
The Emergence of Nontraditional-Track Lawyer Career Paths:

A Resource Guide for Law Firms and Law Schools

Contents:

Preface	2
Introduction	3
A. Employers	
1. Getting Started	3
2. Recruiting	8
3. Integration	13
4. Professional Development	14
5. Review Process	21
B. Opportunities and Strategies for Law School Career Offices	25
Conclusion	27
Appendix	28
Appendix A: Nontraditional Track Models	29
Appendix B: Job Descriptions	34
Appendix C: Job Postings	40
Appendix D: Mentor Fact Sheet	46
Appendix E: Core Competencies	48
Appendix F: Evaluation Forms	54
Appendix G: Attorney Profiles	81



This report was produced by the NALP New Career Models Task Force.

© 2014 National Association for Law Placement® (NALP®)

Preface

Client demands for efficiency and added value, as well as the changing legal landscape, dictate that law firms can no longer compete effectively in the marketplace with teams of lawyers made up solely of partnership-track associates and partners. Alternate staffing models, including the use of nontraditional lawyer tracks, is one significant way in which legal employers are responding to these challenges. The *2014 Citi Private Bank/Hildebrandt Client Advisory* notes:

In order to lower the cost of doing the work, we have seen the composition of leverage at law firms shift to a greater proportion of lower cost lawyers. Many law firms have mimicked the model of the alternative providers to some degree and are themselves hiring lower cost lawyers to handle their lesser quality work at reduced rates. Others are partnering with those alternative providers to outsource their low-end work, thus maintaining the overarching relationship with the client.

We have observed a range of approaches to the use of lower cost lawyers at firms. In the Law Firm Leaders Survey, 82% of respondents answered that they are using temporary or contract lawyers. Additionally, 70% responded that they are using permanent, lower cost, non-partner track lawyers. We view this as a permanent shift in the legal staffing model.

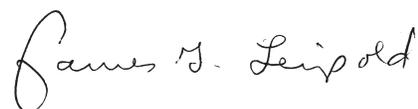
This resource guide provides an essential and comprehensive tool for law firms that are just in the early stages of implementing a nontraditional lawyer track, and also for firms looking to enhance existing programs by focusing on career progression or the implementation of a competency framework for their nonequity-track lawyers.

The guide is a critical resource for law schools as they seek nontraditional employment for graduates. In particular, the attorney profiles section at the end of the resource guide provides concrete examples of the types of jobs that recent law school graduates are finding in the post-recessionary reset.

The material that has been gathered in the appendices alone provides an extraordinary resource, collecting sample job descriptions, job postings, core competencies, and evaluation forms from a variety of firms and for a variety of nontraditional-track positions. This is a resource that will be of enormous value to every law firm that is working to find the right mix of lawyers for moving forward strategically and competitively as the business model and market for the delivery of legal services continue to change.



Stacey M. Kielbasa
2013-2014 NALP President



James G. Leipold
NALP Executive Director

Introduction

NALP's New Career Models Task Force was created in 2012 and charged with the task of researching the proliferation of nontraditional career opportunities for lawyers in law firms. The Task Force was asked to examine how firms are using nontraditional-track positions and to provide information to the membership about the different programs that firms have created. The Task Force conducted extensive research and interviewed interested parties including NALP members from law firms and law schools, as well as industry consultants and experts. In March 2013, the Task Force issued a report (www.nalp.org/uploads/NCMTF_Report_0313.pdf) providing the membership with an overview of its research, followed by an initial version of this resource guide. The Task Force's work continued during the 2013-2014 NALP year, during which the Task Force continued to research this important topic. The result of the Task Force's work in the second year is a revised version of this resource guide that contains practical information to help law firms and law schools navigate this important area. This resource guide is intended to provide law firms with detailed information that will help them make informed decisions about nontraditional-track programs. A firm may use this guide to assess the value of and to design and create a new program, or to refine and improve an existing program. This guide can also be used by law schools as a way to educate those involved in career services and the students and alumni they serve about nontraditional-track positions.

A. 1. Getting Started

A Word About Definitions

Firms use a variety of titles to describe the nontraditional-track roles that they have created. For the purposes of this resource guide, we use the term “nontraditional track” to describe a wide variety of different roles. Each firm should decide the title(s) that best suit its program and culture.

Immerse Yourself

The use of nontraditional-track attorneys is still relatively new to law firms, and many of those involved in staffing and hiring decisions are only just becoming aware of options outside traditional-track attorney positions. Talent and recruitment professionals, as well as professional development professionals are uniquely situated to assess firm needs and consider whether adding a nontraditional-track program makes sense for the firm. If talent professionals do not have seats at the table currently in these discussions, they should work toward becoming more involved by discussing staffing opportunities more broadly

with firm leaders including partners, the firm's administrative heads, and marketing and finance colleagues.

But first they must educate themselves about the options available. Steps to do so may include one or more of the following:

- Learn about nontraditional-track models that may be in place currently. Keep in mind that these programs come in many shapes and sizes and have many different labels (e.g., document review specialists, e-discovery specialists, practice associates who are not on the traditional track, and other specialist attorney roles in the organization).
- Read extensively about industry developments in this evolving area.
- Learn more about the firm's economics and look for ways nontraditional-track models could enhance profitability. With increasing fee pressure from clients, clients' refusal in some instances to pay for inexperienced junior associates to work on their matters, and the rise of alternative pricing strategies, firms are being more thoughtful about how best to perform the various tasks of a matter to maximize quality, efficiency, client results, and profitability.
- Become involved in performance management discussions. Nontraditional-track models can provide attorneys with a more customized way of engaging with the firm. Not all lawyers want to commit to the expectations of traditional-track associates. Nontraditional custom roles can offer more work/life balance and allow for more flexible compensation and may enable the firm to retain engaged, highly-valued attorneys.

Talent professionals may also need to be prepared to debunk the myth that work performed by nontraditional-track attorneys is likely to be sub-par. Some partners, and even some clients, may perceive that these individuals interested in working in nontraditional-track roles have been unsuccessful in traditional-track attorney positions. They may need help understanding that the demands and expectations of a traditional-track attorney position are not for everyone and that nontraditional attorneys possess myriad positive strengths and skills.

Assess Firm Needs

As mentioned earlier, these new staffing models come in all shapes and sizes. It is important to understand the firm's needs and design a program that is appropriate.

The Task Force has found that, typically, nontraditional-track attorneys are billed at a lower rate than traditional-track attorneys. Also, using attorneys who are employed by the firm and trained by the firm helps ensure quality control and consistency.

Below we outline three models that firms can consider when embarking on the potential creation of a program. They can be used alone or in conjunction with one another.

1. Litigation Document Review

This model focuses primarily on document review, document production, and e-discovery. With this model, what remains most critical at the outset is consideration by a firm of whether to open a separate off-site document review and e-discovery center or to keep the operations in-house.

2. Price-Sensitive Commodity Work

This model focuses on using nontraditional-track attorneys to handle junior-level routine and price-sensitive work for particular practice groups or client teams.

Types of price-sensitive commodity work may include the following, depending upon how a firm structures and staffs this work:

- Research, document collection, document review, witness preparation, witness interviews, and preliminary deposition preparation.
- Due diligence, drafting of incorporation documents, preparation of standard real estate leases and agreements, regulatory compliance work, and patent prosecution.
- Non-billable work: industry research, drafting articles, and drafting client alerts.

3. Sophisticated and Specialized Work

Practice groups within firms can benefit from nontraditional-track attorneys who specialize in a particular area. These “specialists” create efficiencies because the firm is able to lower, or maintain, the rates for the sophisticated work they perform. Typically, these individuals are not progressing toward partnership, do not aspire to partnership, and/or may be seeking a more reasonable work/life balance than is expected of traditional-track attorneys. Examples of specialized work include:

- Brief writing.
- Insurance policy analysis, coverage litigation, and policy archaeology.
- Damages analyses.
- Privacy, personal information, and data transfer.
- Data analytics, including security breaches and cyber-crime.

See Appendix A for sample nontraditional-track models.

Consider Firm Culture

Even if opportunities are ripe for firms to implement a nontraditional staffing model, it is critical to assess whether or not a firm's culture and leadership will support such a program. Talent professionals at firms that have entrenched ideas about the associate-to-partner model may encounter more significant obstacles. Given that the structure of nontraditional staffing models will likely vary from firm to firm based on the culture that exists in each organization, it is helpful to consider the following:

- Does the firm candidly discuss with its lawyers financial metrics such as profitability and realization, particularly at a business unit or practice group level?
- How much client fee pressure is the firm experiencing?
- How open is the firm to discussions of shifting generational values around work/life balance?
- What has been the firm's experience with losing highly regarded attorneys seeking a different level of intensity than that which the traditional partner-track career demands?
 - The potential loss of a highly regarded associate due to the associate's desire for more work/life balance or career flexibility may create an opportunity for a nontraditional attorney position.
 - Sharing detailed attrition records that correlate unwanted departures with departure reason and next employer may be useful in explaining to skeptics the business case for nontraditional career models.

Depending upon firm culture, a firm may benefit from a top-down approach in which firm leaders get on board first and help to drive change within the organization. Some firms may benefit from a grass-roots effort in which they obtain buy-in first from a practice group around a particular need and opportunity and then persuade firm leadership to support it. The latter approach is probably the easier path to obtain buy-in, but it is probably the more difficult to implement in a way that is sustainable and can be applied across the organization to needs that may arise in the future. To avoid having too customized a program that cannot be applied more broadly within the organization, firms should consider the structural issues outlined below.

Considerations Regarding Structure

There are many big-picture issues firms will want to consider in designing their nontraditional staffing models. Firms must also consider the challenges they may face and how to overcome them.

- To what extent does the firm wish to provide routine or commoditized services in-house as part of its client service offering? Which tasks are best performed in-house and which can third-party vendors more cost-effectively perform?
- Does the firm want to consider hiring nontraditional-track attorneys in a lower cost market or a lower-cost location within the same market and integrate these professionals into the practice remotely? Doing so can add to profitability but can create additional integration challenges.
- Generally, how can the firm attract talent to nontraditional-track positions and ensure job satisfaction in those roles while also managing costs?
- To what extent, if any, is the firm willing to train new lawyers for these roles rather than hiring lawyers with experience?
- What steps will the firm take, if necessary, to ensure that the introduction of nontraditional staffing models does not dilute or negatively impact the firm's commitment to enhancing the gender and racial diversity of the firm's partner-track career model?
- Will the billable hour requirement be less than the requirement for partner-track associates? To what extent, if any, will the firm be willing to offer more work/life balance or flexible schedules as a trade-off for lower compensation? Will those who are on a traditional, partner-track career path continue to be permitted to work reduced hours or flexible schedules?
- What are the firm's expectations regarding non-billable hours?
- Are nontraditional-track attorneys encouraged, or at least permitted, to perform and be paid for pro bono work?
- What are the performance expectations beyond hours?
- How will their compensation be structured? Will they be eligible for bonuses and, if so, what are the criteria for earning them?
- What will the range of their billing rates be and how should those rates compare to traditional-track associates? What relationship will the attorney's compensation have to the attorney's billing rate, if any?
- Will they work on-site, telecommute, or work from a separate location?
- What benefits will the firm offer? Will the benefits be the same as those offered to associates or to staff, or will the benefits package be customized?
- Will nontraditional-track attorneys be permitted to move to traditional-track roles and vice versa?
- What will be their titles? Titles can create impressions of status and career trajectory.
- How will assignments for nontraditional-track attorneys be distributed and managed?

