

Maximizing Hiring, PD and Diversity Initiatives in Small and Mid-Size Firms

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Introductions

- Our Perspective..
- Know your audience...
- Location, location, location...
- Just the facts....
- Phone a friend!

Learning Objectives

- Overview of current trends in legal employment, including information about diversity trends
- Define the challenges, focus on the advantages of working at a small to medium size firm in current market
- Share effective strategies for managing up and adding value
- Take away: concrete, cost-effective ideas to implement in recruiting, professional development and diversity

Trends in Legal Employment: Why do we care?

- In order to recruit, you need to know who or what you are competing against for talent and understand trends in the market
- Trends in employment are relevant to retaining and attracting all associates, but particularly diverse lawyers
- Millenials are a unique generation and we may need to change processes to successfully recruit and train them
- Effective professional development happens when you know your audience, their needs, and their perspectives. Adult learners are motivated to learn when they experience changes or needs in personal and work life. Understanding lawyers' challenges and the employment market will help you anticipate training needs

Source: Understanding Adult Learning, West Oregon University, <http://www.tr.uw.edu/bridges/adult.htm>

Market Information The Good News

- 74% of lawyers end up in private practice, compared to the competition
 - 13% Government agencies, including judges
- Private Practice is still the destination of choice
 - 12% Private industries and associations
 - 1% Legal Education
- Lawyers want to stay—fewer lawyers in small firms were less likely to report that they would be looking for a new job in the next two years, compared to half of lawyers working in mega firms

Source: Catholic Law Schools of America, Careers for Lawyers: Life after Law School, <http://careers.csla.edu/handbook/lawcareer.htm> and After the JD II: Second Results from a National Study of Legal Careers by The American Bar Foundation and the NALP Foundation, 2009

Market Information: The Good News

- Lawyers in Small and Mid-Size firms generally work fewer hours
- On average fewer lawyers in small firm settings work more than 60 hours per week (good for recruiting, more time for professional development)
 - 20% of Lawyers in firms of 2-20 lawyers
 - 20-25% of Lawyers in firms of 21-100 lawyers
 - 25% Lawyers in firms of 101-250 lawyers
 - 40% of Lawyers in firms of 251+ lawyers

Source: Catholic Law Schools of America, Careers for Lawyers: Life after Law School, [www.careers.csla.edu/handbook/lawcareer.htm](http://careers.csla.edu/handbook/lawcareer.htm) and After the JD II: Second Results from a National Study of Legal Careers by The American Bar Foundation and the NALP Foundation, 2009

Market Information The Bad News

Fewer lawyers are working in firms over the course of their careers

- In first wave of the ADJ II Study, about 70% of lawyers were working in firms, second wave, 55% of lawyers were working in private law firms.
- Number of lawyers in solo practice doubled from 5-10%
- Slight increase in number of lawyers working for government

Fewer lawyers are working in small and mid size firms

- 18% of ADJ II respondents working in firms of 2-20 lawyers, down from 25%
- 8% of ADJ II respondents working in firms of 21-100 lawyers, down from 12%

Source: Alter the JD II: Second Results from a National Study of Legal Careers by The American Bar Foundation and the NALP Foundation, 2009

Gender Gap The Good News

- Significant number of women
 - Although women in private practice are declining (except for solo practitioners) Firms of 2-20 lawyers had the highest concentration of women at 23.7%
- Partnership more attainable
 - ADJ II cohort is junior, so few partners overall, but the smallest firms, firms with 2-20 lawyers have the highest rate of partnership
 - 17% of women in smallest firms have made partner
 - Smaller gender disparities and women outpace men in attaining non-equity partnership in firms of 21-50

Source: Alter the JD II: Second Results from a National Study of Legal Careers by The American Bar Foundation and the NALP Foundation, 2009

Type of work: The Good News

- Varied work/varied matters
 - Fewer than legal services or government attorneys who average 143 matters/3months
 - More than largest private practice firms who average 25 matters/3months with 50% working on 15 or fewer matters/3months
- Lawyers in smaller firms are more likely to work for individuals rather than businesses
- Lawyers in smallest and largest firms are most likely to take on pro bono work

Source: Catholic Law Schools of America, Careers for Lawyers: Life after Law School, www.careers.cua.edu/handouts/Source: Alter the JD II: Second Results from a National Study of Legal Careers by The American Bar Foundation and the NALP Foundation, 2009

