Dave Fine spotlighted in ABA Journal, “This attorney made partner after creating a lucrative practice area focused on construction law”

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David Fine didn’t intend to become a construction law attorney. But when presented with the opportunity, the Massachusetts-based attorney ran with it.

In law school, Fine says, he didn’t have expectations about his future practice. After graduating from the Suffolk University Law School cum laude in 2005, he worked as a law clerk for the Rhode Island Superior Court in Rhode Island and was then hired at Visconti & Boren (now Visconti, Boren & Campbell) in 2006, a boutique construction law firm, where he worked for about five years in all facets of construction law including arbitration, litigation and contract drafting.

He took that construction experience with him when he moved from Rhode Island to Massachusetts in 2011, despite the fact that his new firm, Mirick, O’Connell, DeMallie & Lougee, didn’t have an active construction law group. ” It was a way to get my foot in the door,” Fine says.

The original job posting was listed for a four- to six-year associate in the firm’s insurance defense group. (Fine had no experience in this area of practice). But Fine mentioned during his interview that he was well versed in construction law and construction litigation.

When he started at Mirick O’Connell, he focused on insurance work but never neglected his former construction clients. Fine realized that he preferred construction law to insurance, so slowly, over the next three years, he began taking general construction litigation whenever it came across the firm’s desk.

“It was an easy decision to support his desire to build a first-class construction advice and litigation practice within our firm,” says Robert “Bob” Kilroy, co-managing partner of the firm.



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Soon, Fine was focusing exclusively on construction law, getting involved in local trade groups, joining boards and continuing to get more and more entrenched with the local construction industry. Over the next few years, Mirick O'Connell created a designated industry group focused on construction—headed by Fine.

"The firm was fantastic in terms of encouraging me and permitting me, as a new associate, to do what I could do to leverage that practice," Fine says.

Moving up

Five years after he started at Mirick O'Connell, Fine became a partner, and he attributes this to the initiative that he showed while developing the firm's construction practice.

"The work that put me over the top was the construction group and the initiative and the progress we made in a very short time toward developing that group," he says. "If you show initiative, show you can do the work, show that you can handle the volume and the quality and the management of the practice, the opportunity will create itself."

Over the past seven years, Fine's practice has been 100% dedicated to construction law, which includes representing commercial, institutional and residential owners and developers; general contractors; and more via litigation, arbitration, contract preparation and risk management.

His cases range from negotiating construction agreements to defending a plastic molding manufacturer in a workers' compensation claim.

"Mirick's construction practice under Dave's leadership has steadily grown over the past decade in terms of capability of legal services and from a financial perspective," Kilroy says. "We anticipate the construction practice will be one of our top producing litigation specialty areas for years to come."

Starting from scratch

Fine thinks that the vast majority of firms would be open to its attorneys exploring new practice areas, and there are a few things that he did to really advance his practice.

He developed his first construction business relationships via mentors Fine met at his original firm. Then he joined bar association groups through the ABA and via trade industry organizations, becoming

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president of the Home Builders & Remodelers Association of Central Massachusetts and a member of the Steering Committee for the ABA Forum on Construction Law. He was very active at the board level, despite starting at the bottom.

“I started attending a meeting on construction law through the ABA forum, not knowing anyone,” Fine says. “Fast-forward 13 years, I’m a division chair, and I’ve made relationships that result in referrals and providing a professional knowledge base. It’s been really one-stop shopping for furthering my career and creating that visibility.”

View ABA Journal article here: This attorney made partner after creating a lucrative practice area focused on construction law

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