

FAILING FORWARD

Valerie Uribe

“Success is going from failure to failure without loss of enthusiasm.”

This is one of my favorite sayings (often incorrectly attributed to Winston Churchill—the author is unknown). With recent law school graduates who completed the bar exam in July awaiting the November bar results, I thought it would be an appropriate time to visit the subject of failure. Among the famous people who failed the bar on their first try are First Lady Michelle Obama, John F. Kennedy Jr., Hillary Clinton, Franklin D. Roosevelt, and Benjamin Cardozo.

“Most great people have attained their greatest success just one step beyond their greatest failure.”

—Napolean Hill

There is a marriage between success and failure. We all fail at various points in our lives, but it’s our attitude toward, and response to, failure that make the difference. Do we fail backward or do we fail forward? If we fail forward, we chalk up the experience to a practice run, commit to use it as a learning experience, and make another attempt.

As attorneys we are trained to be risk averse; an unintended consequence, however, is that we run the risk of holding ourselves back. Failures are indicators that we have pushed our boundaries and ourselves out of our comfort zones. To help Barristers become more comfortable with failure, members of the Barristers Club Board of Directors share their personal stories and favorite quotes about failure.

YOUR PLAN



I asked members of the Barristers Club Board of Directors to share their personal stories and favorite quotes about failure.



**Blair Walsh, Barristers Club
President-Elect, Abramson
Smith Waldsmith**

“Only those who dare to fail greatly, can ever achieve greatly.”

—Robert F. Kennedy

My plan had always been to go straight through from college to law school to keep the momentum going. However, the universe had a different plan for me. Despite months of studying and hard work, I was devastated to see that my LSAT score was not high enough to get me into a top law school. After looking at my options, I made the difficult decision to postpone my law school dreams for one year, study harder, and take the LSAT a second time. I was disappointed in myself and I felt lost, as this turn of events had thrown me off track.

But I picked myself up, dusted myself off, and realized that I would never again have a year off from school or a “real” job, so I was determined to make the best of it. During that year, I had the opportunity to explore a new city, meet many interesting people, and try new things. To this day, I look back on that unexpected “year off” as one

of the best experiences of my life. It confirmed my belief that everything happens for a reason and, more importantly, that nothing worth having ever comes easy.



**Jason Galek, Barristers Club
Treasurer, Galek Law**

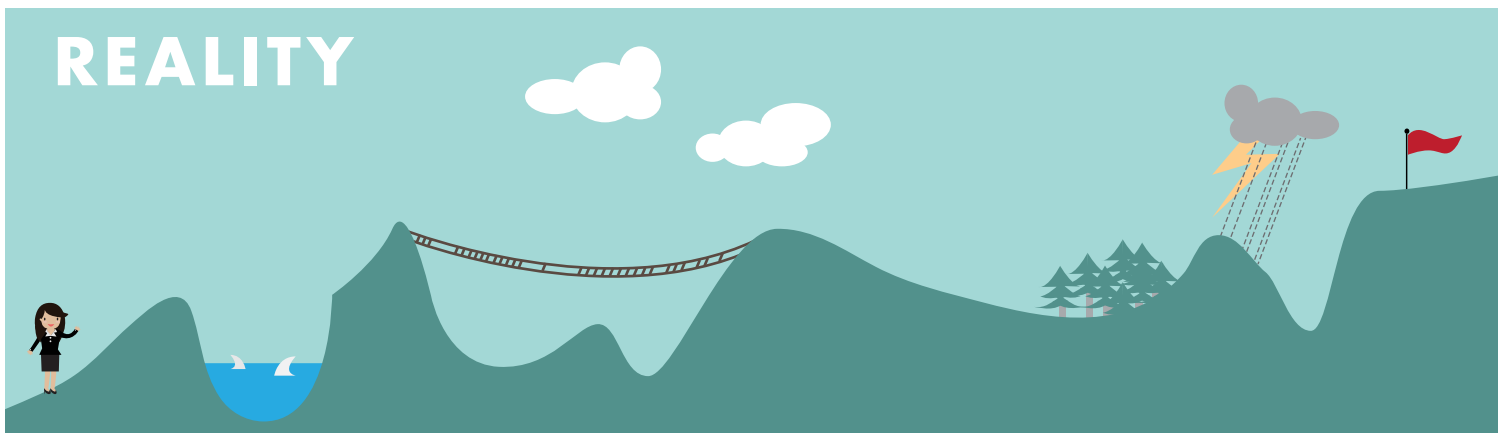
“You got to know when to hold ’em, know when to fold ’em. / Know when to walk away, know when to run. / You never count your money when you’re sittin’ at the table. / There’ll be time enough for countin’ when the dealin’s done.”

—From *The Gambler*,
Words and Music by Don Schlitz
(performed by Kenny Rogers)



**Diana Kruze, Barristers Club
Secretary, Morrison & Foerster**

I must have quit smoking a hundred times. And I failed miserably every single time but the last. With each suc-



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cessive failure, I became more convinced that quitting smoking was impossible for me; that I just wasn't strong enough; that I shouldn't even bother trying. Worse still, my failures were always public, as it is difficult to hide a true habit, and I got sick of that quiet look of disappointment from my mom even more than the nagging feeling of hopelessness that plagued my self-esteem.

People always ask me how I finally quit, and the truth is that the only thing different from my first to my fiftieth to my hundredth attempt was the result. I kept stubbornly trying over and over again, picking myself up after every defeat. And after almost ten years now of not smoking, quitting is unquestionably one of my biggest achievements in life—in large part because I endured repeated failure before finally succeeding.