Ethnic Diversity: The Challenges

- Black and Hispanic lawyers are leaving at high rates
 - In firms of 2-20 lawyers, -42.4% growth for Black lawyers, -33.3% growth for Hispanic lawyers
 - In firms of 21-100 lawyers, -34.5 growth for Black lawyers, -70.9% growth for Hispanic lawyers
- Asian lawyers are leaving at roughly the same rate as white lawyers
 - In firms of 2-20 lawyers, -25.6% for both Asian and Hispanic
 - In firms of 21-100 lawyers -27.3% for Asian lawyers and 33.1% Hispanic

Source: After the JD II. Second Results from a National Study of Legal Careers by The American Bar Foundation and the NALP Foundation, 2009

The Work: The Challenges

- Sometimes the work is not viewed as “sexy”
- Lawyers in small and mid-size firms are less likely to work on international or cross border matters, less likely to work for corporate clients
- When work is scarce, under-delegation and work hoarding occurs
- Junior lawyers, generally, are seeing more routine matters

Source: After the JD II. Second Results from a National Study of Legal Careers by The American Bar Foundation and the NALP Foundation, 2009

The Impact: So now what? – Program Objectives

- Identify specific cost effective strategies to apply in recruiting, professional development and diversity
- Discuss opportunities to use market information and strategic planning to help manage up and add value
- Take aways and sharing best practices!

Recruiting: Internal Selling and Screening in a Buyer's Market

- Identify current and future needs: Managing partner, practice group leaders input
- Analyze hiring practices and numbers from prior years
- Develop internal timeline: check-in, assess and re-assess
- Budget impact: yours and the firm's

Internal Buy-In

- Consistent, clear communication with partners and other decision makers is key
- Changing expectations: not a one time effort
- Strategies: Handling top candidates
- Summer Associate recruiting needs: short-term and long-term impact of the numbers

External Recruiting: Selling and Screening in a Buyer's Market

The four criteria exerting the **greatest influence** on a law student's choice of firm:

1. Chemistry with and collegiality of the people
2. Practice type
3. Size quality and availability
4. Compensation and prestige

Source:

External Recruiting.....

- Millennials consider technology when choosing employers (Accenture), flexibility and social responsibility (PWC)
- Maximize the positive: varied work, partnership potential, high concentration of women from market research to attract candidates
- Demonstrate technological literacy: Broadcast your message where your target will see it.

Keeping the Keepers: Strategies for Associate Retention in Times of Attrition, NALP Foundation for Research and Education, 1998
and <http://stephensgfhhouse.com/2010/02/25/accelenture-report-on-millennials-at-work/> and
<http://www.pwc.com/gov/en/managing-tomorrows-people/future-of-work/index.html>

Recruiting-Your Target

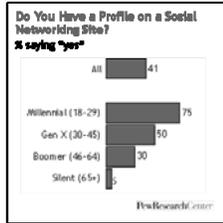


Source: http://www.denverpost.com/googlelocal_984738
Photo Illustration of Jeff Neumann, The Denver Post

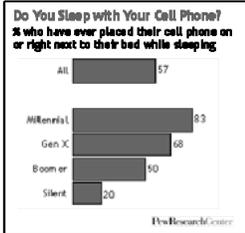
Where do you find them?



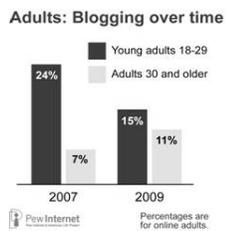
Millenials: Social Networkers



Millenials: like to be in "constant contact"



Millenials are blogging



**Millenials (and your competitors and clients) are in cyberspace:
Are you?????**

- 77% of all active internet users regularly read blogs
- 80% of companies use or are planning to use LinkedIn as their primary tool to find employees. LinkedIn has reached its 45 millionth member
- Social networks and blogs are the 4th most popular online activities, beating email.
- 35% of the top 20 Am Law firms have a Facebook page
- 100% of the top 20 Am Law firms and Fortune 500 companies have LinkedIn Company Profiles
- 45% of the Am Law 200 have blogs

Source: Sanny Cohen, Director of Internet Marketing Strategy, Duo Consulting, presentation to the Chicago ALA