Program Roll-Out

Communication with individuals at all levels within the organization is key to the successful roll-out of a nontraditional staffing program. Ideally, firm leadership would meet with partners, associates, and staff within the organization to educate them on the new roles and how and where these roles will fit within the overall organizational structure. Firms have found it particularly helpful to provide a forum for traditional-track attorneys to address concerns they have about the impact these new career models may have on their own career prospects.

By having these conversations up front, firms may be able to avoid the stigma that could be attached to the attorneys hired in these new roles due solely to a lack of understanding about the value of the attorneys' contributions. Additionally, candid discussions about the business drivers for the nontraditional staffing models can help with buy-in at all levels.

As mentioned earlier, a firm may find that starting small with a pilot in a particularly receptive practice group is the best approach to gain support and understanding of how nontraditional career models can benefit the firm, keeping in mind the suggested considerations noted in the previous section.

2. Recruiting

Once a firm has decided to establish a nontraditional-track attorney program, or to formalize an existing ad hoc nontraditional track, the firm will want to consider carefully how to recruit effectively for these positions. While aspects of a firm's hiring process for traditional-track lawyers may apply to nontraditional-track lawyers, firms should consider whether the same or a different approach may be best.

Hiring Responsibility

If lawyer and staff recruiting within a firm are separate, the firm will need to decide which department will manage the recruiting process. While the "right" answer will vary from firm to firm depending upon firm culture and available resources, the benefits of utilizing the legal recruiting department may include the following:

- elevating the prestige of the positions;
- tapping into the seasoned abilities and expertise that legal recruiting professionals have in reviewing resumes of lawyers; and
- leveraging legal recruiting professionals' relationships with the firm's alumni network, the law school community, and legal staffing and recruiting firms.

Hiring Criteria

The best applicant sources for nontraditional-track positions will depend upon whether the firm seeks entry-level or experienced candidates. When deciding on the hiring criteria for each position, firms should consider the following factors.

- **Job description.** Whether the firm is seeking an attorney for document review or work in a specialized area will determine the type of candidate the firm seeks. Be thoughtful and up-front when preparing the job description. Outline how the position fits into the firm's structure and describe the firm's expectations of individuals in the role. The job description is one of many opportunities a firm has to manage expectations of individuals who consider applying for the position.

Sample job descriptions are included in Appendix B.

- **Prior experience.** Has the individual worked in a firm or in similar nontraditional-track positions? Does s/he understand how the role may fit within the organization? Does the applicant have experience in a particular specialty the firm needs?
- **Academic background and performance.** Establish whether the firm wants or needs to establish guidelines or standards for academic performance for these roles. If so, should those standards differ from the standards applied to traditional-track positions? Do the traditional-track standards have any correlation to what the firm expects of individuals in these roles, or do the standards unnecessarily limit the firm's recruiting options?
- **Transparency.** It will be important early on in the recruiting process for each applicant to understand clearly what the position is and is not and the expectations the firm has of individuals in the role. Creating an accurate job description is key.

OBSERVATION FROM THE FIELD

Hiring standards are often less rigorous for attorneys who handle commoditized work. They are broadened to include more law schools and a broader GPA range, although 3.0 is the minimum for some firms. There are few differentiators between the hiring standards for staff attorneys who will conduct non-commoditized work and partner-track attorneys, although there may be less emphasis placed on law school credentials since many of these non-commoditized staff attorney positions are filled with experienced attorneys whose past substantive experience aligns with the current needs of practice groups.

Recruiting Methods

When beginning a search for attorneys to fill vacant or newly created positions, firms should consider which methods for sourcing candidates will be most effective. Options include the following.

- **The firm's website.** Advertising a nontraditional-track position on the firm's website, as the firm would do with traditional-track positions, lends credibility and legitimacy to these new roles and helps to send a message that these positions are integrated into the firm's overall staffing plan.

Sample job postings are included in Appendix C.

- **Referrals.** Attorneys within a firm are sometimes the best recruiters. Promoting the position within the firm and encouraging existing attorneys to mention the position to others may result in referrals of candidates. It also has the side benefit of continuing to educate the attorneys within the firm about the position.
- **Existing partner-track attorneys.** If firms are open to having traditional-track and nontraditional-track attorneys move between these two distinct roles, firms may find that some of their existing partner-track attorneys are good candidates for nontraditional attorney positions. This can be true even if a firm does not intend to permit nontraditional-track attorneys to move to partner-track positions.
- **Alumni network.** A firm can tap unknown talent by utilizing the firm's alumni network, some of whom may be looking for nontraditional career opportunities.
- **Law schools.** If considering entry-level talent for nontraditional positions, consider whether the firm should participate in fall or spring law school on-campus interview programs. At many law schools, most students do not find employment through OCI. Career services staffs work with employers throughout the year to post job opportunities and will arrange on-campus interview sessions if and as needed. Employers can also consider participating in or hosting panel presentations for students on alternative career tracks at firms. Some firms are offering one-year fellowship positions in certain practice areas at lower billing rates and salaries. Law schools are also poised to assist with identifying experienced candidates through their alumni networks.

OBSERVATION FROM THE FIELD

Many document review positions are being filled by new graduates who may not come from a firm's traditional feeder schools. Many firms do not expect document review attorneys to have long tenure with them and understand that these positions are often approached as a launching pad to something else. Some firms plan for attrition by hosting on-campus interview style recruiting events at local law schools in order to build their pipeline of candidates and quickly fill vacancies.

- **Search firms and staffing agencies.** Some firms have found it beneficial to engage a search firm or staffing agency to help with nontraditional positions, particularly those where a specialized skill set in a unique area of law is required or where the firm would prefer to hire someone on a temporary-to-permanent basis.

Interview Process

The fit and suitability for any position is key to an individual's ability to succeed. Firms should consider carefully the screening and interviewing processes they use for these nontraditional positions.

- **Initial applicant screening.** This will likely vary based on the position but it is important to stick close to the parameters set forth in the job description to determine experience level and desired skill set.
- **Suitable interviewers.** Often the best judges of an applicant are those with whom s/he will be working, so it will be important to select interviewers who will be able to evaluate an individual based on the firm's criteria for the position. Interviewers must be well-versed in the expectations for the position and need to fully understand and appreciate how the position fits into the group's and the firm's overall structures. Inadvertent miscommunication of expectations at this stage can create challenges down the road.

PRACTICAL TIPS

- ➡ When interviewing attorneys for nontraditional roles, it is important to examine their priorities and drivers as well as their ability to do the work. You will have more satisfied attorneys if their priorities and expectations align with what the role offers.
- ➡ For document review attorneys, technical aptitude is as important as legal aptitude. When vetting candidates, those who are knowledgeable about the various databases used in e-discovery work will be able to review documents in a more efficient manner.
- ➡ Remember that the interview process is sending a message. While the interview process may not be as rigorous, the way you approach the interview should make it clear that this role is valued and the person in it is important to the overall success of the team.

Decision Making

It is important to have an established group of lawyers and/or a recruiting professional who will be responsible for evaluating each candidate's complete job application. This could be the responsibility of the firm's already-existing hiring committee, an entirely separate group of attorneys who have oversight over the program, or a mix of both. Having the same group evaluate applicants for similar types of nontraditional roles allows firms to benefit from the group's knowledge and understanding of these positions which are relatively new to firms.

Offer Parameters and Expectations

Firms should use the offer process for nontraditional positions as yet another opportunity to manage expectations and to clarify the role for which the firm is hiring. Firms may want to state in writing the following information, most of which should have been discussed thoroughly during the interview process.

- The specific type of work to be performed.
- Hours required — in terms of both billable hours and actual time in the office. In addition, the offer should specify expectations and opportunities for non-billable and pro bono hours.
- If the position has a finite duration, the offer documentation should make that clear.
- Compensation and benefits.
- Opportunities to participate in external and internal CLE programming.
- Opportunities to attend retreats, meetings, and non-CLE programming provided to traditional-track attorneys.
- Career advancement opportunities, if any, including possible progression into a traditional partner-track position if that is an option.

3. Integration

Before an attorney who is being hired into a nontraditional-track position begins work at the firm, the firm should consider how best to integrate the attorney so s/he starts off feeling valued and a part of the team. Successful integration is key to getting nontraditional-track attorneys invested in client results and the long-term success of the firm. Often focusing on the little things can make a big difference in an attorney's success.

- **Assigning office space and location.** Consider the implications of where you plan to seat nontraditional-track attorneys. Assigning them to a space within close physical proximity to those with whom they will work may better integrate them. If possible, firms may want to consider providing office space comparable to the office space given to traditional-track attorneys.
- **Assigning Mentors.** Providing nontraditional-track attorneys with mentors when they start with the firm may provide for a smoother transition and faster integration into the firm and position nontraditional-track attorneys to become productive immediately.

Orientation

Firms would be wise not to skimp on orientation for nontraditional-track attorneys. It is just as important for nontraditional-track attorneys to learn about a firm's culture, values, and strategic direction as partner-track attorneys so they understand how they can contribute to the firm's success. In addition, because the role and reporting structure for nontraditional-track attorneys likely differs from firm to firm and from traditional partner-track roles, it will be important for the firm to discuss again in detail the unique expectations of the role for which the individual has been hired and the reporting structure.

- **Establish their roles.** Provide nontraditional-track attorneys with a detailed overview of the work they will perform, as well as the firm's expectations with regard to office hours, billable hours, non-billable hours, participation in firm and department meetings, pro bono work, attendance at CLE programs, professional development resources available to them, and other aspects of firm life.
- **Provide an overview of the reporting structure.** Provide a clear picture as to how matters are typically staffed, and to whom the nontraditional-track attorney will report and for whom the attorney will perform work. In addition, explain how the nontraditional-track attorney's work will fit into the firm's overall provision of legal services to its clients.

OBSERVATIONS FROM THE FIELD

Several firms reported including nontraditional attorneys in their regular orientation for partner-track attorneys. Doing this would allow nontraditional attorneys to receive the same information about the firm, policies, etc. Other firms run separate orientation programs for their nontraditional attorneys. These firms reported that this allows them to address the unique expectations and nuanced differences in benefits and operational protocols that apply to nontraditional attorneys. Because alternate career tracks are still fairly new within law firms, it is important to take the time to ensure that individuals have all the information they need to be successful and to interact with attorneys and supervisory staff in a manner that is consistent with firm expectations. One firm in our survey that currently hires entry-level nontraditional lawyers out of law school includes these attorneys in its first-year firmwide orientation program, and the firm reported that the attorneys find this integration opportunity very valuable.

4. Professional Development

The practice of law is anything but static. As with partner-track attorneys, it is imperative for firms to invest in the development of nontraditional-track attorneys so that their skills can continue to evolve to meet the needs of the firm's clients.

Training

Firms should be thoughtful about the type of training they provide to nontraditional-track attorneys to ensure they have the skills to successfully perform the functions of the position. The ideal training curriculum will depend on whether the firm has hired entry-level or experienced attorneys to fill these roles, the degree to which the position requires specialized knowledge not already possessed by the attorney, the evolving nature of the attorney's area of specialty, and the firm's goals for the duration of the employment arrangement. When deciding on the training curriculum, firms should consider the following.

