

HOW TO BUILD YOUR IDENTITY AS A TRIAL LAWYER

By Alex Eynon | January 26, 2026

I litigate complex matters—mostly business disputes—in state and federal court, with a particular focus on trial work. To me, trial is by far the most exciting part of legal practice. It's grueling, intense, and exhilarating. I also love the preparation that goes into getting a case ready to try. This work includes the strategic decisions about which issues to press, the puzzles of how to get key evidence admitted or excluded, and the human element of preparing witnesses and experts to testify.

That wasn't always the case. When I started law school, I had no idea that I wanted to be a trial lawyer. However, after graduating, I had the opportunity to clerk in the busy Southern District of Texas, where I caught the bug while watching lawyers on their feet, handling witnesses, and persuading (or failing to persuade) juries. Since joining my firm, MoloLamken, I've been fortunate to try several cases and to have taken witnesses each time.

In my experience, it's still possible to become a trial lawyer, even in a world of diminishing trials, if you approach that goal with intention.

HOW TO GET TRIAL EXPERIENCE

The only way to become a trial lawyer is by going to trial. That can be challenging for young attorneys in private practice, particularly when the vast majority of cases settle. However, there are several things you can do to get stand-up experience early and often.

First, be strategic about where you work and what kinds of cases you take on. Some boutiques, like MoloLamken, offer a unique advantage because they prioritize giving associates meaningful courtroom roles.

Next, it's important to seek opportunities where you can start building your experience. Within billable work, some matters naturally lend themselves to more hands-on roles for junior attorneys. The biggest, flashiest cases tend to have the largest teams. For a young lawyer, that can mean spending more time in the background. Smaller, leanly staffed cases, by contrast, are where you'll often get real responsibility. You might be the one preparing a witness, handling an evidentiary hearing, or arguing a discovery motion.

Pro bono work is another excellent way to build experience as a young lawyer. For example, the Southern District of New York's pro bono office circulates a list of cases that need counsel each month, including trial-ready cases. Those cases typically offer young attorneys the opportunity to take on meatier courtroom roles than might otherwise be available to them. Pro bono work can also offer junior lawyers the opportunity to take on more significant strategic decisions in the case. That's key because developing good judgment is just as important to being a trial lawyer as doing a polished witness examination.

TRIAL ADVOCACY TAKES PRACTICE

Trial advocacy is a skill like any other, and it takes practice. One valuable resource available to young lawyers is the [National Institute for Trial Advocacy](#) (NITA). Its Deposition and Trial Skills programs are hands-on, practical, and confidence-building. At MoloLamken, every lawyer attends both courses in their first six months at the firm. It's a fantastic way to build oral advocacy skills in a low-stakes environment.

If your firm doesn't have a formal trial training program, it's worth asking if they'll sponsor you to attend NITA. NITA also offers special pricing for public service attorneys. Bar associations, such as the ABA and the Federal Bar Council, also sometimes offer CLE programs focusing on on-your-feet skills like direct and cross-examination.

BE INDISPENSABLE AND EASY TO WORK WITH

Once you're on a trial team, make the most of it. Being the master of the facts is one of the most valuable things a young lawyer can do, and it's one of the fastest ways to earn trust on a trial team. If you are the person whom others on the team turn to for answers, that gives you credibility and authority. It can also make you the natural choice when someone needs to put a witness or an exhibit in front of the court.

It's also important to be proactive and thoughtful. Trial teams are fast-moving, high-pressure environments. Anticipate what needs to be done. Raise issues, but also volunteer solutions. Try to keep a cool head, even when the situation is stressful. If you can make life easier for the people around you—by being reliable, organized, and pleasant to work with—it will be easier for them to give you opportunities.

DON'T ASK, DON'T GET

Unfortunately, doing good work alone isn't always enough. Sometimes opportunities may just come to you, but just as often, you need to seek them out. If there's a hearing coming up and you want to argue it, raise your hand. If a witness needs to be handled and you feel ready, say so. The worst that can happen is that someone says no.

Supervising lawyers may not realize how hungry junior lawyers are for experience. By expressing interest, you make it easier for them to give you those chances.

SAY YES, EVEN IF YOU'RE SCARED

When someone offers you a substantive opportunity, even if it feels intimidating, be brave and say yes. No one feels fully prepared the first time they examine a witness or argue in court. But every time you say yes, you stretch yourself, and that's how growth happens.

Once you've said yes, treat the opportunity with the seriousness it deserves. Practice your argument, know the exhibits, and anticipate what issues the judge or opposing counsel may raise. And then try to have fun! You're on your way to becoming a trial lawyer.