

PRESIDENT'S MESSAGE

The Joy of “AHA” Moments

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If you hadn't noticed by now, every issue of *Nevada Lawyer* has a theme. This month it discusses insurance. Although insurance is an important topic in our attorney lives, I'm writing about something else this month: The joy of “AHA” moments.

A few years after I was licensed to practice law, I had my first “AHA” moment ... that moment when you are looking at a legal problem, and suddenly you see the combination of facts in such a way that a solution presents itself. In my case, I recognized a *covenant running with the land* in the fact pattern. I knew the covenant would defeat a debtor's attempt to scrape construction of a bridge off his company's bankruptcy. It was one of my most memorable “AHA” moments because who actually gets to use a rarely seen real property concept in a court forum. It was so satisfying that I remember it to this day.

Practicing law is hard. The responsibility for solving a client's problem is heavy. We remember every error. We regret not making an objection ... or making one. We kick ourselves for not asking a question or asking

one question too many. We realize belatedly that we didn't define a term in the contract or missed a typo in a document. If asked if we've ever made a mistake, we can tick off a list of them in a heartbeat. The mistakes stay with us like they are carved in stone. What we don't always remember are the amazing “AHA” moments.

Writers use “AHA” moments to make successful attorney TV shows and movies, such as the moment that Lt. Kaffee in “A Few Good Men” realizes he's been given the case because he always recommends that his clients take the plea deal. It's the moment Vinny Gambini in “My Cousin Vinny” realizes that the tire tracks could not have been made by his cousin's car. It's the moment Elle Woods in “Legally Blonde” discovers that the pool boy was lying about having an affair with her client. These feel-good moments in the movies are also the feel-good moments in a legal career.

You recount these moments to your partner, your kids, and your parents. They are the moments you recount over beers with your colleagues, to a potential recruit or associate, or at a swearing-in ceremony.

“AHA” moments will help you tackle a particularly difficult transaction, rethink a trial theory, or recover from a nasty client email. They keep you going when you are questioning whether to continue in the legal profession. “AHA” moments are like insurance (AHA ... there it is!) With insurance, you pay premiums not because you want something bad to happen, but because if it does, you have the wherewithal to recover or start again. Collecting, remembering, and sharing “AHA” moments throughout a legal career helps you recover or start again when things are not going well. The joy of “AHA” moments is why I still love practicing law 40-plus years since I took the attorney's oath. Collect yours. Remember yours. Share yours. Forty years from now, you will have a better tag line for your career than that of any insurance commercial.

