

HUSCH BLACKWELL

Associate Policies and Progression

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HUSCH BLACKWELL

COMMERCIAL LITIGATION ASSOCIATE CAREER DEVELOPMENT GUIDELINES

The following is a list of skills our associates should acquire to progress and succeed within our litigation practices. The list is designed to help you, our Strategic Business Unit and Practice Specialty Center Leaders assess your progress.

The listed skills are guidelines, for circumstances may preclude a particular associate from having the opportunity to handle certain tasks. Also, because it contains guidelines, the list is not a checklist that lawyers simply “complete” to advance. It is instead a tool both you and your SBU and PSC Leaders can use to assess the opportunities you have had to build your skills, for mastering skills, not completing tasks, is the goal.

Name: _____

Date: _____

CAREER LEVEL 1

GUIDELINE	YES	NO	COMMENTS
<u>Professional & Firm Matters</u>			
<ul style="list-style-type: none"> • Become admitted to practice before pertinent state and federal courts. 			
<ul style="list-style-type: none"> • Attend in-house CLE seminars on litigation skills and topics. 			
<ul style="list-style-type: none"> • Attend the HB career development programs for Level 1 Associates. 			
<ul style="list-style-type: none"> • Become actively involved in a local or national bar association in a section pertinent to litigation practice. 			
<ul style="list-style-type: none"> • Become involved in recruiting and other Firm activities and programs. 			
<ul style="list-style-type: none"> • Handle administrative assignments and SBU/PSC or group projects as requested. 			

CAREER LEVEL 1

GUIDELINE	YES	NO	COMMENTS
<u>Litigation Experience</u>			
• Participate in fact gathering and strategy conferences with other lawyers and clients.			
• Gather factual information necessary to prepare defense or plaintiff's case.			
• Prepare factual summaries and legal memoranda concerning possible claims and defenses.			
• Draft regular reporting letters to client on case status.			
• Draft complaints, answers, and other responsive pleadings.			
• Handle all matters related to filing of complaint and service of process.			
• Draft removal pleadings.			
• Develop familiarity with e-discovery concepts, such as how e-documents and data are stored, archived, and retrieved, and the steps to take to preserve and discover such information.			
• Assist in preparation for and attend Rule 26 conference, and draft Rule 26 discovery plan or state court equivalent.			
• Conduct fact witness interviews and obtain statements, if appropriate.			
• Attend docket calls/status conference hearings.			
• Draft discovery requests, responses to discovery requests, and motions relating to discovery issues, such as enforcement of discovery or protective order.			
• Collect, review, organize, and produce client documents, and review and organize documents produced by other parties.			
• Use litigation support database for document and data review in discovery.			

CAREER LEVEL 1

GUIDELINE	YES	NO	COMMENTS
• Prepare factual summaries from documents, witness statements, and deposition testimony.			
• Delegate to and supervise work of paralegals and document clerks.			
• Draft and arrange for service of deposition notice (including duces tecum) and subpoena.			
• Help prepare for depositions of fact witnesses and plaintiffs.			
• Help prepare for depositions of clients and expert witnesses.			
• Observe and then conduct depositions of non-critical fact witnesses in a complex case.			
• Take depositions of fact witnesses or parties in a simple case.			
• Attend or take deposition of non-party records custodian.			
• Prepare legal research memoranda on complex legal problem and present conclusions to partner or supervising lawyer.			
• Draft dispositive motions such as motion to dismiss and motion for summary judgment.			
• Attend strategy meetings, depositions, and trial preparation with clients.			
• Draft settlement documents.			
• Research and draft motions in limine and preliminary jury instructions.			
• Prepare motion to stay and/or compel arbitration.			
• Draft simple court papers such as motions for continuance, expert designations, deposition notices, and hearing notices.			
• Assist in drafting of post-trial motions and appellate briefs, and assemble record on appeal and other post-trial submissions.			

CAREER LEVEL 1

GUIDELINE	YES	NO	COMMENTS
<u>Court Experience</u>			
• Attend docket calls and status conferences.			
• Attend pretrial conferences with supervising lawyer.			
• Argue pre-trial motion on simple discovery issues.			
• Handle Associate Circuit Court case or pro bono case in its entirety with minimal supervision.			

