



Extreme Makeover: Evaluation Edition

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Agenda

- Introductions
- Evaluation Basics
- Alternatives to the Annual Performance Review
- Firm examples
- In-person feedback and follow up

First, the bad news

- 1 out of 5 employees believe their bosses don't even think about their performance appraisal until they are in the room
- 44% of employees don't think their bosses are honest in the process
- 20% of employees thought their performance appraisal was unfair
- 30% of performance reviews resulted in decreased employee performance

Good news

- Effective feedback is free
- 15% lower turnover rate for companies who implement regular feedback
- 69% of employees say that they would work harder if their efforts were recognized
- Companies with engaged employees vs. competitors with low engagement enjoy 2.5x more revenue growth
- Simple things like thank yous can increase employee's job satisfaction in statistically significant ways

Table Talk



At your tables, discuss your firm's associate evaluation process

What works?

What doesn't?



Evaluations

- Partners/law firms are not all good at giving feedback – good or bad
- Should provide feedback as close in time to performance as possible
- Associates crave feedback – excellent motivator
- You cannot create a perfect system, but here's how to try . . .



The View From 10,000 Feet

- Is the goal of your process to be evaluative only (retrospective)?
- Is the goal of your process to be developmental (prospective)?
- Does your process include elements of both?



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Decide the Nuts and Bolts

- Will you use self assessments and how?
- Will comments be attributed?
- How many processes (Annual/Semi-Annual) a year?
- Do you use an online tool?
- Who are the evaluators?
- Who delivers the feedback?
- What is the end product for associates?
- What is the end product for the firm?



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The Questions

- So what do you ask?
 - Core skills
 - Substantive skills
 - What they do well
 - Areas for improvement

More Nuts and Bolts

- Are your evaluations based on a competency model/framework or by class year/seniority or practice area?
- Are evaluations reviewed for “halos or horns”?
- Are evaluations reviewed for bias?
- Are associates evaluated against performance metrics or against each other?
- Will you use summaries and, if so, who will prepare

Sample Evaluation Question

WORKLOAD MANAGEMENT AND SUPERVISION

1-2 Years

Completes assignments efficiently and by the required deadline. Reaches out for new assignments as others are completed. Demonstrates a willingness to do what is necessary to satisfy the client and supervising attorneys. Returns phone calls promptly and responds to requests on a timely basis. Takes initiative to maintain a full caseload and manage goals for billable hours. Appropriately supervises legal support staff.

Completes assignments efficiently and by the required deadline?

Almost Always Usually Sometimes Rarely No Basis

Reaches out for new assignments as others are completed?

Almost Always Usually Sometimes Rarely No Basis

Demonstrates a willingness to do what is necessary to satisfy the client and supervising attorneys?

Almost Always Usually Sometimes Rarely No Basis

Returns phone calls promptly and responds to requests on a timely basis?

Almost Always Usually Sometimes Rarely No Basis

Takes initiative to maintain a full caseload and manage goals for billable hours?

Almost Always Usually Sometimes Rarely No Basis

Appropriately supervises legal support staff?

Almost Always Usually Sometimes Rarely No Basis

Please comment on the associate's Workload Management and Supervision.

Sample Evaluation Question

Verbal Communications: Communicates with staff, colleagues, clients and adversaries in a clear and professional manner.

- Consistently Exceeds Expectations
- Meets Expectations
- Sometimes Does Not Meet Expectations
- Frequently Fails To Meet Expectations
- No Basis For Judgment
- Comments: Encourage written comments

Sample Evaluation Question

6 Year + Associate – Analytical Ability in Practice

Demonstrates expertise in and mastery of one or more areas of the law that affect his/her practice; stays apprised of developments in these areas:

- Always
- Regularly
- Sometimes
- Infrequently
- Never
- Insufficient contact to evaluate in this area

How Do You Rate Them?

- Descriptors: (Outstanding, Good, Fair, Poor)
- Expectations (Significantly Exceeds, Exceeds, Meets, Does Not Meet)
- Numerical Ratings (1,2,3...)
- Based on Competencies (Mastery, At Level, Below Level)

viDesktop v7.0.0 sp2+ Performance Management Career Development Recruiting Work Allocation Business Processes

2009 Associate Evaluation

Evaluatee: Richard Dohi Evaluator: Gavin Ashley Progress: 100%

Oral Communications

Level 1 Expresses views, advice and positions effectively and appropriately. **Mandatory.**

Level 2 Continues improvement in level 1 and expresses ones self effectively and appropriately within the firm on complex matters.

Level 3 Continues improvement in levels 1 and 2 and effectively and appropriately expresses views, advice and positions on complex and sensitive matters.

Level 4 Continues improvement in levels 1, 2, and 3 and demonstrates effectively presentation skills and presence in the firm.