- **External Specialized Training/CLE.** By providing attorneys with access to external training focused on a narrow area of law, the firm can address the development needs of attorneys with unique and specialized skills without investing in the development of a broad internal curriculum. Investing in this type of training also helps to reinforce the value the firm places on developing nontraditional-track attorneys.

- **In-House Training/CLE.** If a firm needs or wants to train a group of nontraditional-track attorneys with similar development needs, it may be more cost effective to develop a curriculum internally. Firms can utilize existing training materials and internal expertise, but firms should also tailor any training they offer to nontraditional attorneys to their roles.
- **Inclusion in existing training programs.** Firms should consider and determine the degree to which nontraditional-track attorneys should be included in training for partner-track attorneys. Inviting nontraditional-track attorneys to relevant partner-track training has significant benefits including efficiency, integration, and messages about the status and importance of nontraditional-track positions to the firm. Many firms have reported that including nontraditional-track attorneys in training for traditional-track attorneys is a best practice. To the extent firms take this approach, they should take steps to ensure the training program speaks to a blended audience.

OBSERVATIONS FROM THE FIELD

Most firms invite alternate-track lawyers to participate in those substantive training sessions offered to partner-track associates that are relevant to the alternate-track attorney's area of practice. Since most alternate track positions, by definition, do not include the expectation that the attorneys will engage in business development activities and do not have a path to partnership, typically firms do not include alternate-track attorneys in programs that are focused on business generation, profile raising and building one's reputation in the market, and programs that are designed to prepare rising partner-track associates for partnership.

Firms also provide document review and e-discovery lawyers with training on the latest trends and best practices in the discovery arena. Firms with alternate-track positions are consistent in reporting that it is important to include alternate track attorneys in training programs focused on key priorities for the firm like diversity, pro bono, sustainability, or similar topics that are part of the culture of an organization.

Mentoring

As with traditional-track attorneys, mentors can play a critical role in the integration, on-the-job training, and career planning of nontraditional-track attorneys. While the mentoring program a firm already has in place for traditional-track attorneys may readily apply to nontraditional-track attorneys, a firm would be wise to consider whether any amendments to the program are in order. Also, a firm should be sure that any mentoring program it adopts is in keeping with the firm's culture and expectations for the nontraditional roles.

- Firms may benefit from pairing nontraditional-track lawyers with more senior nontraditional-track mentors who can train them on substantive and procedural matters, firm cultural norms, and career progression. Acting as a mentor also can provide senior nontraditional-track attorneys with a more enriching work experience.
- Firms also may want to consider pairing nontraditional-track attorneys with partner-track mentors, particularly in firms that have programs where nontraditional-track attorneys are integrated into the practice groups and working alongside partner-track attorneys. Having partner-track attorneys act as mentors to nontraditional-track attorneys can create more of a sense of teamwork and camaraderie, which may reduce the chance that nontraditional-track attorneys will feel stigmatized and perceived as “less than” their partner-track counterparts.

OBSERVATIONS FROM THE FIELD

Several firms with alternate-track career paths have introduced mentoring programs for their alternate-track lawyers. Not surprisingly, this tends to be more common in long-term versus temporary roles and, in particular, when alternate-track lawyers are embedded in the practice groups rather than working in a document review function. Most firms with mentoring programs assign mentors who are more senior alternate-track lawyers, and some assign partner-track mentors.

A sample Mentor Fact Sheet is provided in Appendix D.

Work Allocation

Approaches to work allocation likely will vary depending on how a firm structures its nontraditional-track positions. When designing work allocation procedures, firms should consider the following.

- **Work allocation.** Consider and determine who will have primary responsibility for distributing assignments. It is critical that the person managing the assignment process have sufficient substantive expertise to match the knowledge and skill

requirements of the assignments with available attorney resources. Examples of assignment points of contact vary by program structure and include:

- *Litigation document review centers.* Consider appointing attorneys with an expertise in discovery and analytics to manage the assignment process for large document review operations.
- *Integrated nontraditional-track programs.* It may be beneficial to combine the assignment process for nontraditional-track attorneys with that of partner-track attorneys. Having a partner manage the assignment process for both partner-track and nontraditional-track positions can help to create diverse engagement teams with tasks assigned to the most appropriate and efficient resources. It also facilitates integration and teamwork.
- *Other nontraditional-track approaches.* Firms that utilize pools of nontraditional-track attorneys often have one person responsible for intake and distribution of assignments. This person may be an attorney, an experienced paralegal, or other senior professional with significant knowledge and understanding of the firm and the practice needs.
- **Direct supervisor.** It is important to clearly identify the person responsible for reviewing the work product of nontraditional-track attorneys. Firms should decide and clearly communicate which types of work product a partner, a partner-track attorney, or a more senior nontraditional-track attorney should review.
- **Role of administrative coordinator.** An administrative coordinator can add tremendous value to a firm's nontraditional staffing model by tracking and reporting on utilization trends by unit, practice group, or office; monitoring and managing assignment deadlines; and providing a central repository of performance feedback including requests to work or not work with individual attorneys. If the administrative coordinator is at a more senior level, s/he can also act as an internal ambassador for the program, helping attorneys understand the benefits of using nontraditional-track resources.

Career Progression

The typical career path within the legal industry used to be annual lockstep advancement up a career ladder based on having one more year of experience. While a majority of firms seem to have moved away from lockstep advancement to a more subjective advancement model based upon achievement of defined competencies, the career path for partner-track associates still looks somewhat like a ladder. As a result, the introduction of new nontraditional-track positions that, by design, do not offer a similar career trajectory up the ladder can present challenges for retention and job satisfaction. Firms can address these challenges in the following ways.

- **Manage expectations.** Clarity and consistency regarding the opportunity to transition from nontraditional track to partner track is critical. It is equally important to clearly describe the increasing scope of responsibilities available to more experienced nontraditional-track attorneys.

OBSERVATIONS FROM THE FIELD

Firms differ on whether to permit partner-track and alternate-track lawyers to move between the two tracks.

- ➡ Some firms feel it is critical to the success of their alternate-track programs to keep the tracks separate and not permit movement back and forth. Those firms tend to make this a point of discussion during the recruiting process so as not to hire alternate-track lawyers who really seek partner-track positions. This approach is very common among firms that predominantly use alternate-track lawyers for document review and e-discovery work.
- ➡ Other firms allow for movement between the two tracks to accommodate the varying needs of their professionals at different points along their career spectrum or to accommodate the needs of practice groups that would benefit from a more dynamic staffing mix. The billing rate that can be charged for the work performed by a particular individual is often a factor in determining whether the individual will be permitted to move from an alternate track to a partner track.

PROGRESSION FROM ALTERNATE TRACK TO PARTNER TRACK

Situations in which alternate-track lawyers have been permitted to move to a partner track position, or even to partner, include the following.

- ➡ Alternate-track lawyer developed expertise that supported a higher billing rate that was more commensurate with partner-track lawyers and would result in the attorney being profitable as a partner-track lawyer.
- ➡ Alternate-track lawyer emerged as a leader in the group, was able to develop business, and was viewed as key to succession planning in the group.
- ➡ Alternate-track lawyer demonstrated ability and interest in working the hours expected of partner-track lawyers.

- **Provide a career path.** Consider creating titles that capture the difference in experience and expertise of nontraditional-track attorneys. It may be as simple as using the adjective “Senior” to describe those with greater expertise and higher compensation potential. In some firms, the “Counsel” title is reserved for the most

senior nontraditional-track attorneys, although there is great variation in the use of the “Counsel” title and other titles. This is an area where firms may want to tailor their approach to match their firm culture.

PROGRESSION WITHIN THE ALTERNATE TRACK

Not all firms have alternate-track models that provide for career progression within the track. But, for those that do, criteria for advancement within the track may include one or more of the following: (1) enhanced skill set; (2) ability to increase billing rate commensurate with an increase in compensation; and (3) internal and external demand for the legal services the individual provides. An alternate-track lawyer’s career progression may be halted indefinitely if the individual’s billing rate tops out at the high end of the range that clients are willing to pay for the work the individual performs. This can happen with commoditized work in particular.

Most firms that provide for progression within their alternate track indicate that unlike their partner-track attorneys, the progression is not continuous and there is not an expectation of yearly advancement. An alternate-track attorney may stay at one level for a few years before it is concluded that the advancement criteria have been met, as stated above.

FIRST-HAND ACCOUNTS

- ➡ One alternate-track lawyer commented that there is no career progression in her role and that others have left when they could not progress any more. She is still learning and developing so this is not an issue for her right now. And although she did not foresee remaining in this role for the long term, given the flexible hours and that no client development is expected of her, she may continue in the role longer than she had planned.
- ➡ Another said that his career progression occurs within the role through increased responsibility and independence. While he initially worked under two more senior attorneys, he has gradually developed his experience and is permitted to work more independently, including going to court and taking depositions.
- ➡ Yet another said that each alternate-track lawyer works with the firm to develop an individualized plan for salary, expected billable hours, and direction. At this firm, it is a possibility for an alternate-track lawyer to move to a partner-track position. This person said that she is very pleased in her alternate track role but does wonder if she should move to a partner-track role but on a reduced schedule.

REAL-WORLD EXAMPLES OF TITLE PROGRESSION WITHIN AN ALTERNATE TRACK

- ➡ Associate Counsel → Counsel → Senior Counsel (advancement depends on skill development and ability to increase billing rates)
- ➡ Staff Attorney → Senior Staff Attorney
- ➡ Document Reviewer → Staff Attorney → Partner-Track Associate (the latter in limited situations)
- ➡ Staff Reviewer → Team Leader → Practice Specialist (one Practice Specialist manages multiple teams and also engages in substantive work)
- ➡ Career Associate → Career Counsel
- ➡ Associate → Counsel (same titles used for partner-track and alternate-track; offer letter indicates whether the individual is on partner track or alternate track)
- ➡ Level 1 Department Attorney → Level 2 Department Attorney → Level 3 Department Attorney (the more complex work, the higher the level)
- ➡ Project Attorney → Staff Attorney → Associate (alternate track) → Senior Attorney → Counsel

- **Develop a tailored competency model.** Firms that wish to provide advancement opportunities to nontraditional-track attorneys can benefit from a competency model that describes the evolution of core skills over time. As with partner track positions, a competency model for nontraditional-track attorneys can form the foundation for an integrated training curriculum and evaluation system. It can also aid in retention by providing a roadmap for career advancement.

A sample competency model for an e-discovery attorney is provided in Appendix E.

PRACTICAL TIP

If the term “competency model” makes you or members of your firm want to run in fear of having to engage in a time-consuming, laborious process, think again. You may be able to reverse engineer a competency model for your alternate track lawyers from the position job description or from the behaviors and skills you are assessing through the evaluation form you use for alternate-track lawyers.

OBSERVATION FROM THE FIELD

Most firms have not yet developed dedicated competency models for their alternate-track lawyers. Those that have, however, have used elements of their associate competency models and modified them to make them applicable to the unique roles of their alternate-track lawyers. Elements often addressed by these competency models include —

- ➡ Communication skills
- ➡ Engagement/Commitment/Attitude
- ➡ Interpersonal skills
- ➡ Matter management
- ➡ Ownership
- ➡ Skill development
- ➡ Substantive knowledge
- ➡ Talent development
- ➡ Teamwork
- ➡ Technical skills

5. Review Process

Feedback is something that all professionals seek, and it is just as important to nontraditional-track attorneys — maybe even more so because messages about performance that traditional-track attorneys may derive from salary increases, bonuses, or elevation to partnership will be very different or missing altogether. And having a robust performance review process is essential to a firm's ability to evaluate its attorneys to help manage efficiency and quality and also to invest wisely in professional development.

