
YOU CAN'T TEACH HUNGRY

REVISED FIRST EDITION

JOHN MORGAN



**TRIAL
GUIDES™**

TRIAL GUIDES, LLC

You Can't Teach Hungry

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FOREWORD

Russ Herman

John Morgan, entrepreneur and trial lawyer's trial lawyer, hungered for success. With a keen intellect and passion for justice, he built this country's premier plaintiffs' trial firm brick by brick. You can't teach hungry. But if you are hungry, you can learn the pathway to individual and law firm success.

In this book, John generously shares his formula for law firm and personal professional advancement and longevity. The Morgan view of law firm development is a keen understanding of two principles:

1. Becoming a successful trial lawyer requires critical self-analysis.
2. Trial lawyers, and trial law firms, should always be in a state of becoming.

John teaches the importance of adapting to change and forecasting the state of our art before it comes into being. For example, constant

and organized analysis of technology is absolutely necessary. But at the same time he also reminds us that it is the quality of the people within a firm that determines its success. Are they hungry? Are they passionate? Are they team players?

This book, chapter by chapter, formulates plans for determining individual and firm strengths and weaknesses. John shows you how to critically measure and eliminate your weaknesses, as well as accurately perceive and advance your strengths. He also emphasizes present-day quality and professionalism with an eye to the future. John guides us along the road of acceptable risk with careful evaluation, picking the best cases and mentoring the best lawyers—lawyers who are hungry for success.

Like all great trial lawyers, John has had his share of trials and tribulations. But his ability to separate reality from illusion is what sets him apart. He teaches methods to apprehend the present and plan for the future.

The following are a few illustrative topics from the book and some questions that John answers in clear explanation:

- The sustainable practice requires discipline, order, and common vision.
- Your firm should not be a revolving door. If it is, what are the reasons?
- Don't bring a knife to a gunfight. Or as Shakespeare wrote in *Measure for Measure*, "Do not make a scarecrow of the law and let it keep one shape." Are these two different but parallel concepts?
- Challenge yourself and those around you every day. Don't be afraid of challenges or bullies. How do you handle obstacles?
- Learn how to run your firm with a timeline and a business plan. What is a business plan approach you can implement tomorrow?
- Open new avenues of trial practice. Why?

- Plan definite periodic meetings and require attendance and accountability. Why is this important?
- How do you implement your business plan process?
- Decide on published goals and deadlines.
- Avoid but plan for the Black Swans. What is a Black Swan?
- Don't become a lampshade—be a lamplighter. How do I stay hungry, organized, and focused?

The managing partner of our firm has read and reread *You Can't Teach Hungry* half a dozen times and marked more than thirty-six special paragraphs to review and use.

If you dedicate your professional life and passion to following the injunction to “seek justice, relieve the oppressed, take up the cause of the fatherless, and plead the cause of the widow,” read and share John's guide to success: *You Can't Teach Hungry*.

I know of no better colleague, friend, and foxhole partner than John Morgan—read, enjoy, and join with John.

1

PLANT YOUR TREE TODAY

After being around trial lawyers my entire professional life, I have drawn certain conclusions and generalizations about them as a whole. While these characterizations certainly do not apply to all trial lawyers, it has been my experience that childhood and home life play a huge role in developing a trial lawyer's personality.

I do not think there is any question that, of all the types of attorneys in any legal practice area, personal injury lawyers are the ones with the reputation for being nonconformists. The public at large has always had certain problems with lawyers. They blame lawyers for drumming up work by making laws complicated and difficult for laymen to understand. They portray lawyers as greedy, uncaring, and unsympathetic.

Because of this perception, many lawyers want to be further up the lawyer food chain, and personal injury lawyers have been relegated to the bottom. When critics really want to get under our skin, they call us ambulance chasers rather than personal injury attorneys. I have always been amused by that term and the vivid imagery it creates. It connotes the absurd idea of a lawyer actually

following an ambulance to an accident scene and engaging the client on their stretcher. Nonetheless, the personal injury lawyer, or trial lawyer, has a special place in the jurisprudence system.

Most trial lawyers I have met along the way share some general background characteristics. Many were poor or near poor. Alcoholism, drug abuse, out-of-work parents, and unstable home lives seem to be common background themes for many of us. Throughout life, authority and bullies were our hot buttons, and as time progressed, many of us vowed to fight back one day. Most of the background stories I have heard from trial lawyers focus on their humble beginnings—working through college and law school and being the first, or one of the first, in their families to achieve such a high degree of education.