CAREER LEVEL 2

GUIDELINE	YES	NO	COMMENTS
<u>Professional & Firm Matters</u>			
<ul style="list-style-type: none"> Attend CLE seminars on litigation skills and topics, such as advanced legal writing, taking depositions, discovery skills, e-discovery, and trial skills. 			
<ul style="list-style-type: none"> Attend the HB career development programs for Level 2 Associates. 			
<ul style="list-style-type: none"> Actively participate in a professional, bar, or community organization strategically related to your professional or business development. 			
<ul style="list-style-type: none"> Assist with preparing articles, client updates, seminar materials, or presentations on practice area topics. 			
<ul style="list-style-type: none"> Become familiar with Firm policies and practices for client intake and conflicts, fee structures, and billing, and assist as requested in such administrative matters. 			
<ul style="list-style-type: none"> Actively participate in recruiting and other Firm activities and programs. 			
<ul style="list-style-type: none"> Handle administrative assignments and SBU/PSC or group projects as requested. 			
<u>Litigation Experience</u>			
<ul style="list-style-type: none"> Assist supervising lawyer in advising client regarding evidence preservation and legal holds. 			
<ul style="list-style-type: none"> Draft mediation position statements. 			
<ul style="list-style-type: none"> Begin delegating to and supervising work of Level 1 associate. 			
<ul style="list-style-type: none"> Communicate directly with clients about case status, discovery, and presentation of case. 			
<ul style="list-style-type: none"> Assist in developing litigation budget for client. 			

CAREER LEVEL 2

GUIDELINE	YES	NO	COMMENTS
• Assist supervising lawyer in obtaining facts and relevant documents and data directly from client and witnesses.			
• Draft complaints and answers in increasingly complex litigation.			
• Work more directly with client in drafting discovery requests and responses to discovery requests, and in collecting responsive client documents and data.			
• Advise supervising lawyers on electronic discovery issues.			
• Assume greater role in drafting motions and in obtaining or preparing supporting documents such as affidavits.			
• Manage document and data collection, analysis, and production in medium-sized case.			
• Identify potential witnesses from case documents, pleadings, and other discovery sources, and develop plan for additional fact-gathering.			
• Prepare and produce fact witnesses for deposition.			
• Take depositions of fact witness and parties.			
• Locate, retain, and prepare expert witness for deposition.			
• Defend or take expert depositions.			
• Develop assessments of cases for supervising lawyer including additional factual information needed, legal issues needing research, and strengths and weaknesses of claims and defenses.			
• Handle all aspects of settlement of small matter including negotiation, drafting the agreement, and contact with client.			
• Draft pretrial motions including motions in limine.			
• Prepare mechanic's lien with accompanying notices.			
• Prepare extraordinary relief pleadings and supporting documentation.			
• Appear on behalf of client in mediation.			
• Draft post-trial motions and appellate briefs.			

CAREER LEVEL 2

GUIDELINE	YES	NO	COMMENTS
<u>Court Experience</u>			
• Handle discovery or scheduling conferences.			
• Second chair (or first chair, if applicable) a trial.			
• Draft motion for directed verdict.			
• Assist in preparation of jury instructions.			
• Argue non-dispositive or dispositive pre-trial motions.			
• Conduct direct or cross-examination of trial witnesses.			
• Argue motions for directed verdict and post-trial motions.			

CAREER LEVEL 3

GUIDELINE	YES	NO	COMMENTS
<u>Professional & Firm Matters</u>			
• Attend CLE seminars on advanced litigation skills and topics.			
• Attend the HB career development programs for Level 3 Associates.			
• Actively participate and seek a leadership role in a professional, bar, or community organization strategically related to your professional or business development.			
• Author articles, client updates, or seminar materials on practice area topics.			
• Give a presentation at an internal or external CLE seminar, client meeting, or business development program.			
• Develop relationships within other practice areas to handle their inquiries.			
• Work with partners on business development efforts and strategies.			
• Prepare and pursue a business development plan.			
• Assist with client intake, pro forma bill review, and other administrative matters.			
• Take responsibility for billing and collection on small to medium sized accounts.			
• Actively participate in recruiting and other Firm activities and programs.			
• As requested, take leadership role in handling SBU/PSC and group projects.			
<u>Litigation Experience</u>			
• Have greater involvement and responsibility for same matters listed for Level 1 and Level 2 associates.			

CAREER LEVEL 3

GUIDELINE	YES	NO	COMMENTS
<ul style="list-style-type: none"> • Delegate to and supervise work of junior associates and paralegals. 			
<ul style="list-style-type: none"> • Handle meeting with client, gather facts, identify and assess legal issues, and develop litigation budget and staffing needs for litigation matter. 			
<ul style="list-style-type: none"> • Advise client on preservation duty and legal hold notice and processes. 			
<ul style="list-style-type: none"> • Take primary responsibility of the day-to-day management of litigation matters with minimal supervision. 			
<ul style="list-style-type: none"> • Develop litigation budget and be responsible for meeting all client-imposed reporting requirements. 			
<ul style="list-style-type: none"> • Develop and manage e-discovery budget involving outside provider. 			
<ul style="list-style-type: none"> • Assume responsibility for client billings and collections. 			
<ul style="list-style-type: none"> • Serve as primary client contact on the majority of cases on your docket. 			
<ul style="list-style-type: none"> • Take primary responsibility for engaging and supervising local counsel. 			
<ul style="list-style-type: none"> • Take primary responsibility for preparation of fact summaries and legal memoranda regarding possible claims and defenses. 			
<ul style="list-style-type: none"> • Take primary responsibility for analysis of contracts and other legal documents, and development of claims and defenses. 			
<ul style="list-style-type: none"> • Take primary responsibility for preparation of complaint and answer in complex cases. 			
<ul style="list-style-type: none"> • Identify possible dispositive issues and develop strategy for addressing dispositive issues through discovery and motion practice. 			
<ul style="list-style-type: none"> • Conduct client custodian interviews, and produce witness or take designate deposition, on computer use and data management. 			