At the outset, it is important for a firm to consider and determine (1) who will have responsibility for reviewing the nontraditional-track attorneys, (2) how the review process will work, and (3) what the goals of the process will be. As with any evaluation system, it is optimal to have a system that encourages continued learning and skill development, in addition to providing feedback, to ensure the firm continues to be positioned to provide high quality legal services to its clients.

REAL-WORLD EXAMPLE

At one firm, nontraditional-track lawyers are reviewed once a year through a committee process. They are asked to select up to five partners to review them (the committee). Feedback is collected and summarized into one review. The practice group leader and assigned supervisor (most likely one of the five solicited evaluators) conduct a formal review meeting. As part of this review process they have a discussion about the nontraditional-track role, whether it is still working, hours, workload, quality of work, etc. This provides an opportunity to discuss movement to another track if that is an option or of interest to the nontraditional-track lawyer.

- Who will manage the review process?
 - There are advantages to having talent management professionals design and manage the review process for nontraditional-track attorneys. These professionals have experience managing associate, and possibly partner, reviews and are familiar with the process, available software, and firm culture. This does not mean that the review process for nontraditional-track attorneys should be identical to the review process for associates. Indeed, firms should consider how the process should differ to ensure that it is aligned with the expectations of these roles within the firm.
 - If a firm decides to have a department other than the talent management professionals oversee the review process for nontraditional-track attorneys, the firm should give some consideration to aligning the timing of the review process for nontraditional-track attorneys with that of traditional track attorneys to reinforce that nontraditional-track attorneys are as important to the delivery of high quality services to clients as traditional track attorneys.
- What skills will be reviewed?
 - Before the firm creates an evaluation form, it should consider the competencies and skills required for the position. Different positions call for different skills and the evaluation form a firm utilizes should reflect the unique aspects of each role.
 - If a firm doesn't have competencies for its nontraditional-track attorneys, the job description for the position is a good place to start to identify core skills.

INDUSTRY TRENDS

Firms that have unique evaluation forms for nontraditional-track positions focus on specified skills and output that are beneficial to these lawyers. Most start with questions about utilization to ensure that nontraditional-track attorneys are working within the parameters originally set forth and to understand whether or not these parameters need to be re-evaluated. Other skills that are often reviewed include communication, drafting, research, efficiency, organization, and interpersonal skills. Leadership ability also may be assessed if the organization has leadership or project manager positions available within the nontraditional track. Behaving as an excellent lawyer, meeting billable expectations and adding materially to the firm are additional criteria that may be reviewed.

Note: Many firms use the same form used for junior associates and exclude the business development and community involvement related topics.

See Appendix F for sample evaluation forms.

- Who will provide feedback and how will it be delivered?

PRACTICAL TIP

Typically nontraditional-track lawyers only work with a small group of other lawyers who may be in a position to evaluate their work. Gathering a fair amount of feedback may be a difficult task. Consider soliciting feedback from administrative team members who may not traditionally evaluate associates. For example, the IT/Litigation Support group may be in a position to review their technical aptitude.

- Consider what process the firm will use to gather feedback. Keep in mind that it can be challenging to obtain feedback from evaluators since they tend to be more focused on billable work. So, be mindful of evaluators' time and do what you can to make the process seamless.
- If a firm's primary evaluators for nontraditional-track positions will be junior or mid-level traditional track attorneys, the firm should keep in mind that these evaluators may have limited experience providing feedback. In these instances, it is even more important for the firm to ask the right questions to obtain the desired feedback. Training for evaluators may also be beneficial.
- If appropriate, consider project-based reviews at the conclusion of each project. This approach has benefits, including more immediate and real-time feedback and opportunities for nontraditional-track attorneys to apply the feedback received to the next assignment. If a firm's nontraditional staffing

model includes individuals who have been hired on a temporary basis, project-based evaluations are particularly helpful.

- Review delivery should be performed by an individual who has direct experience with the attorney's work and understands how the attorney's nontraditional-track position fits within the organization. This may be a supervising partner for the program or someone who has a senior position within the talent management group.
- What kind of feedback will be communicated?
 - Consider the goal of the review process: share feedback, encourage strong performance, identify areas for further development, and, most importantly, motivate and encourage.
 - Provide frank and direct feedback that encourages the nontraditional-track attorney to continue to develop appropriate skills for the position.
 - Discuss professional goals for the coming year. Even a brief discussion with the nontraditional attorney on this topic will help him/her feel more connected to the firm and provide better service to the firm's clients.

PRACTICAL TIP

Similar to other evaluation processes — and especially with nontraditional-track lawyers — the use of a self-evaluation component in the evaluation process can shed much light on the individual, her view of her experience, as well as her expectations regarding compensation and potential for promotion.

- Whoever delivers the review should be prepared for questions related to the individual's future trajectory within the firm, whether it be advancement within the program or the possibility of a move to a traditional-track position.

B. Opportunities and Strategies for Law School Career Services Offices

Educating Students and Alumni

Law school career services offices can educate students and alumni about the range of nontraditional-track positions that are available both inside and outside of law firms, including information about career trajectories, interviewing, salaries, and billable hours expectations, among other things. These positions are extremely varied and, in addition to positions at law firms, include positions with consulting and accounting firms, positions with legal processing outsourcers, and compliance positions in corporations. Career services professionals can —

- Research the types of nontraditional career tracks that exist currently in the firms and elsewhere in the markets where students are seeking work.
- Proactively inquire about these positions during employer visits, alumni events, and other school-based and bar association events.
- Host a panel or other program featuring attorneys who are performing in nontraditional-track roles. Include nontraditional-track attorneys in practice area events.
- Encourage students or alumni to apply for these positions by checking the firm and corporate websites. Remind them that hiring for these positions occurs on an as-needed basis so they should check the websites frequently.
- As noted earlier, many nontraditional-track attorney positions currently require experience. Devise a mechanism to educate graduates about these opportunities such as writing an article for your alumni magazine or for your career office e-newsletter.
- Engage in positive messaging about these positions to both students and alumni.
 - Nontraditional-track positions can offer better work/life balance than traditional-track attorneys because there may be fewer, or no, billable hour requirements and no (or limited) expectation of client development.
 - Some work performed by nontraditional-track attorneys is commoditized, which would be a good fit for students and alumni who need a predictable work schedule or have extensive interests outside of practicing.
 - Some work is more complex and requires a level of expertise that can result in higher job satisfaction for those who seek challenging work.
 - These positions may pay better than many other legal jobs they might consider.

- At some firms, there is the possibility of shifting to a partner track position depending on the department's and firm's needs.
- Counsel students and alumni considering these roles to inquire as to the career trajectory, participation in firm or company events, work/life balance, hours expectations, professional development opportunities, and CLE benefits offered by the firm or company.
- Encourage students and alumni to consider smaller markets where these positions sometimes exist either in local firms or in centralized business centers of international firms.

Educating Faculty and Deans

Devise a plan to educate faculty and deans about needed changes in or additions to the curriculum to meet the needs of these positions and discuss needed changes with appropriate decision makers. Discuss with employers the skills they are looking for when hiring for these positions and then work with faculty to propose new for-credit courses in e-discovery, privacy, accounting for lawyers, compliance, and project management, to name a few possible areas. These courses could be taught by adjunct professors, which would put less strain on law school budgets. Law students must be “practice ready” for these new opportunities.

Collaborating with Employers

Career services professionals can identify employers who hire nontraditional-track attorneys and establish relationships with them. Work with these employers to educate them on how to best hire students and alumni through the career office.

- Consult the *NALP Directory of Legal Employers* (www.nalpdirectory.com) for firms with staff attorney or other nontraditional lawyer positions.
- Contact alumni of the law school in firms to ask about the existence of nontraditional staffing programs in their firms and to identify alumni currently in such positions.
- Survey the local city group to identify firms that have these programs.
- Work with contract attorney agencies and e-discovery firms. Often contract attorney positions become permanent positions.
- Meet with representatives of LPOs, corporate compliance managers, and other professionals in nontraditional roles.

Hiring for nontraditional-track career positions within law firms is not always performed by the same department that hires for summer and associate positions. Career services

professionals should establish a relationship with the appropriate hiring personnel for these positions in the various organizations

- Inform employers of how the job posting process at your school works — for example, that job posting opportunities are available year-round and not just during the on-campus interview timeframe and are accessible to students and alumni.
- Elicit hiring criteria from employers and educate them on the qualifications of your students and graduates for these roles.
- Partner with employers to market the positions.

Conclusion

This resource guide offers a full range of information on establishing a successful nontraditional-track attorney program and an introduction to new jobs for lawyers in a changed legal marketplace.

For interviews with attorneys practicing in nontraditional roles, please see Appendix G.

The Task Force acknowledges that this is an emerging area that likely will continue to evolve as law firms and others develop or redesign nontraditional career models that fit with their unique cultures, practices, and client base and that are responsive to the particular competitive pressures they face. Our expectation is that this evolution will result in increasing job opportunities for attorneys in nontraditional roles, a trend of importance to firms and law schools alike. NALP leadership and the members of the Task Force are pleased to share this important resource with its members and the legal industry as a whole.

New Career Models Task Force Members:

Elizabeth (Betsy) Armour, Chair (2012-2013), Suffolk University Law School

Carrie Weintraub, Chair (2013-2014), Holland & Knight LLP

Georgia Emery Gray, Vice-Chair (2012-2013), Cleary Gottlieb Steen & Hamilton LLP

Randy Liss, Vice-Chair (2013-2014), Bryan Cave LLP

Bill Chamberlain, DePaul University College of Law

Erin Clarke, K&L Gates LLP

Linda Sheer Jones, The Ohio State University Moritz College of Law

Sonia Menon, Neal, Gerber & Eisenberg LLP

Laura Saklad, Orrick Herrington & Sutcliffe LLP

April 2014

Appendix

Contents of Appendix:

A. Nontraditional Track Models	29
B. Job Descriptions	34
C. Job Postings.....	40
D. Mentor Fact Sheet.....	46
E. Core Competencies	48
F. Evaluation Forms.....	54
G. Attorney Profiles	81

Appendix A. Nontraditional Track Models

Appendix A presents nontraditional track models from six sample firms and illustrates the variety of models in use.

Sample Firm A's Nontraditional Track Model

Project attorneys: Hired for a period of 6 months to up to 3 or 4 years. Focus on document review/e-discovery. 100-200 employed at any time. Hired through HR (not an agency).

- *Hiring standards:* JD from accredited law school; bar admission or near admission; 6 months commitment.

Staff attorneys: Two types — (1) plays more of supervisory role in the e-discovery group; and (2) other groups use this role for more routine work and where they can charge a lower rate and pay a lower salary.

- Issue has become that many want to move to an on-track associate position.
- *Hiring standards:* criteria vary by job. Usually need experience. Recruit JDs from lower tier law schools and typically pay lower salary. A business needs analysis is conducted to justify the hire.

Associate (off track): Called “associate” to avoid visible distinction internally or externally. Have about 10-20 lawyers in this role. Usually have 3+ years of experience and are moving to this role from partner track. Reasons are typically that they have maxed out at a skill level or that partnership prospects are low. Firm essentially tells them that they play an important role, but they are not on partner track. Pay continues at same level the next year and then year-on-year increases are less and based upon profitability analyses. Attorneys can move back on track.