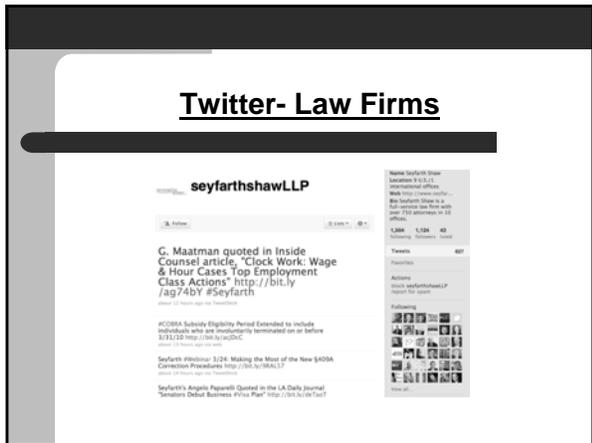
Maximize the use of Social Media

- Your target market spends their time here
- It's free
- It's green
- Not time consuming
- Enhances your image as an employer of choice
- Highlights subject matter expertise, especially if you use blogs
- Options: Twitter, Facebook, Blogs, LinkedIn

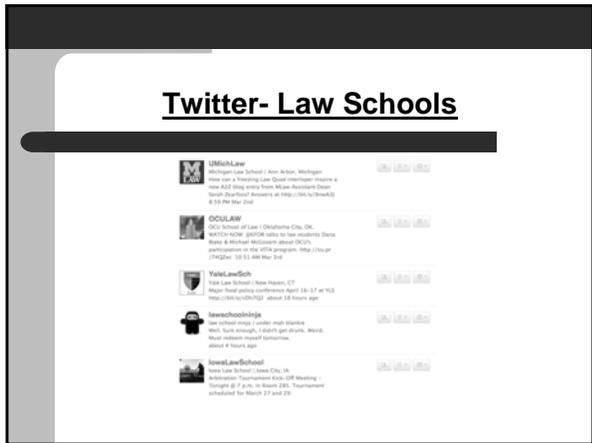
**How to use social media effectively
Twitter**

- Collect market data via social media
- Use Twitter as an RSS feed
- Consider tweeting your message/tweet-ups
- Gather contacts for professional development topics
- Manage your message – fast impact

Twitter- Law Firms



Twitter- Law Schools



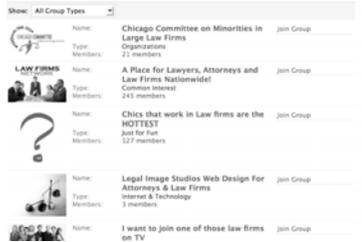
Tweeple you should know

- NALP
- WSJ Law Blog
- Am Law Daily
- WSJ Law
- Above the Law
- Yale Law Library
- ABA Law Practice Tips
- ABA Journal
- IP_Law_News
- SecuritiesLaw
- SPL Center (Southern Poverty Law Center)
- BloombergLaw
- PrivateEquity_L
- ELIORG (Environmental Law Institute)
- LegalDocs (Immigration Law)

Maximizing social media: Facebook

- Facebook will assist you with building your brand: major appeal to Millennials
- Connect with diversity related groups and student groups
- Consider fan pages, link employees
- Beware: Make sure to manage the information on your personal Facebook account

Facebook- Over 500 Groups with Law Firm in Name



Fan Page Example- Am Law Top 20



Fan Page Examples Other Industries



Diversity and Student Groups on Facebook



Using Social Media Effectively- LinkedIn

- Create a profile reflective of the firm's success
- Control your message
- Post lateral opportunities (\$195/30 days)
- Source candidates on LinkedIn (advanced search, alumni, relevant experience)
- Understand the impact of KEY WORDS
- Find "hidden" talent

Example of Firm LinkedIn Profile



Using Social Media Effectively- Blogs

- Highlights subject matter expertise
- Minimal cost
- Labor intensive
- Has dual benefit of appealing to clients and potential recruits
- Opportunity to raise profile on campus

Blogs- Firm example



Professional Development: Definition

Professional development refers to skills and knowledge attained for both **personal** development and **career** advancement. Professional development encompasses all types of **facilitated learning opportunities**, ranging from college degrees to formal coursework, conferences and informal learning opportunities situated in practice.

It has been described as **intensive and collaborative**, ideally **incorporating an evaluative stage**. There are a variety of approaches to professional development, including **consultation, coaching, communities of practice, lesson study, mentoring, reflective supervision and technical assistance**

Wikipedia

Maximizing Professional Development

- **Challenges:** Lack of resources, smaller incoming classes, fewer laterals
- Last 10 years the single most common factor cited by departing associates has been **lack of training, mentoring and development opportunities**
- Adult learning principles: use to design training (just in time learning, shorter, relevant trainings)
- SWOT analysis – if using review software, use it to identify deficiencies to help with buy-in
- Consider on-line needs assessment (viDesktop, Survey Monkey)

Source: <http://www.Midbrand.com/Why-Associates-Leave-A-Special-Report> and <http://rank.mba.edu/izozf/proced0102.html>

Professional Development: From the Beginning

- Organization's Strategic Plan
- Organizational Goals: Retention and cost effectiveness
- Evaluation Alignment
- Buy-in
- Measurement
- Assessment of effectiveness

“FIRM” UNIVERSITY

- Associate Evaluation logistics review with Chair of Associate Committee
- Review of current and past completed evaluations
- Benchmark of expectations through evaluation categories
- PD Plan....