<input type="radio"/> Does not meet Level 1	- Choi, Steven
<input type="radio"/> Level 1	- Jones, Sam
<input type="radio"/> Level 2	
<input type="radio"/> Level 3	- Atwell, Segun - Liu, Ken - Shin, John
<input type="radio"/> Level 4	- Deaves, Adam
<input type="radio"/> No basis for judgment	

<< Prev Finish

A Checklist for Evaluations

- Is your process fair and consistent? Beware biases.
- Do associates have an opportunity to comment on their own performance?
- Do they receive written copies of the feedback, or summaries?
- Is there an in person evaluation meeting?
- Does the process include discussing goals for next year?
- Do you have systems in place for record keeping and risk management?
- Is your system secure?

Is the annual performance review dead?

- Project based reviews
- Instant Feedback Apps
- In-Person touchpoints

Should We Abandon Written Evals for Law Firms?

- The Considerations
 - Will they really get the feedback otherwise
 - Documentation needed for personnel action
 - Will evaluator participation improve if we are asking for it more frequently?
 - Will we only get the Horn/Halo feedback and not the middle ratings?
 - Is fair feedback possible in stressful situations?

One Firm's Approach

- Level-Specific forms
- Associate Evaluation forms
- Written Summaries
 - Synthesize all evaluations (easy/hard graders, weight of exposure to associate)
 - Ratings in four critical skills
 - Rating for substantive skills
 - Overall rating and level
 - Goal to advance to the next level
 - Compliance (time keeping, pro bono)
 - Given to associates 24 hours in advance of meeting

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Overview of a System

Midyear Evaluations (October 1 – March 1) - informal

Annual Evaluations (October 1 through September 30):

- Online system through viDesktop populated with matters with 15 hours or more
- Associates update profiles and assign matters
- Supervising attorneys complete associate evaluations
- Practice groups propose ratings and levels
- Practice group leaders to review proposals for consistency across groups and offices
- Practice groups prepare and deliver written summaries

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One Firm's Timeline

Evaluation Period: October 1, 2015 – September 30, 2016

October 7	EVALUATIONS SYSTEM OPENS
October 16	Deadline for evaluatees to assign
October 17	SYSTEM OPENS TO EVALUATORS
November 3	SYSTEM CLOSES
November 18	Practice groups propose ratings and levels and start preparing evaluation summaries
December 3	Practice Group Leaders' meeting to review proposed levels and ratings
December/January	EVALUATIONS DELIVERED

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Firm #2 Approach

- Level-Specific forms (1-2 yr, 3 yr, 4-6, 6+ Year)
- Practice Specific Forms (Litigation vs. Transactional)
- Job Title Specific (Staff Attorney, Associate, Counsel)
- Synthesize all evaluations (easy/hard graders, weight of exposure to associate)
 - Ratings in competencies
 - Rating for substantive skills and soft skills
 - Goal to advance to the next level

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Firm #2 System Overview

Annual Evaluations:

- Online system through viDesktop populated with required evals (supervising partners and partners where Associates worked 100 hours on their matters)
- All partners may do an optional review of any Associate
- Chair of Eval Committee and PD Director meet with all Practice Group and Office Leaders
- Eval Committee Meets, recommends salary and bonus
- PD Director prepares eval summaries
- Sit-down reviews delivered

Firm #2 System Overview

Mid-Year Evaluations (January 1 through June 30):

- Required for First and Second Year Associates and Laterals so those who start mid-year do not go a full year without feedback
- Also required for those with performance issues, departmental or practice shifts, those with productivity problems
- Reviews required if Associate works with partners 100 hours or more in last 6 months (rolling)

Firm #2 Timeline

Evaluation Timeline	
November 21	EVALUATION SYSTEM OPENS
December 5	EVALUATIONS DUE
December 5-31	PD chases late evaluations
January 12-17	PD Director and Chair of Evaluation Committee meet with all Practice Group and Office Leaders
January 18-19	Evaluation Committee Meetings
January 26	Evaluation Committee meets with Partner Committee
January 30- February 28	In-Person review meetings

Tips for Increasing Effectiveness

- Timeliness
- No surprises
- Level of candor – associates know where they stand
- Level of participation
- Reconsider the timing
- Shorten the forms!
- Commentary

Delivering the Feedback



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Feedback Sandwich - Not Tasty



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So how do we deliver feedback more effectively?



Rosenberg Approach

- Start with an observation
 - “What (or when) I see (observe, hear, read)
- Follow it up with a feeling
 - I feel (I suspect, I am frustrated, I am disappointed)
- And then a need or expectation
 - Because I need to...
 - We cannot continue unless...
- Close with a request or concrete actions you want taken
 - In the future, I expect...
 - Going forward ...
 - You must ...

Can You Train Your Evaluators?

- May not attend live training
 - Can record for replay or create eLearning
 - Can create written guidelines

The Follow Up

- Schedule
- After time to reflect
- Ask for their reflection
- May take more than once
- Make a plan!

Questions?