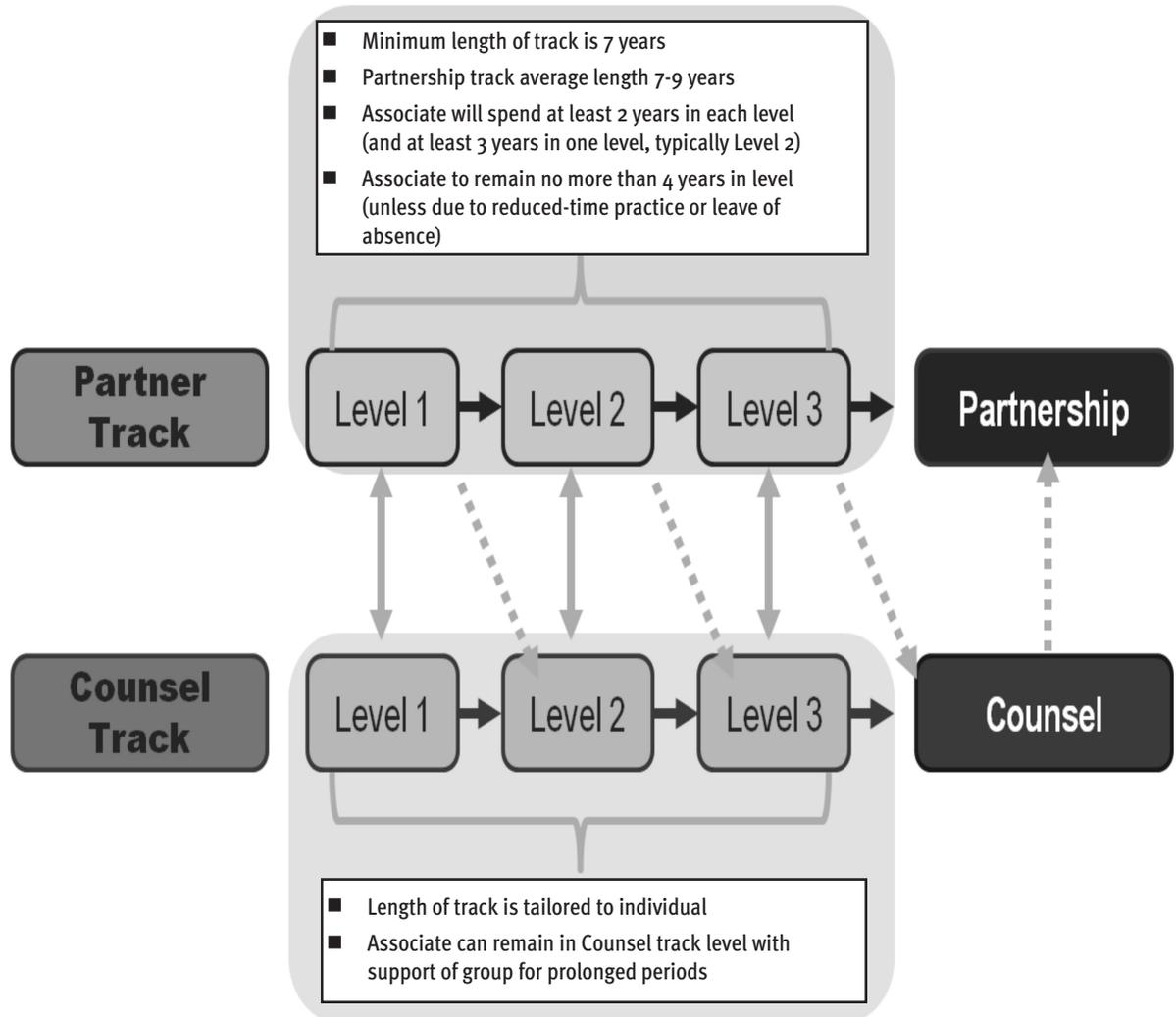
Senior attorney (off track): Typically have 5+ years of experience and a defined legal expertise. Usually move from partner track. Firm asks attorney to move to position. Attorneys can move back on track.

Counsel: 7+ years of experience and a demand for legal expertise. Three types of counsel: (1) Up and coming partner track (40% of new partners come from this role). (2) Long-term counsel, no interest in business development. (3) Nearing retirement — have been in role a long time and now are near retirement.

- *Hiring standards:* either internal move or hired laterally with 7-10 years of experience but not ready to be hired as partner. Standards are the same as on-track associates.

Sample Firm B's Nontraditional Track Model

Another firm has a "Counsel" track along with its Partnership track — each with defined levels as illustrated below.



Sample Firm C's Nontraditional Track Model

Title & Structure: Within the associate group, attorneys are differentiated by pathway. An associate is either on partnership track or on counsel track. The counsel-track associates were previously called Staff Attorneys, but after receiving feedback on the potential negative stigma associated with the title of staff attorney they decided to differentiate non-partner attorneys by path rather than title.

Hiring: Attorneys for both pathways are hired out of law school as well as laterally. Summer associates are educated on the different pathways and have the option to pick one or the other when they join the firm. Hiring criteria are generally the same for both positions. Variance is based on skills and expertise, as well as the attorney's desire for predictability and a more flexible schedule.

Progression & Development: The firm has developed competencies for associates on both pathways. Their behavioral and practice skill competencies are the same. In addition, partner-track associates have business development competencies. Partner-track associates are always on a moving path, whereas counsel-track associates have more flexibility as to whether they are moving or not. Some counsel-track associates may move to the next level and others may not. Associates on both tracks are evaluated annually with the same process and evaluation form. All associates may move between tracks. All associates, regardless of pathway, are assigned partners as mentors who are tasked with mentoring and coaching the associates. Associates on both pathways are invited to all training programs at the firm.

Sample Firm D's Nontraditional Track Model

Title & Structure: The alternate-track roles fall into three categories: Staff Attorneys, Hourly Attorneys, and e-Discovery Attorneys. Staff Attorneys are full-time employees who are assigned to teams. They have a reduced billable hour goal and do not have the option to move to partner track. Hourly Attorneys are often more experienced than staff attorneys. They often have a specific niche area and expertise, but do not want to be on a partner track. They are often former associates who have opted for the flexibility this role provides. E-Discovery Attorneys consist of a full-time team working specifically on electronic discovery out of the firm's e-discovery facility in an off-site location. The firm sometimes adds to the core team by engaging temporary document review attorneys as needed.

Progression & Development: For evaluations, the firm uses its partner-track associate form but does not request feedback on partner qualities or skills. There is no growth track, although senior staff attorneys may be added in the near future with additional project

management responsibilities. Staff attorneys have access to the same training and mentoring as the partner-track attorneys.

Sample Firm E's Nontraditional Track Model

Title & Structure: The alternate track positions are Career Associate, Career Counsel, and Staff Attorney. The Career Associate and Career Counsel positions are used mainly as balanced hour programs, with individuals in these roles having the option to move back on partner track. The Staff Attorney role is for commoditized work and predominantly related to e-discovery.

Hiring: The firm uses similar hiring standards as for associates.

Progression & Development: The firm does not have a competency framework for traditional and nontraditional tracks. Its evaluation process for alternate-track attorneys is the same as the associate evaluation process, just slightly less robust. While the firm's training and mentoring programs are open to all attorneys, Staff Attorneys often do not take advantage of the programs given their limited role and possible lack of integration. The only career advancement is title change from Career Associate to Career Counsel.

Sample Firm F's Nontraditional Track Model

Title & Structure: This firm has a "Counsel" track. The Counsel track has three levels of progression — Associate Counsel, Counsel, and Senior Counsel. Associate Counsel are junior to mid level attorneys who provide necessary legal services to clients. Counsel attorneys are seasoned attorneys with a minimum of ten years of experience. Senior Counsel are highly skilled attorneys with significant experience and expertise that is extremely valuable to clients. In many cases, billing rates of Senior Counsel are comparable to partner rates.

Hiring: Hiring criteria are generally the same for both tracks, although the firm is often more focused on skill set and niche expertise when hiring for the Counsel track. Currently hiring for the Counsel track is not conducted at the law school level; all are lateral hires, even at the associate counsel level.

Progression & Development: The firm has a competency model for partner-track associates, but no competency model currently for the Counsel track. Counsel attorneys are evaluated annually through a formal review process with a counsel review committee. Similar to associate evaluations, the firm evaluates Counsel on skills, areas of strength,

and areas of development. The firm also requires practice group leaders to review Counsel utilization to manage client needs related to cost. Counsel attorneys are included in all associate training programs and all attorney training programs with the exception of business development training, unless they express interest in attending such training. Associate Counsel and Counsel attorneys are assigned partner mentors who help them navigate the practice and the firm and work with them on their workload and training. Depending on their skill development and the needs of the group, Associate Counsel can advance to Counsel, and Counsel can advance to Senior Counsel. Also, in some cases, Counsel-track attorneys may move into partner-track positions.

Appendix B. Job Descriptions

On the following pages are sample job descriptions submitted by a variety of firms. Identifying information has been redacted from these samples.

These descriptions are not necessarily meant to be models but are included rather to offer a sampling of how some firms are now defining a variety of nontraditional-track lawyer positions.

Collectively these samples provide a brief overview of what some firms are doing that may spark ideas for firms now developing job descriptions and policies.

Job Description — Staff Attorney

Job Title: Staff Attorney Department: [Practice Group]

Reports directly to: [Practice-Group-partner, counsel, or administrator]

Function: Assist with discovery activities, primarily document and email collection, review, and production. From time to time, may also take on other tasks. Participate in case tracking, fact gathering, research, and other tasks, as needed.

Duties (not all staff attorneys will perform all the duties listed below):

1. Assist in planning document preservation, collection, review, and production strategies, and planning appropriate selection and use of technology and vendors for documents review, production, and control.
2. Gather client documents in response to discovery requests.
3. Review and code documents (both electronic and paper) for relevancy, responsiveness, and privilege.
4. Prepare privilege and redacted logs.
5. Assist with the organization and supervision of contract lawyers participating in document reviews.
6. Adhere to a standard of ethics and maintain confidentiality of the firm and its clients.
7. Participate in special projects and other duties as assigned.

Knowledge/Skills/ Abilities:

- Ability to work independently and with minimal supervision.
- Superior attention to detail.
- Excellent organizational skills.
- Excellent interpersonal skills, including the ability to work effectively under pressure and with people at all levels, both inside and outside the firm.
- Excellent analytical skills
- Excellent oral and written communication skills.
- Demonstrated ability to use PC-based and online technology relevant to the job.
- Familiarity with legal research sources such as Westlaw, Lexis, and Full Authority. Familiarity with electronic document review and retrieval applications, such as Summation and Concordance.
- Ability to supervise and train others effectively.
- Flexibility to work extended and often unpredictable hours, including on weekends and holidays.
- Flexibility to travel, including spending extended periods of time in other cities.