Professional Development Plan: Firm-Wide

- Identify Business Objectives
- Ensure leadership commitment
- Determine participants in the design process
- Inventory current PD activities, programs and processes
- Review associate evaluations: past and
- Envision "ideal PD program"
- Determine capabilities necessary to achieve firm's goals
- Analyze future program components: set goals
- Action plan: coordinate, communicate, implement assess

Key Components for PD Success

- Knowledge of the organization: strategic plan, management expectations, key decision makers, budget expectations, internal and external
- Marketing: communicating program dates through intranet and firm e-mail and interactions with key decision makers
- Learning Outcomes and Learning Objectives: aligned with associate evaluations
- Assessment and evaluation: continuous input from participants and key decision makers

Individual Career Plans: Development Framework

COMPETENCY	ACTION	OUTCOME
PROFESSIONALISM		
TECHNICAL SKILLS		
JUDGMENT AND MATURITY		
LEADERSHIP AND TEAMWORK		
BUSINESS DEVELOPMENT		
COMMITMENT TO COMMUNITY		

Maximizing Professional Development- PD Plans

- One page Associate PD plan as a part of the review process
- Shared with supervising partners, PD team, Practice Group Leaders
- Revisited annually
- Template in handout materials

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Maximizing Professional Development- Training Programs

- Needs assessment/SWOT analysis: best first step
- In-house resources
- Utilize panels of firm experts
- Utilize client resources Just in Time Learning- focus on short presentations on timely topics

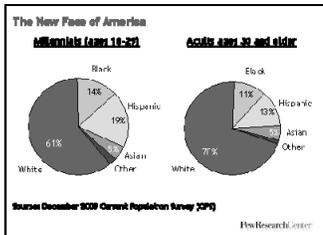
Maximizing Professional Development- Orientation

- Survey current laterals/first years to determine what has worked in the past
- Use opportunity to set expectations
- Spread orientation sessions over time so groups of new associates/laterals have an opportunity to network/make connections
- Utilize in firm-resources -both expertise and technology
- Remember to include sessions on firm culture- firm history, firm economics, governance structure, path to partnership

Diversity: Strategies

- Organization's definition goals and status.
- Current programs, pipeline initiatives
- Expectations: Internal and external communications
- Measurement: What counts?

Diversity in Millenials



**Diversity:
Professional Development**

- Use affinity groups to help alleviate critical mass problems (i.e. all diverse attorneys, not just specific ethnic diversity groups)
- Engage diverse attorneys in bar associations and professional groups to provide support
- Consider diversity education series using community groups (Lambda Legal, Anti-defamation League, law school professors, EEOC)
- Partner with client diversity initiatives

Diversity Strategies- Recruiting

- Determine where you do not have the numbers: concentrate your efforts
- Give time, not money- ex. resume review with BLSA groups at local law schools
- Target diverse laterals: maintain visibility and relationships with attorneys who chose not to join your firm.

**Building a Firm-Wide Diversity
Program – One Model**

Pipeline Initiatives:
ACE (Academic Connections Experience)
BLAC/Round:
Table Minority Clerkship Program
Summer Associate Reception
GCMCP: Greater Cincinnati Minority Counsel Program
DRTI: Diversity Recruiting and Training Institute
GCHRA Staffing and Recruiting Committee: Diversity Recruiting Seminar

Building a Firm-Wide Diversity Program – One Model

Firm-Wide Diversity Training

Bridges Series:

Judge McClain

From the Riots to the Baptist Convention

Personal Perspectives: Living with Challenges

Valuing Religions

Children of Poverty

Great Resources!

● *You Get What You Measure: Lawyer Development Frameworks and Effective Performance Evaluations:* Scott Westfahl, NALP, 2008

● *Lawyers' Professional Development: The Legal Employer's Comprehensive Guide:* Ida O. Abbott, NALP, 2002

Resources: Outside of the box...

- SHRM: Society for Human Resource Management
- Local HR Groups: GCHRA
- Talent Management: Free magazine at www.talentmanagement.com
- Groups on LinkedIn

Comments and Questions

- Summary: Recruiting, Professional Development and Diversity
- Questions and comments
- Resources

THANK YOU!
