skin Attorneys in Bloemfontein.

Five years ago my husband was transferred to Bloemfontein – commuting became impossible with a toddler and no direct flights. I took a career knock for the move but family is more important and I am rebuilding my career.

Remaining in private practice and having recurring clients is an achievement in itself. Passing the Conveyancing exam was very satisfying.

There have been many changes, all have been challenging, but most challenging – the latest High Court Pre-Trial directive.

My single piece of advice: the legal profession is tough but rewarding – always act ethically, no matter what, and never take a matter personally – it remains an instruction only.

Leone Mostert
I have never fully embraced a career in law. I guess I am fully involved in media: I had two years of successful blogging and TV. I presented my own show on the local Afrikaans radio for a year. I am co-author of a novel written by eight women. I am writing a sitcom for Afrikaans television – very exciting and hopefully the team and I also wear an acting hat (mostly commercials).

I never thought my love for writing would lead to a full-time career in media.

The career achievement that has given me the most satisfaction was when in 2017 I was acknowledged as one of the most influential Afrikaans bloggers in SA.

University of Pretoria

Nicola Lemmer
I am in the insurance industry, working as a risk specialist focusing on Professional indemnity and complex liability claims. I left the Santam Group at the end of 2019 and am now busy setting up my own consultancy. I would never have anticipated this five years ago, but fate has different plans and sometimes you just have to jump and believe!

Working on high profile matters such as The Listeriosis Outbreak, The Grayston Bridge Collapse and Medupi and Kusile have been very satisfying.

In my area of practice the change has been in the regulatory framework – which has been good – and the appetite to claim compensation, which can be challenging at times.

My advice for young professionals is: never stop learning, every person can teach you something. You never know everything, so don’t think that you do!

Hanneke Verwey
I am a Senior Associate at MacRobert Inc, in their Professional Indemnity Department. The bulk of my work is, as I hoped, focused on medical law and includes malpractice claims, ethical advice and professional conduct proceedings on the instruction of a major international medical defence organisation to South African doctors and other healthcare professionals. I had hoped to work in the health law field in some other capacity.

In my area of practice clients are generally now far more willing to mediate disputes. Mediating malprac-
tize claims poses unique challenges, but the benefits of early dispute resolution are undeniable. My advice for young professionals is: explore your options and gain as much experience as possible. In my case, a break from practice at an NPC provided invaluable perspective and I returned to practice with a renewed sense of purpose.

**Rhodes University**

*Kathryn Kotze*

I am a senior associate in the Insolvency, Restructuring and Business Rescue Department in the Johannesburg office of ENSafrica. I always dreamt of practising as an attorney. I have been given exceptional experience at ENSafrica, so I am incredibly appreciative to be in practice in the environment and firm that I am in. It is difficult to identify one isolated career achievement that gives me the greatest satisfaction (especially as I have just become a mother, which is my greatest achievement). However, what I consider most rewarding is when I am able to assist and help junior practitioners grow and develop in their careers. Watching junior practitioners develop is incredibly fulfilling.

When I first started in practice, the 2008 Companies Act had recently been enacted. At the time it was a difficult piece of legislation to navigate. However, over time, it has become so entrenched in my practice that I cannot imagine practice without it.

My advice to young professionals is, always practise law with honesty and integrity.

*Keri Hattingh*

I work at Travelstart as Head of Legal at the Head Office in Cape Town. Travelstart operates in the travel and hospitality industry and is the largest online travel agent in Africa. This is not what I anticipated. After my articles I worked in the property industry for six years, a sector which offers great growth and potential globally. However, when the opportunity to join Travelstart came up, I could not resist taking on a new challenge and entering a new industry sector.

The career achievement that has given me the most satisfaction is the opportunity I have had to build a legal, risk and compliance department from scratch...twice.

The greatest change for me since graduating has been working within the private business sector. I have learnt to be a successful in-house lawyer; you need to be a busi-

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**Take up more space.**

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I would advise young professionals to work hard but ensure you do this in an environment that supports you, and in which you can flourish.

**University of Witwatersrand**

**Aneesa Bodiat**
I work as a consultant in legal research and publications with Bowmans. I have been doing this since 2014.

For me, a great achievement was finding a career that allows me to use my legal skills without having to worry about billable hours, and that also allows me to work from home.

What has changed or been particularly challenging since graduation? I haven’t been working directly in legal practice, but the industry seems to be carrying on as ever, despite constant calls for modernising.

My advice to young professionals is to diversify your skills – finding a legal niche is useful, but developing a wide array of skills, especially tech related, is also important.

**Carlo Visentin**
I work at KLV Consulting, which is a legal consultancy services business. Did I anticipate this five years ago? Not really. I always thought my career would follow the “normal” route.

As far as a career achievement goes, I have derived the most satisfaction from watching myself grow and become more independent.

The greatest change in my area of practice is as a result of the economy. Difficult economic times have caused transaction numbers to dwindle. Definitely a challenge.

My advice to young professionals is to back yourself and be brave. Just because everyone else is doing it, doesn’t mean you must.

**Stellenbosch**

**Pieter Erasmus**
In December 2019 I started working at Bird & Bird LLP, in London. Although I am in the firm’s IP Department, I continue to work mostly in the life sciences and healthcare regulatory space. I am in the process of diversifying my practice in my new jurisdiction. Five years ago I wouldn’t really have anticipated this. I knew that I wanted to work in the life sciences/healthcare sector, but not necessarily abroad.

The career achievement from which I derived great satisfaction was presenting a paper at an international bioethics conference, convened by Oxford University, last summer.

The sector in which I work evolves all the time, so today’s questions won’t be the same as tomorrow’s questions.

The advice I have for young professionals is, don’t be in a rush to make a change post-articles. Meaningful experience brings the best opportunities when you least expect it.

**Vasti Joubert**
I’m a Senior Associate in the Johannesburg office of Bowmans – I work in the Banking & Finance team. Five years ago I knew that I enjoyed the big-firm corporate culture and wanted to stay in this environment.

The career achievements that have given me greatest satisfaction are working on complex and challenging financial transactions, and also spending six months in Kenya and Sweden on secondment.

In my area of work the challenge comes from demands, which remain high, but there is a greater understanding for the need for balance and wellbeing.

**Kelly Wright**
I am an equity partner in the Tax Department at Bowmans in Sandton. This is what I anticipated five years back.

I derive the most satisfaction from consistently doing interesting work for discerning clients, with the assistance of an exceptional team.

In my area of practice what has changed the most since I graduated is the tax legislation, which is constantly being amended; we have a massive fiscal deficit and SARS is experiencing “difficulties”. All these issues make work as a tax attorney challenging, stimulating and lucrative.

The advice I would give to young professionals is that self-care is not about chocolate cake and bubble baths; it’s about building a life for yourself that you are not constantly trying to escape from.

**Nicky Schwagele (Tennent)**
I am a Senior Specialist: Portfolio Contracting, in the Strategic Commercial team at Sasol. This is not what I would have anticipated five years ago. I have moved from project-specific contracting to high-level strategy development.

Being chosen for the select Strategic Commercial team, responsible for multi-million rand strategies, is the career achievement that has given me the most satisfaction.

In my area of work, what has changed the most is a beneficial move away from heavy-handed, dispute-orientated contracting towards mutually beneficial partnerships.

My advice to young lawyers is to focus on the vision: pursue objectives rather than tasks, and ensure all activities are aligned to the overall goal.