Job Description — Attorney Team Lead, Discovery Analytics & Review Services

Department: Discovery Analytics & Review Services

Reports to: DRS Associate Directors

FLSA Status: Exempt

Position Summary and General Purpose:

A Team Lead in the Discovery Analytics and Review Services Group is responsible for ensuring document reviews are performed in an efficient and effective manner and that all stakeholders are kept current of project status. (S)He is responsible for ensuring project requirements are well understood, that staffing levels are adequate, that training is sufficient for persons assigned to the project, that daily work is performed at appropriate quality and speed levels, that projects follow established firm methodologies, and that agreed upon deadlines are met. (S)He serves as the primary liaison to case teams on the substantive aspects of projects and is expected to work with paralegal support teams to ensure project documentation is in order and case team communications are timely. (S)He is expected to keep the DRS Management informed of project issues and progress as well as to contribute to the improvement of DRS practices. The Team Lead is a timekeeper. In addition to achieving targeted billable hours for her/himself, (s)he is expected to maintain high billing utilization for persons on his/her team(s).

The incumbent is responsible for modeling and acting in accordance with the firm's client service standards and core values.

Essential Position Responsibilities:

- Oversees initiation, management, and completion of document review projects as well as the individual team members assigned to work thereon, as per DRS guidelines.
- Understands intimately the principles behind the DRS's operational manual, as well as project documentation and case communication requirements.
- Feels intense project ownership and exhibits an extreme level of responsibility for project details and success.
- Demonstrates an ability to quickly comprehend case objectives and how they translate into project requirements.
- Provides training to team members in case theories and review objectives.
- Understands the legal theories of privilege, is able to instruct others in their application, and creates professional-level privilege log drafts.
- Participates actively in quality control processes and strives for defect-free work.
- Provides regular updates both verbally and in writing to attorneys and other case team liaisons regarding project issues and progress, all the while exhibiting a keen understanding of (and response to) areas of potential attorney and client concerns.
- Maintains close, regular communications with Coordinators and other members of the Litigation Services teams regarding data availability and technical issues whether data is maintained internally or through third-party hosting providers.

(continued)

Job Description — Attorney Team Lead, Discovery Analytics & Review Services, continued

- Oversees all aspects of privilege review as delegated to the DRS by case team members, ensures privilege log drafts are prepared according to guidelines, involves case team attorneys on privilege issues, and works to ensure an orderly completion of the ultimate privilege review by attorneys on the case team.
- Ensures agreed upon project deadlines are met.
- Ensures all project documentation is complete and project data is archived appropriately.
- Keeps DRS Manager informed of project issues and progress and otherwise works effectively with other members of the management and permanent support teams.
- Demonstrates proficiency in moving between document review software platforms coupled with an ability to educate others on their relative strengths and weaknesses.
- Maintains high personal and team billing levels while demonstrating effective timekeeping skills.
- Helps identify and groom future Team Leads from the ranks of document review contractors.
- Contributes to the development of DRS methodologies and improved practices.
- Contributes to the firm's effort to further establish its new attorney talent model.

Knowledge, Experience, and Education:

- Juris Doctor and successful bar passage required with some practice experience preferred
- Significant document review experience, including experience making privilege determinations and preparing privilege logs
- Strong supervisory and team-building skills
- A minimum of two years of experience in project lead or supervisory roles, preferably of both small and large teams
- Excellent communication and interpersonal skills at all levels and a demonstrated ability to work with a wide variety of personality types
- Planning and organization skills, including the ability to meet deadlines and to manage multiple projects concurrently
- A proactive approach to work and problem solving and strong decision-making skills
- Proficiency in spreadsheet and other office software, as well as litigation support and document review software
- Good writing skills

Job Description — Career Associate

Department: Employment

Reports to: Employment Law Practice Group

FLSA Status: Exempt

Position Summary and General Purpose:

The Employment Law Career Associate provides business development and litigation staff support to attorneys in the Employment Law Practice Group. This position is responsive to all offices where there is an Employment Law presence. Under the direct supervision of responsible attorneys in multiple practice offices, this attorney works to support the needs of the Employment Law Practice Group as to both client and non-billable matters. This position requires providing high levels of legal skill and attention to detail as well as the ability to effectively communicate. This position will require extensive contact with Employment Law attorneys in the practice offices. The Employment Law attorneys expect individual responsibility and a detailed knowledge and understanding of Employment Law issues. While Employment Law Career Associates are expected to work relatively independently on discrete issues and projects, the attorneys in the practice offices are charged with direct supervision.

The incumbent is responsible for modeling and acting in accordance with the firm's client service standards and core values.

Essential Position Responsibilities:

Business Development (non-billable/non-client related):

- Prepare updates to various business development papers and treatises.
- Prepare updates to presentation materials for business development purposes.
- Respond to general practice group inquiries related to documents located in practice group databases.
- Work with Knowledge Management group to develop and maintain various practice group document databases.

Client Related (billable matters under the direct supervision of attorneys in practice offices):

- Prepare pleadings, motions, and discovery related litigation documents.
- Conduct research on insular subjects and prepare memoranda in support of research assignments.
- Perform document review in the discovery phase of cases.
- Help prepare attorneys for interviews, depositions, trials/arbitrations.

Administrative Duties:

- Develop deep knowledge of Employment Law issues.
- Attend training seminars as appropriate to keep up on the latest changes in the law.
- Perform various administrative tasks as necessary.

(continued)

Job Description — Career Associate, continued

Knowledge, Experience, and Education:

- JD from accredited law school.
- Licensure from at least one jurisdiction.
- Excellent academic credentials.
- Must possess excellent legal research, writing, and interpersonal skills.
- Must exercise independent judgment and be comfortable being remotely supervised by attorneys in other practice offices.

Appendix C. Job Postings

The following job postings — with specific firm information redacted — provide a sampling of job postings for nontraditional-track attorneys.

Sample Nontraditional Track Attorney Job Posting

_____ has an opening in the _____ office for an Employment Litigation attorney in our Labor and Employment Department. The ideal candidate will have at least 3 years of experience in drafting and responding to initial pleadings and discovery, drafting and arguing motions, and deposition experience. Experience with compliance with insurance carrier guidelines is desired. Strong academic record and excellent writing skills required. This is a non-partnership track position. EOE. We are currently not accepting resumes from search firms for this position.

Sample for Career Associate Job Posting

Are you seeking an alternative to the traditional “big-law” partner track career with access to cutting-edge legal work for some of the world’s leading companies? If so, our Career Associate Program may be exactly what you are seeking.

As a Career Associate, you will gain valuable experience working for prestigious clients. You will enjoy greater work/life balance, focusing on the practice of law without the demands of business development and management requirements. As a valued and fully integrated member of the team, you will enjoy resources available to all associates including practice group trainings and events, career coaching, and evaluation and mentoring programs. We are committed to providing all the lawyers in our firm with rewarding and fulfilling careers.

What Is the Role of a Career Associate?

Career Associate contributions vary based on each individual’s experience and expertise as well as the needs of the individual practice group. Attorneys join the firm at various points in their career, from recent graduates and participants in our summer program to more senior attorneys who join after first practicing in-house or in other law firm settings.

Currently Career Associates are members of all five of the firm’s business units and more than 18 practice groups, including emerging companies, energy and infrastructure, public finance, intellectual property, mergers and acquisitions, public policy, commercial litigation, employment law, and mass torts/products liability. Career Associate positions are located across all offices, with the greatest number based in our _____ office.

Examples of work performed by Career Associates on our case and deal teams include:

- Motions and briefing in support of high-stakes litigation
- Witness interviews in employment matters

- Debt and equity financings
- Purchase and sale agreements
- Incorporation documents
- Patent prosecution and trademark applications
- Articles, industry research, and client pitches
- Data breach, privacy, information governance, and e-discovery policy and procedure

Sample Staff Attorney Job Posting

_____, a leading national law firm, seeks a staff attorney for the Automotive and Products Liability Litigation Group. Candidates should have at least three years of experience in the products liability area including extensive discovery work. Experience specifically within the automotive industry and e-discovery is a plus. The work requires strong attention to detail and the ability to produce quality work under tight deadlines. Organizational skills and an ability to manage a heavy docket are required. Duties will include interaction with multiple lawyers at all levels and on both sides of cases. Candidates should have experience in managing large volume document review projects using various e-discovery platforms, reviewing and analyzing large volumes of documents and other data to support and assist with the development of case strategy, and the drafting of various motions and pleadings. Excellent written and oral advocacy skills are required. We are not accepting inquiries or submissions from search firms at this time.

Sample Staff Attorney Job Posting

We are looking for a Staff Attorney to join our nationally renowned Mass Tort Litigation Department. The position is ideal for an experienced litigation attorney who wants the intellectual challenge, camaraderie, and excitement of working on complex cases with a top tier litigation department. The ideal candidate will have a minimum of four years of relevant legal experience working with plaintiff-side complex personal injury, medical malpractice, or mass tort claims, and proven communication skills. We are looking for a team player with demonstrable research and writing skills and strong academic credentials. Responsibilities include client management, reviewing and summarizing medical records, drafting and responding to discovery requests, and researching and writing memoranda and motions, along with a wide variety of other tasks associated with complex tort litigation.

This position is a full-time, non-partnership track position in the Mass Tort Litigation Department. Our new Staff Attorney will be eligible for many of the benefits described by the firm's current policies for attorneys, including licensing expenses, state bar association membership, CLE expenses, 3 weeks of vacation, nine paid holidays, medical, dental, life, and disability insurance, medical and dependent care reimbursement accounts, parking reimbursement accounts, 401(k) plan, profit-sharing plan, employee assistance program, sick child care program, and discounted bus passes.

Sample Staff Attorney Job Posting

We are looking for a Staff Attorney to join our Insurance Litigation Department. The position is ideal for an experienced insurance or products liability defense litigation attorney who wants the intellectual challenge, camaraderie, and excitement of working with a top tier litigation department. The ideal candidate will have a minimum of three years of relevant legal experience working with complex insurance coverage claims or products liability defense in a major law firm. Strong candidates will also have good communication skills, be team players, have strong research and writing skills, and have strong academic credentials. Deposition and motion practice experience strongly desired.

This position is a full-time, non-partnership track position and the Insurance Litigation Department Staff Attorney will be eligible for many of the benefits described by the firm's current policies for attorneys, including licensing expenses, state bar association membership, CLE expenses, 3 weeks of vacation, nine paid holidays, medical, dental, and life insurance, short- and long-term disability insurance, medical care reimbursement account, dependent care reimbursement account, parking reimbursement account, 401(k) plan, profit-sharing plan, employee assistance program, sick child care program, and discounted bus passes.

Sample Staff Attorney Job Posting

We are looking for an Attorney for our Personal Injury practice group with 3 years of experience. Responsibilities include investigation, client intake, analysis of medical issues, drafting memoranda and motions, jury instructions and briefs, conducting discovery, and a wide variety of other tasks associated with trial preparation. Successful candidates will have proven research and writing skills, strong communication skills, and have a passion for trial work and for assisting severely injured people. You should apply if you would like to practice law in an environment where new challenges and growth are approached with energy, enthusiasm, and team work, and where you work directly with clients.

Sample Staff Attorney Posting

_____, a national law firm based in _____, seeks Litigation Staff Attorneys. These full-time, non-partnership-track attorneys have a reduced billable hour goal, are eligible for benefits, and will participate in many aspects of the discovery process.

Ideal candidates will have at least 2-3 years of experience working on large, complex commercial cases with experience on all phases of document discovery. Familiarity with protocols for collecting electronically stored information and databases typical of those used in managing large volumes of documents in complex litigation matters, along with strong legal research and writing skills, is helpful. Must be admitted in [firm's state].

