



# GRIT

## The Secret to Advancement

STORIES OF SUCCESSFUL WOMEN LAWYERS

## Sheryl L. Axelrod

This letter is dedicated to those many women who are my juniors in the profession, to tell you that as you've read in this book, you can thrive as lawyers, regardless of whatever natural abilities you may think you lack. In fact, my career is proof that success is far less the product of natural talents and far more the product of grit and a growth mindset.

To explain this, I need to set the clock back to when I was in elementary school and first began to exercise grit and a growth mindset. I had a rough time learning to spell. A teacher made me write out around 20 times every word I misspelled. I then repeatedly hand wrote out for myself many words and now consider myself a very fine speller.

My next educational hurdle came in middle school when I had to take a foreign language. I mistakenly chose French. I nearly failed as our teacher marked an entire word wrong if one letter or accent was wrong in it (or missing from it).

I had seen an older sibling struggle, and overcome, a far tougher obstacle. I have two slow-learning brothers, Howard and Kenny. They were in special education classes in school.\* The older of the two, Kenny, is the slower of the two. He tests at about the first-grade level.

When Kenny turned 16 years old, he was determined to drive, but passing the written component of the driver's test seemed like an insurmountable obstacle. Still, my parents believed he could learn it.

My dad spent a year teaching him the driver's education manual. In a monumental display of love, belief in his son, and dedication, he read a sentence a night with Kenny until he got that sentence. Then the next night, he read another and went over the

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\* In fact, my mom is the reason the school district has a special education program. She fought the school board to create one. The district now has one of the finest special education programs in the region, not only for students who learn slowly, but also for kids with a wide range of special needs.

sentences from the days before, sentence by sentence until Kenny knew all the material. Kenny passed his driver's test on his first try.

I learned from Kenny that overcoming an obstacle is a matter of perseverance, work, and practice. I figured that learning a foreign language was going to be difficult for me, but I wanted to do it. The next year, I switched to taking Spanish. In Spanish, unlike in French (and English), things are spelled very much the way they sound.

Unfortunately, in my Spanish classes, I was a year behind my peers who had started taking the language the year before, when I had taken French. It was embarrassing to be with them instead of my peers, but I dug in, worked hard, and even spent six weeks over a summer studying in Spain. I spent as much time as I could there speaking Spanish with the natives.

I am proud to say that as a result, I skipped a year and a half of the language in school and wound up in my year's honors class. I kept up the study and now am conversationally fluent in it.

I love Spanish. It's given me the joy of reading books in Spanish and enjoying Spanish songs, and I am a huge fan of dancing salsa, merengue, and bachata. In fact, that's another grit and growth mindset story. I am a good dancer, but I was absolutely horrific at salsa (meaning at salsa, merengue, and bachata) when I first started dancing it. I had never learned a structured dance before, but I loved it and worked hard to become good at it. I have been dancing salsa for years now and feel I am quite good at it.

As luck would have it, I met my husband, Tonio, on a salsa dance floor. He loves salsa and the related dances, too, and is very good at them. (He's been dancing a year longer than I have.) We never would have gotten to really know each other if I didn't keep up with salsa and Spanish. We spoke in only Spanish initially.\*

When I started at Temple Law School, I came to the mountain known as advocacy. I had to draw upon quite a bit of grit, and keep a growth mindset, to tackle it, too. You see, I wrote such a poor first paper for my legal writing class that when it was returned to me, it had more of my professor's red ink on it than the black type in which I had written it. I got a failing score.

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\* Now we speak mainly in English, and his English has greatly improved.

I had never written anything like a legal memorandum before, and I had no idea how to write one. I cried thinking I really wanted to be a lawyer but that I didn't have what it takes (the natural talent) to do so. Later I read over my professor's comments and took his feedback to heart. My writing got much better.

What brought my writing to the next level was learning oral advocacy. In my second year of law school, I tried out for Moot Court Team, but I didn't make the team. You could say that I didn't have a natural talent for oral advocacy. Actually, I believe I did, but I didn't yet know how to structure an argument.

The final round of the competition took place in front of the school and was terrific. Afterward, I went up to the winner, Scott Cooper, and asked him if he would teach me how to put on an oral argument. He did so and was a terrific teacher.

He had me try delivering the oral argument I had prepared and gave me great feedback about how I could improve it—how I could better structure my presentation, with a nice introduction (introducing myself, stating who I represent, and raising the issues before the court), the arguments (deciding on my best few arguments and listing them for the court), how to support those arguments (giving a few reasons, at most, for each), and how to wrap up (telling the court what relief my client sought). I worked hard to structure my arguments after that, both in writing and in my oral presentations, and the next year, not only did I make it onto the Moot Court Team, I won the competition.

Not only that, but with the tools Scott had given me about how to be a strong advocate, the quality of my writing skyrocketed. Before launching my law firm, I got hired by Blank Rome, one of the 100 largest law firms in the country. The first brief I wrote there got high praise, and thereafter, I was asked to write briefs in increasingly larger cases. By the time I gave notice of my intention to leave there, I had written the firm's brief in an \$825 million case pitting Hewlett-Packard against SunGard.

That brings me to the present. Although I was a terrible speller who struggled to learn a foreign language, although my first paper in law school was a disaster, although I had no clue how to structure an oral argument, and although I was initially a terrible salsa

dancer, I now consider myself a very fine speller, conversationally fluent in Spanish, and a rather good salsa dancer. In fact, Tonio and I danced a choreographed salsa and bachata number at our wedding.

As for the rest, at The Axelrod Firm, I'm representing companies in major litigation matters, including in two actions that have been the subject of *Law360* articles—one in a breach of contract action brought by a client to recover \$1.25 million and another in an antitrust suit in which the opposing party claims to be entitled to over \$66 million. One of my trials in another case, a commercial tort defense victory for my client, was published in "Pennsylvania Jury Verdict Review and Analysis," which catalogs the most significant Pennsylvania verdicts.

As I advocate in my publications and public speaking, as well as over social media, companies must treat women and minorities more equally. We should not have to have so much more grit and so much stronger growth mindsets than our white, nondiverse male counterparts to reach the same levels they do in terms of pay and promotions. That said, I am very pleased to share the news that talent is a far smaller piece of what goes into success than grit and a growth mindset.

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