



LEGALLY SPEAKING

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No leprechauns in the law

Why there's no pot of gold at the end of conflict

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Every March, we are reminded of leprechauns and the promise of hidden treasure. Follow the trail long enough, folklore tells us, and a pot of gold waits at the end of the rainbow. Leprechauns are clever and elusive, always just ahead of the person chasing them. It is an appealing idea. Somewhere beyond effort, uncertainty, and persistence, there is a perfect reward waiting to be discovered.

In early Irish folklore, leprechauns were not playful mascots or symbols of luck. They were solitary craftsmen, often described as shoemakers, who guarded their wealth carefully. The gold associated with leprechauns was not a windfall waiting to be found, but something earned through labor and fiercely protected. Even when a leprechaun was caught and forced to reveal the location of his treasure, the folklore warns that the gold often vanished the moment the captor looked away. The promise of an easy reward was an illusion, and the chase itself was part of the deception.

In legal practice, a similar belief often takes hold. Lawyers and clients alike can slip into the assumption that there is a perfect outcome waiting at the end of conflict. If a case is pushed far enough, argued aggressively enough, or allowed to run its full course, the “right” result will eventually appear. Like chasing a leprechaun through unfamiliar terrain, the pursuit itself can feel purposeful even when it quietly pulls strategy off course.

The reality of lawyering is far less mythical. There are no leprechauns hiding in the rules of procedure, and no rainbow pointing toward a guaranteed result. Legal outcomes are not discovered at the end of a process. They are constructed through judgment, preparation, and a series of deliberate decisions made under conditions of uncertainty.

The allure of the perfect win: The idea of a perfect win is deeply attractive, particularly to clients who feel wronged or unheard. It offers clarity, validation, and the comforting belief that the legal system will ultimately confirm what they already know to be true. For lawyers, the pull is equally strong. Advocacy often begins with confidence, and confidence can quietly evolve into certainty.

In practice, however, disputes rarely reward that level of certainty. Facts are contested, witnesses are human, and decision-makers view the same record through different lenses. Even strong cases carry risk. Even persuasive arguments may be constrained by procedural posture, evidentiary limits, or discretionary judgment. Like a leprechaun that disappears just as it seems within reach, the “perfect win”



DEPOSIT PHOTOS

often fades when confronted with the realities of proof and process.

A familiar example arises in motion practice. A lawyer may approach a dispositive motion as the moment when the case will finally be resolved. Instead, the court issues a careful ruling that narrows issues, clarifies standards, and leaves key questions for trial. The case advances, but the imagined pot of gold never appears. When expectations are built around perfection, even meaningful progress can feel unsatisfying.

When waiting becomes a substitute for strategy: One of the more subtle traps in lawyering is mistaking waiting for strategy. Delay can feel productive when it is framed as patience or confidence, particularly when lawyers or clients believe that time itself will improve their position.

This dynamic appears across practice areas. A party resists meaningful negotiation because an upcoming ruling is expected to change everything. A lawyer declines to narrow claims or defenses because trial is viewed as the place where full vindication will finally occur. A client rejects reasonable options because something better must be just around the corner. Like following a leprechaun's trail, each step feels closer to the prize even as the ground keeps shifting beneath it.

From the bench, this pattern is easy to recognize. Judges routinely see cases linger not because resolution is impossible, but because one or both sides are waiting for an outcome that exists more in folklore than in law. As time passes, sunk costs increase, positions harden, and flexibility diminishes. The chase continues, but the gold never materializes.

Outcomes are built through judgment, not discovered at the end of the rainbow: Effective lawyering requires a

shift away from outcome-hunting and toward disciplined decision-making. Legal outcomes are shaped by choices made throughout the life of a case, often long before any final ruling or verdict.

Those choices include how risks are evaluated, how clients are advised, how arguments are framed, and how new information is incorporated into strategy. They also include decisions about tone, credibility, and restraint. None of these choices come with a map or a rainbow. They depend on judgment.

Consider a case with strong liability but uncertain damages. One lawyer may treat the matter as a quest for maximum recovery, pushing every issue to its outer limits and rejecting incremental progress. Another lawyer may focus on building leverage through targeted discovery, realistic valuation, and strategic narrowing of issues. Both lawyers work hard. Only one is consistently building an outcome that can realistically withstand scrutiny.

The difference is not effort or belief. It is judgment applied over time.

Managing expectations as a core lawyering skill: One of the most important roles lawyers play is helping clients understand the difference between what they hope will happen and what is likely to happen. This work is not pessimistic. It is foundational to effective representation.

Clients often enter disputes believing the legal system will deliver both a favorable result and a clear moral judgment. Left unexamined, that belief can turn a real case into a fairy tale with a predetermined ending. When lawyers do not address expectations early, judges and opposing counsel are often left to reset them later, when positions are already entrenched.

Managing expectations involves ex-

plaining uncertainty, discussing ranges rather than guarantees, and identifying decision points where trade-offs arise. It also requires revisiting those conversations as the case evolves. Clients who understand the landscape are better equipped to make informed decisions rather than continuing to chase outcomes that are unsponsored by the record.

Practical lawyering skills that replace myth with strategy: Letting go of mythical thinking does not weaken advocacy. It strengthens it. The following practices help ground legal work in reality while preserving effective representation.

- **Frame success as a spectrum:** Rather than defining success as a single perfect result, describe it as a range of acceptable outcomes. This allows strategy to adapt as facts develop and reduces all-or-nothing thinking.

- **Separate advocacy from prediction:** Strong advocacy does not require promising a pot of gold at the end. Lawyers can argue forcefully while remaining honest about uncertainty.

- **Revisit assumptions throughout the case:** As rulings issue and evidence develops, reassess earlier positions. Strategic flexibility reflects judgment, not weakness.

- **Treat resolution as skilled lawyering:** Whether resolution comes through settlement, stipulation, or narrowing issues, it is often the product of disciplined advocacy rather than surrender.

Conclusion: Building something better than myth: Leprechauns endure because they promise simplicity. Chase long enough, and perfection will appear.

Law does not work that way. Good lawyering is rarely about discovering a flawless ending. It is about making thoughtful decisions in imperfect circumstances, over and over again, with a clear-eyed view of risk and consequence.

There may be no pot of gold waiting at the end of conflict. What there is, however, is the opportunity to build outcomes that are credible, durable, and grounded in reality. Unlike leprechauns, those outcomes do not disappear when you finally catch up to them.

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