Litigation Staff Attorneys

The full-time, non-partnership track Litigation Staff Attorneys will participate in many aspects of the discovery process including but not limited to: (1) document collection, review, and production; (2) drafting privilege logs; (3) legal research; and (4) drafting litigation documents including pleadings, memoranda, and discovery responses. Because their work will focus on the increasingly complex practice of civil discovery under federal and state rules of civil procedure, Staff Attorneys will develop expertise in the law governing document production, attorney/client privilege, and discovery related to electronically stored information. Staff Attorneys may also supervise temporary employees in document reviews and other discovery-related projects, as well as assist associates and partners in deposition preparation. Staff Attorneys must be admitted and in good standing with the [state] Bar.

Ideal candidates will have a minimum of 2-3 years of experience working as an attorney in commercial litigation, specifically with large, complex cases with a proven emphasis on all phases of document discovery. Familiarity with protocols for collecting electronically stored information and databases typical of those used in managing large volumes of documents in complex litigation matters is helpful. Strong legal research and writing skills, combined with excellent fact and investigative capabilities and an ability to simultaneously handle numerous assignments, timelines, and people in teamwork-oriented and fast-paced, deadline-driven litigation are required.

Sample Project Attorney Job Posting

_____ seeks Project Attorneys to assist with document review, analysis, and coding in our _____ office. We will be hiring for specific document review projects on a temporary and project basis. Hours will typically be 40 hours per week for the duration of a project. In the past, projects have lasted from a few days to several months. In order to avoid any potential conflict of interest, Project Attorneys hired by our firm must not represent or assist any personal clients, or provide legal services to any employment agency or law firm, during the pendency of a project.

Candidates must have a J.D. degree from an accredited U.S. law school and be admitted to practice and in good standing with the [state] Bar. We prefer at least one year of experience working as a document review attorney, but recent graduates are also encouraged to apply. Experience with document discovery, including review and production in complex intellectual property and commercial litigation matters, and familiarity with protocols for review of documents and databases used in managing large volumes of documents in complex litigation matters will be helpful.

Submissions from staffing agencies will not be accepted for these positions.

Sample Staff Attorney Job Posting

_____ is seeking a staff attorney in its _____ office for our real estate group. Experience in commercial real estate finance preferred, but not required. Must have strong academic credentials and be a member of the [State] Bar. Full-time, excellent benefits. EOE-M/F/D/V.

Sample Staff Attorney Job Posting

_____ seeks a staff attorney for pharmaceutical products liability litigation. Some travel possible. Prefer some experience in complex litigation and litigation databases. Full-time, excellent benefits. EOE-M/F/D/V.

Sample Staff Attorney Job Posting

The _____ office of an Am Law 100 firm with a top 20 trademark practice is looking for a full-time staff attorney with a minimum of 3 years of experience in foreign and domestic trademark prosecution, counseling, and clearance. EOE M/F/D/V.

Sample Staff Attorney Job Posting

The _____ office of _____ is looking for a Trademark staff attorney with strong prosecution and search skills, foreign prosecution experience, and large law firm or IP boutique experience. Former USPTO Examiner experience or in-house experience is a plus. Must have excellent academic credentials and strong communication skills. EOE M/F/D/V.

Sample Prosecution Department Attorney Job Posting

_____ is seeking a department attorney for our _____ office with 2-4 years of experience in patent prosecution work for our Electronics & Software team. Applicants must have a strong academic record including a degree in electrical engineering, physics, or computer engineering. Candidates must have knowledge of semiconductors manufacturing and device structure, mechanical optics, or relevant experience with this type of technology. Applicants must have excellent legal argument writing skills.

Sample Prosecution Department Attorney Job Posting

_____ is seeking a department attorney for its _____ with 1-3 years of experience in patent prosecution work for our Electronics & Software team. Applicants must have a strong academic record including a degree in electrical engineering, physics, or computer engineering. Candidates must have excellent academic credentials, and prior relevant industry experience or large law firm (experience) is a plus.

Appendix D. Mentor Fact Sheet

A sample of one firm's fact sheet for mentors to career associates follows.

Career Associate Mentor Fact Sheet

The Career Associate Program is designed for lawyers who are not interested in the partnership track at a law firm. While it is by no means a “9 to 5” role, Career Associates can expect to work fewer hours and build more flexibility into their schedule than they might on partnership track. The program is designed to be very flexible and customizable for each person as long as it fits with the needs of their respective practice group.

Hours Expectations of Career Associates

Career Associates have target “Creditable Hours,” which include Pro Bono, Training, Practice Support, Mentoring, Career Associate Program Support, Recruiting, DRS Management Oversight, and any assigned Business Development (not customarily a responsibility of Career Associates).

Advancement of Career Associates

Career Associates can progress through four different skill levels, each with specific criteria delineated in the Criteria for Advancement and Practice Group Benchmarks. Please note, advancement through these levels will be based upon Practice Group needs as well as attorney desires.

Getting Assignments

Each Career Associate is assigned an assigning attorney who manages their work flow. In most practice groups, the assigning attorney is the same for all Career Associates in the practice group.

Compensation and Bonuses

Career Associates are evaluated annually in the spring by the lawyer review committee and are eligible for merit increases as well as annual bonuses based upon their contribution to the firm, to their practice group, and overall performance.

Similarities to Partner Track Associates

Although Career Associates progress through a different career track at the firm, in many ways they are similar to partner track associates. They are invited and expected to participate in practice group trainings and retreats, they are evaluated through the professional development process, and they all receive assigned mentors.

(continued)

How to Be a Successful Mentor

The following list is not a “checklist,” nor is it exhaustive, but it is meant to provide you with some ideas for how you can be a good mentor to a Career Associate.

- Provide suggestions on way to enhance your mentee’s knowledge about the practice group (PG) and its work (i.e., key trade journals, case law updates, other publications, etc.)
- Look for long-term, no deadline projects (like client alerts, articles, etc.) that your mentee can take on
- Ensure that your mentee is invited to and is regularly attending PG meetings
- Double check with your mentee that s/he is on all appropriate PG email distribution lists
- Introduce your mentee during meetings, and look for a chance for him/her to present at meetings that provide opportunities for professional development
- Have standing meeting with your mentee
- Be a sponsor, reminding PG attorneys about your mentee’s skills, successes, and the role they can play
- Invite your mentee to shadow you on calls, at meetings, etc., and look for other shadowing opportunities for your mentee
- Ensure mentee has met with (virtually or otherwise) all members of the PG within their first year
- Talk with your mentee’s assigning partner about work flow for assignments; encourage your mentee to give the assigning partner a weekly update of their utilization; encourage the assigning partner and mentee to have standing meeting
- Encourage your mentee to work with our Career Coach
- Meet with your mentee after each review cycle
- Give your mentee guidance on drafting his/her Career Development Update

Areas of Particular Focus for Mentors

Below are some broad categories you should focus on when mentoring a Career Associate:

- Helping your mentee remain top of mind with the PG and fully integrated
- Stressing the importance of timely responses, status updates, etc.
- Encouraging your mentee to pick up the phone to communicate, rather than just relying on email
- Encouraging your mentee to ask partners and others to talk with them via videoconference occasionally
- Helping your mentee prepare a two-minute “elevator speech” to tell attorneys about both the Career Associate Program and their specific skills and experience
- Stressing that they should contact someone (their mentor, assigning partner) before turning work down, especially when they are still fairly new
- Sharing your time management and organization tips and strategies
- Discussing the tension between the pace of legal practice and the need for work/life balance
- Helping them remember their hours target and explaining the ebb and flow of legal work over the course of a year

Appendix E. Core Competencies

Following is a sample of core competencies required by one firm for e-discovery attorneys.

Sample of One Firm's Core Competencies for an E-Discovery Attorney

Achievement/Results Orientation

Achieving efficient, timely, quality results by directing efforts on expected outcomes while providing exemplary client service within expected timeframes.

Behaviors include:

- Addressing immediate client needs
- Managing job expectations
- Planning for action
- Having a strategic overview
- Maintaining client contact to ensure outputs are on track
- Providing added value
- Providing seasoned advice to enhance results
- Ensuring continued service excellence

Adaptability/Flexibility

Willingly adapting to constantly changing circumstances while maintaining a corporate perspective. Engaging in continuous learning, adjusting the application of knowledge, skills, and abilities while addressing new challenges as contextual realities change.

Behaviors include:

- Demonstrating flexibility
- Adapting to the situation
- Adapting to widely varied needs
- Adapting plans and goals
- Adapting organizational strategies

Analytical Thinking

Using a logical reasoning process to break down and work through a situation or problem to arrive at an outcome.

Behaviors include:

- Recognizing fundamental elements of a situation
- Clarifying the situation
- Examining the facts and making assumptions
- Evaluating, interpreting, and integrating
(continued)

Client Service

Anticipating and responding to needs and demands of clients (both internal and external).

Behaviors include:

- Understanding service role
- Consistently meeting needs
- Anticipating changing needs
- Creating partnerships

Communication

Using language as a flexible tool to share and collect information, exchanging ideas and openly exploring a variety of perspectives — adjusting style and content to each unique individual audience and circumstance.

Behaviors include:

- Communicating clearly
- Clarifying understanding
- Reading subtleties
- Adapting message to audience
- Communicating for results
- Fostering two-way understanding
- Communicating strategically
- Communicating complex messages

Computer Use

Using computers and other forms of technology.

Behaviors include:

- Using different forms of technology
- Using word processing software
- Sending and receiving emails
- Creating and modifying spreadsheets
- Navigating and effectively searching the Internet

Decision Making/Decisiveness

Making and taking responsibility for, and demonstrating commitment to, appropriate decisions in a timely manner. Ensuring that decisions are made based on policies, rules, and organizational directives and solving the emerging problems.

Behaviors include:

- Making decisions where necessary information is available
- Making decisions when faced with some missing/unclear information
- Making decisions when significant information is incomplete and/or ambiguous
- Making strategic decisions in a very ambiguous situation
- Having broader perspectives
- Looking at different options
(continued)

E-Discovery Attorney — Core Competencies, continued

- Importing solutions
- Integrating approaches into complete solution
- Creating new concept models
- Analyzing issues to separate cause from symptoms
- Using negotiating techniques
- Considering human and environmental impacts
- Including concerned parties
- Anticipating and presenting change positively

Document Use

Finding, understanding, or entering information (e.g., text, symbols, numbers) in various types of documents, such as tables or forms.

Behaviors include:

- Reading signs, labels, or lists
- Understanding information on graphs or charts
- Entering information in forms
- Creating or reading schematic drawings

Evaluation

Understanding and applying formal evaluation methodologies such as those used in the fields of pure and applied sciences, computer science, education, psychology, law accounting, business, or quality assurance.

Behaviors include:

- Systematically collecting valid, reliable, and pertinent information in order to make judgments
- Analyzing information in order to provide an evaluation of proposed recommendations
- Providing recommendations for decision-making

Interpersonal Relations

Establishing and maintaining harmonious professional relations by demonstrating respect for and sensitivity to others.

Behaviors include:

- Demonstrating flexibility
- Demonstrating professionalism
- Managing sensitive situations
- Building mutual trust
- Being reliable, consistent, and credible
- Recognizing diversity and differences
- Putting in place conditions conducive to respect for all individuals and teams

(continued)

Learning Support/Continuous Learning

Creating a learning environment by promoting training and professional development.