Because our backgrounds did not provide our families or us with access to lawyers, the idea of a contingency fee that allows everyone their own keys to the courthouse is compelling. Many trial lawyers have grown up insecure and vulnerable, and they understand desperation. Most importantly, they understand the concepts of injustice and unfairness. For many of us, our life's work became a way for us to seek justice and fairness and to make sure corporate bullies, insurance companies, and Wall Street crooks don't get to run over the little guy without going through us. We are the little guys all grown up, educated, and fiercely passionate about justice.

My background is not much different from the prototypical trial lawyer's. I grew up in Kentucky with two alcoholic parents. The first part of my life was fairly secure, but then my dad started losing job after job. All the typical things that go along with a living in a paycheck-to-paycheck household went on with us—bill collectors, power outages, phones being disconnected. As I got older, my mother's drinking increased; security was a thing of the past when we finally moved to Florida looking for the promised land.

Once in Florida, my mother couldn't hang on as her drinking progressed, and she moved back to Kentucky. My four siblings and I were left with our dad, who bounced from job to job as his

drinking continued. Although a very sweet and nice fellow, he just couldn't hold it together. Later in life, my dad came to work at my law practice and was with me until the day he died.

During my second year of college, my brother Tim was in an accident that rendered him a quadriplegic while he was working as a lifeguard at Walt Disney World. It turned out to be only a workers' compensation case, but Walt Disney World fought him tooth and nail. After watching his lawyer at work, I knew what I wanted to do with the rest of my life. His lawyer was ultimately successful, and Tim was provided for in ways he would have not have been had he not hired the right lawyer. Tim works with me to this day and is a vital cog in our very large machine.

In Kentucky, big oak and maple trees surrounded our home. Three streets over, Henry Clay's estate sat in the middle of our neighborhood with majestic gardens, hundred-year-old trees, and breathtaking grounds. The new tract home we bought when we moved to Florida had two little perfunctory trees in front of the house. The smallness and the plainness of the house was surreal. The stark, ticky-tacky neighborhood was depressing, and the row of houses, each with two seedlings, made a lasting first impression. The memory of all of those majestic trees growing in front of brick houses in Kentucky was replaced with Florida tract homes and two seedlings that probably cost three dollars each.

The reason I bring that memory up is because it is very important to where we begin. Over the course of this book, I am going to make suggestions, tell you about pitfalls I have found in my own practice, make predictions about the future, and, hopefully, give you a road map for you to use in build your own multimillion-dollar law firm. However, as you go to seminars, read books, or have general bull sessions with peers, one of the most depressing things is that years can go by before you have made the necessary changes to build a sustainable and profitable law firm.

For example, I wish I had branded my firm with a vanity phone number early in my career. I didn't until about five years ago. I can only imagine the value of that number had I obtained

it twenty-five years ago when I first started my practice. However, as they say, better late than never. As we move forward and you receive new tips and suggestions, I would like you to remember an old adage: **The best time to plant a tree was twenty years ago. The next best time to plant a tree is today.**

Missteps, bad business decisions, and bad partners or personnel are all mistakes of the past. We all dwell on past mistakes and agonize over the what-ifs, but nothing productive comes from that. We must recognize the only way we are going to get from good to great is to plant those new seedlings today.

I go back to Kentucky once a year to see the horse races. I always take a slow drive through my old neighborhood and sometimes sit in front of my old house for ten or fifteen minutes. The big tree I used to climb still stands in the front yard. A gigantic oak tree peeks over the back of the house, and as you drive down Ridgeway Road, the trees lining it are so enormous they create a canopy over the street to Henry Clay's home. It is a comfortable place for me to return to. I often think we are not much different from the salmon that have a desire and need to return to their birthplace.

Despite Kentucky's pull, I must tell you I still live in the same city in Florida we moved to forty years ago. From time to time, I drive through that original neighborhood. Those same seedlings that gave us no shade, comfort, or aesthetic value now tower in every yard up and down that old tract home neighborhood. They are majestic, beautiful, and they provide the only real beauty on that street. The tract homes are still tract homes, just older. Those little, three-dollar seedlings are much more. Those oak trees could sit in front of mansions, courthouses, or any other magnificent structure in the United States. It seems like yesterday we moved from Kentucky to this hotter-than-hell state called Florida, and those seedlings looked like they couldn't take one good, hard, windy rain. Today, those trees that were planted the week we moved in are as sturdy and solid an oak as you will find anywhere.

So as we advance, I hope I will provide you with help, guidance, and suggestions to enhance your practice and better serve your clients. Please don't be discouraged to discover things you should have done yesterday, last year, or even ten years ago. It really doesn't matter. What matters is you identify those areas that need work, make corrections where needed, and implement the suggestions you find valuable as you build your multimillion-dollar law firm.

Remember: The best time to plant a tree was twenty years ago. The next best time to plant a tree is today.