CAREER LEVEL 3

GUIDELINE	YES	NO	COMMENTS
• Manage document collection, analysis, and production in complex case.			
• Coordinate gathering of relevant documents, data, and other information from client and other sources and assume primary responsibility for analysis of such information.			
• Manage use of litigation support database for document and data review in discovery.			
• Take primary responsibility for development of case themes in medium-sized cases, including development of trial strategy.			
• Take primary responsibility for preparation of discovery requests.			
• Take primary responsibility for preparation of non-dispositive and dispositive motions, and obtaining or preparing supporting documents.			
• Defend or take fact witness, party, and client depositions.			
• Defend or take expert witness depositions.			
• Take primary responsibility for preparing and defending client depositions.			
• Take primary responsibility for negotiating settlement and preparation of settlement agreements			
• Take primary responsibility for pretrial motions, including motions in limine.			
• Take responsibility for management of pre-trial tasks, including preparation of deposition designations and identification of appropriate witnesses and exhibits for trial.			
• Take primary responsibility for trial testimony outlines.			
• Take primary responsibility for mediation, settlement conference, or arbitration.			
• Take primary responsibility for preparation of post-trial motions and appellate briefs.			

CAREER LEVEL 3

GUIDELINE	YES	NO	COMMENTS
<ul style="list-style-type: none"> • Assist supervising lawyer in selection of mediator appropriate for client's resolution needs. 			
<ul style="list-style-type: none"> • Develop mediation strategy, including identifying leverage and options for resolution. 			
<u>Court Experience</u>			
<ul style="list-style-type: none"> • Handle pretrial conference. 			
<ul style="list-style-type: none"> • Argue dispositive motions. 			
<ul style="list-style-type: none"> • Attend and participate in mediation or arbitration. 			
<ul style="list-style-type: none"> • First chair a trial in state or federal court. 			
<ul style="list-style-type: none"> • Second chair a high-stakes, complex trial in state or federal court. 			
<ul style="list-style-type: none"> • Supervise preparation and service of trial subpoenas. 			
<ul style="list-style-type: none"> • Prepare jury instructions. 			
<ul style="list-style-type: none"> • Supervise preparation and management of exhibits, including electronic media. 			
<ul style="list-style-type: none"> • Handle one or more direct and cross examinations of fact witnesses in a complex trial. 			
<ul style="list-style-type: none"> • Take primary responsibility in arbitration matter. 			
<ul style="list-style-type: none"> • Argue appeal in state or federal court. 			

Level 3 Individual Development Plan Template

An Individual Development Plan is a tool to help you think strategically about your career and identify concrete steps to reach your goals.

Your plan will be used by you, your group leader, and your advisor to help assess your current progress, establish goals and align your practice with the group's practice and firm's strategy. It will also be provided to your Executive Committee liaison as they begin conversations with you regarding your career progression at the firm as well as the Management Board during the partner consideration process. Your plan should focus on impactful action steps and specifics on how you plan to achieve identified goals.



Substantive Practice Expertise: Practice knowledge, lawyering skills, excellence in quality and delivery of service and substantive legal experience.

Describe your current practice.

Describe goals you have to enhance and develop your substantive expertise and how you plan to achieve those goals.

Business Development: Skills and demonstrated ability in the areas of business development, practice building and client relationship management. Building a reputation that extends beyond the firm to attract work from existing and new clients.

Describe your business development experience and efforts.

Describe the goals you have to expand upon and build client relationships and how you plan to achieve them.



Sources of Work: Current and anticipated sources of work for yourself and others, including internal and external sources.

Describe your current and anticipated sources of work, both internal and external.

Describe goals you have to expand your sources of work and how you plan to achieve them.

Client Service Mindset: A clients first approach that consistently anticipates future issues and advises clients based on deep knowledge of business, industry and market.

Please describe your client service mindset and how you are differentiating yourself and the firm in the area of client service.

Describe goals you have in this area and how you plan to achieve them.



Firm Citizenship: Ownership mentality, talent development, collaboration and embodiment of firm core values.

Describe your contributions to firm citizenship.

Describe goals you have in this area and how you plan to achieve them.

Metrics: Billable hour expectations, material time contributions in other investment categories, demand at current and anticipated billing rate, realization and delegation.

If applicable, provide an explanation regarding atypical circumstances that have impacted your metrics.