Andrew Amoroso, Reed Smith

For me, failing forward means taking disappointment and turning it into opportunity. If something has gone not as planned, I take it as a chance to train myself to shift focus immediately from the sting of disappointment to viewing the experience as an opportunity for growth. No one likes to come up short, but there's something empowering about the ability to overcome that mental hurdle with ease that makes taking risks well worth it. You can't control your first thought, but you can control your second one, as they say.



Timothy Burr, Lyft

"It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who

errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows the great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

—Theodore Roosevelt

For prosecutors, failure is an ever-present part of the job. You may lose a motion, a ruling, or even a trial. While there is the pressure to be the attorney who has "never lost a case," as prosecutor, there is the requirement to do justice and to do what is right. That requires trying very difficult cases, cases that can result in failure. You have to learn to deal with that risk, and fearlessly advocate in spite of it. Failure is required to become a better trial attorney, and I always learned bigger lessons from the motions or cases I lost, than from the ones that I won.

In order to deal with the risk of failure and how it would be perceived, I always remember Teddy Roosevelt's words about the man in the arena.



Ben Feuer, California Appellate Law Group

Looking back, I find that I would not be in the place I am today, with the successes I have achieved, had it not been for the perceived failures that I overcame, learned from, and at times blindly and hopelessly stumbled through.



Adam Kaplan, Munger, Tolles & Olson

In high school I ran cross-country, but mainly to get in shape for wrestling. I was not a great runner. I came to love running in college and signed up for a marathon my senior year. At first my goal was to finish, but toward the end of my training it looked like I might even be able to qualify for the Boston Marathon. On race day I ran with a group that was pacing for this goal, but I ended up missing the mark by a few minutes. The last few miles of the race was a blur. My new goal was to run another marathon and qualify for Boston.

Three years later I ran one in Arizona, but went out too fast, crashed at mile twenty, and had to walk the last six. I ran the LA Marathon four months later, but fell short of my goal again. I gave it one more shot at the Long Beach Marathon later that year. I paced myself well, did not get hung up by the crowds (as I had in Los Angeles), and gave it my all. I finished two minutes over the qualifying time for my age and collapsed.

I was disappointed, but before long I realized that the goal of qualifying for Boston is what had led me to train for so many months. This only deepened my love of distance running. Whether I actually qualified didn't really matter. I've been running happily—and at more reasonable distances—ever since.



Aaron Leiderman, U.S. Court of Appeals for the Ninth Circuit

“Failure after long perseverance is much grander than never to have a striving good enough to be called a failure.”

—from *Middlemarch* by George Eliot



Phyra McCandless, Gibbs Law Group

I vividly recall getting a D on a geology test in sixth grade. It was horrible because I loved science. I really liked my teacher, and I was always an exceptional student. The fact is, I didn't study. I was demoralized, but I got a chance to take a makeup and combine the scores.

I then studied my butt off. I don't even remember what grade I ended up with. I know I was harder on myself than my parents could be (and they always reminded me of that). Lawyers are overachievers and we can't be good at everything (or even most things), but we can be great at learning from our mistakes and our failures—that is why we “practice” law.



Erin Morgan, Minority Bar Coalition Representative, Attorney at Law

“Failure is not falling down but refusing to get up.”

—Chinese Proverb

I can recall one of the many times I felt as though I had failed. During my freshman year in high school, there were a lot of other players on my softball team. I felt as though I had failed because I did not get to start the games in the second base field position. I made friends and had many fun experiences. Nevertheless, I felt disappointed during and after many games.

That summer, some of my teammates convinced me to play in a summer softball league with a different coach. Frequently, only eight of our teammates would show for the game. We had to try different positions and had to play for the entire game. I had the most fun when I was covering the outfield with just one other teammate. The next year, I was selected to play outfield for the varsity

softball team. I learned a vital lesson in perseverance because I overcame my initial feelings of failure and continued to play softball. Play on!



Rebekah Punak, Instacart

Before I hit high school, I was a terrible student. I missed almost as much school as I attended, did my homework in the ten-minute breaks between classes, and managed to escape junior high with a solid C– average.

This uninspiring academic record unexpectedly set me up pretty well for high school. First, it gave me something to prove. A sense of being underestimated can be a powerful motivator. Second, it gave me the sense that I had little to lose by taking on academic challenges. If I signed up for a hard class and failed, there was no pristine GPA to spoil, no expectations of peers and teachers to leave unfulfilled. Years later, I am still a big believer that too much early success can be more detrimental than failure.



Valerie Uribe, Barristers Club President, UCSF

And now for my own lesson on handling failure. One of my first, most vivid lessons of failure was taught to me by my amazing mother when I was in kindergarten. I was selling chocolate bars for a school fundraiser. My feelings were hurt when I failed to make a sale. How do you teach a five year old the invaluable lessons of rejection and failure?

My mom decided to turn it into a game. She found that I could not get more than twenty people saying “no” without someone telling me “yes.” So every time a person told me “no,” we got excited about it because I was getting closer to someone telling me “yes.” I now celebrate when I fail or get a “no” because it means I am one step closer to a “yes.”

Valerie Uribe is the 2015 Barristers Club president. She is a Contracts and Grants officer at the University of California, San Francisco. Contact her at Valerie.Uribe@gmail.com and follow her on Twitter @UribeValerie.

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