Behaviors include:

- Discussing needs, objectives, and interests
- Using performance review as a tool
- Being familiar with adult learning techniques such as mentoring and coaching
- Encouraging employees to take responsibility for their learning and development
- Encouraging academic learning as a means of developing competencies
- Recognizing knowledge and skills acquired
- Providing environment where employees can further develop their skills
- Recognizing employee potential

Negotiating Techniques

Understanding and applying the principles, practices, and techniques related to negotiation with external and internal clients/personnel/stakeholders.

Behaviors include:

- Devising and executing negotiating strategies
- Cooperating toward satisfactory solutions to the extent possible, given existing policies, laws, etc.

Numeracy

Using numbers and thinking in quantitative terms to complete tasks.

Behaviors include:

- Making calculations
- Taking measurements
- Performing scheduling, budgeting, or accounting activities
- Analyzing data
- Making estimations

Planning/Organizing

Supporting the organization in meeting its business deliverables through its employees

Behaviors include:

- Planning, organizing, and/or monitoring one's own work or the work of others to ensure achievement of desired results
- Identifying and/or assigning resources (human or other resources) for one's self or the team to meet objectives in optimal fashion
- Establishing goals and objectives that align with the Corporate Business Plan and meeting the needs/targets set by their work area
- Reporting on results to promote accountability and taking action as appropriate

(continued)

Problem Solving

Ensuring that decisions are made based on policies, rules, and organizational directives and solving the emerging problems.

Behaviors include:

- Having broader perspectives
- Looking at different options
- Importing solutions
- Integrating approaches into complete solution
- Creating new concept models
- Analyzing issues to separate cause from symptoms
- Using negotiating techniques
- Considering human and environmental impacts
- Including concerned parties
- Anticipating and presenting change positively

Project Management

The discipline of planning, organizing, and managing resources to bring about the successful completion of a specific project.

Behaviors include:

- Initiating, planning, executing, controlling, and closing projects
- Identifying the key activities, dependencies, and milestones in a project
- Developing critical paths, monitoring, and reviewing impacts of performance or changes
- Scheduling resources and assigning tasks to meet project objectives
- Using specialized project management methodology and tools
- Managing project costs and/or deliverables
- Reporting on results and/or lessons learned

Teamwork/Cooperation

Readily sharing information, knowledge, and personal strengths. Seeking to understand and building on differing perspectives of others to enhance team efficiency and quality outcomes.

Behaviors include:

- Working with others
- Participating and collaborating
- Fostering teamwork
- Enhancing team effectiveness
- Ensuring alignment
- Proactively assisting and involving others
- Advising and resolving conflict
- Building bridges between teams

(continued)

Values and Ethics

Demonstrating integrity and respect in personal and organizational practices. Includes respecting democratic, professional, ethical, and people values. Building respectful, diverse, and inclusive workplaces. Ensuring decisions and transactions are transparent and fair. Holding themselves, their employees, and their organizations accountable for their actions.

Behaviors include:

- Adhering
- Promoting
- Advocating

Working with Others

Interacting with others to complete a task.

Behaviors include:

- Working independently alongside others
- Working jointly with a partner or helper
- Working as a member of a team
- Participating in supervisory or leadership activities

Appendix F. Evaluation Forms

As law firms are hiring increasing numbers of nontraditional-track lawyers — whether called staff attorneys, counsel, associates, career associates, or some other name — some firms are developing evaluation forms specific to the nontraditional track while others use the same forms for all lawyers, regardless of track.

On the following pages are sample forms used by several firms during the evaluation process for their nontraditional-track lawyers.

Sample Staff Attorney Evaluation Form

All responses must include specific examples and thorough, narrative, illustrative comments.

Introduction/General

Give two specific examples of this attorney's best work and explain what competency they exemplify.

What two things can this attorney improve upon?

Professional Excellence

Written Communication

Drafts clear, concise, and organized work product as projects become increasingly complex. Work requires only modest revision.

Exceptional/Very Effective

Acceptable/Average

Unacceptable/Ineffective

Not Applicable/No Knowledge

Please describe the attorney's work in this area and comment on results.

Oral Communication

Demonstrates effective presentation skills on matters to internal audiences. Communicates effectively, when necessary, with courts, clients, experts, and opposing counsel. Expresses presence through appearance, actions, and communication within firm, with clients, and in community.

Exceptional/Very Effective

Acceptable/Average

Unacceptable/Ineffective

Not Applicable/No Knowledge

Please describe the attorney's work in this area and comment on results.

(continued)

Creativity and Flexibility

Provides creative solutions when case projects/opportunities allow. Able to adapt recommendations to changed situations.

- Exceptional/Very Effective Acceptable/Average Unacceptable/Ineffective
-
- Not Applicable/No Knowledge

Please describe the attorney’s work in this area and comment on results.

Judgment

Able to handle minor matters or issues without involvement or oversight from senior attorneys, but appropriately seeks advice from senior attorneys before proceeding on more significant matters or issues. Interacts appropriately with clients, attorneys, staff, and adverse parties, given the particular circumstances, when opportunity presents itself.

- Exceptional/Very Effective Acceptable/Average Unacceptable/Ineffective
-
- Not Applicable/No Knowledge

Please describe the attorney’s work in this area and comment on results.

Professional Ethics

Practices law with honesty and integrity. Meets and exceeds all professional responsibility obligations. Keeps client and firm confidences. Able to identify when proposed courses of action do not comply with existing ethical rules.

- Attorney has knowledge base and acts appropriately
- No Knowledge

Please describe the attorney’s work in this area and comment on results.

(continued)

Teamwork, Cooperation, Delegation, Supervision

Able to recognize and accept additional responsibility as a team member. Comfortable and effective delegator and supervisor. Identifies tasks more appropriately done by others within the firm, and clearly articulates the nature of and expectations associated with the particular task, and effectively supervises the task.

- Exceptional/Very Effective Acceptable/Average Unacceptable/Ineffective
-
- Not Applicable/No Knowledge

Please describe the attorney’s work in this area and comment on results.

Personal Excellence

Work Ethic:

Attitude, Initiative, Ambition, Drive. Desire to truly excel as an attorney.

Maintains a positive attitude when facing challenges. Demonstrates a healthy competitiveness and desire to exceed internal and external expectations. Demonstrates ownership and accountability by using time efficiently. Cognizant of the bigger picture on large teams, manages competing deadlines appropriately. Identifies errors, takes responsibility, and notifies senior attorneys. Recommends courses of action as appropriate.

- Exceptional/Very Effective Acceptable/Average Unacceptable/Ineffective
-
- Not Applicable/No Knowledge

Please describe the attorney’s work in this area and comment on results.

(continued)

Professional Development

Participates in and commits time to training opportunities offered by firm and outside organizations when opportunities are made available.

- | | | |
|--|--|---|
| Exceptional/Very Effective | Acceptable/Average | Unacceptable/Ineffective |
| <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Not Applicable/No Knowledge | | |

Please describe the attorney's work in this area and comment on results.

Client Excellence

Relationship Builder

Keeps client and/or supervising attorney apprised of developments. Gains respect and confidence of internal and/or external clients.

- | | | |
|--|--|---|
| Exceptional/Very Effective | Acceptable/Average | Unacceptable/Ineffective |
| <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Not Applicable/No Knowledge | | |

Please describe the attorney's work in this area and comment on results.

Client Management

Is able to effectively communicate with internal and/or external clients on assignments. Developing appreciation of broader goals of clients.

- | | | |
|--|--|---|
| Exceptional/Very Effective | Acceptable/Average | Unacceptable/Ineffective |
| <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Not Applicable/No Knowledge | | |

Please describe the attorney's work in this area and comment on results.

(continued)

Fiscal Responsibility

Demonstrates effective administrative practices that support the firm and case management. Is able to offer effective solutions that contain costs, when opportunity presents itself. Efficient with time and uses sound judgment when incurring costs for clients and firm.

- | | | |
|--|--------------------------|--------------------------|
| Exceptional/Very Effective | Acceptable/Average | Unacceptable/Ineffective |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Not Applicable/No Knowledge | | |

Please describe the attorney's work in this area and comment on results.

Community Excellence

Commitment to Pro Bono

Identifies pro bono opportunities and seeks pro bono opportunities. Meets pro bono hours goals.

- | | | |
|--|--------------------------|--------------------------|
| Exceptional/Very Effective | Acceptable/Average | Unacceptable/Ineffective |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Not Applicable/No Knowledge | | |

Please describe the attorney's work in this area and comment on results.

Community Involvement

Participates in community events. Volunteers with community organizations. Looks for opportunities and encourages others to volunteer.

- | | | |
|--|--------------------------|--------------------------|
| Exceptional/Very Effective | Acceptable/Average | Unacceptable/Ineffective |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Not Applicable/No Knowledge | | |

Please describe the attorney's work in this area and comment on results.

(continued)

Commitment to Diversity

Participates in firm’s diversity programs, when opportunity is presented. Expands knowledge of diversity issues by attending diversity training. Makes efforts to build an inclusive and respectful work environment with all co-workers. Identifies opportunities for diversity to be institutionalized within the firm.

Exceptional/Very Effective

Acceptable/Average

Unacceptable/Ineffective

Not Applicable/No Knowledge

Please describe the attorney’s work in this area and comment on results.

Sample Counsel Evaluation Form

Counsel Information

Role: Please describe the role and duties that this counsel position is designed to serve (e.g., carry out routine patent work at a lower billable rate; handle overflow lease review; provide expertise in high-level deals) and generally describe the duties of the counsel.

Utilization

1. Over-utilized based on expectations.

- Yes
 No

If over-utilized, please comment on whether this is a short-term situation or a longer term issue that requires an adjustment of hours or staffing.

2. Meeting the defined need at full utilization.

- Yes
 No

3. Under-utilized.

- Yes
 No

If under-utilized, please comment on whether this is a short-term situation or a longer term issue that requires an adjustment of hours or staffing or the assignment of additional responsibilities.

(continued)

Skills Assessment

Oral Communication (ability to listen, articulate, inquire, explain, and persuade)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Drafting and Written Communication (expresses positions/concepts succinctly and effectively and produces error-free work)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Research Skills (efficient use of appropriate resources to gather accurate and complete information)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Analytical Ability (ability to identify issues, determine relevant facts and law, and draw reasoned and accurate conclusions)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Professional Judgment (problem-solving and decision-making; insight and thoughtfulness; strong sense of the business world and its impact on clients)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Efficiency (uses time effectively; appropriateness of recorded hours to the task at hand)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

(continued)

Sample Counsel Evaluation Form, continued

Responsiveness (anticipates needs, prioritizes effectively, and responds to changing scope; keeps assigning attorney informed of progress)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Project Management (cooperates in implementing project management to plan, schedule, staff, and communicate regarding matters; contributes to knowledge management in the practice group; adheres to budgets)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Advocacy Skills (effective persuasion and negotiation skills)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Personal Skills and Commitment (positive attitude; self-motivated; committed to serving client; willingness and ability to adapt to situations and change)

- Exceeds expectations
- Meets expectations
- Does not meet expectations
- Not applicable

Additional Comments

Please provide comments on the counsel's performance and development, including: (1) specific areas in which the counsel's performance is especially strong/positive; (2) specific areas where the counsel's performance or skills need development or improvement; (3) specific suggestions to guide the counsel's development; and (4) your overall assessment in light of the counsel's role in the practice group and level of experience.

Sample Career Associate Review Form

Evaluatee: _____

Evaluator: _____

Degree of Contact: Please indicate degree of contact during this review period:

- Limited Moderate Extensive

Please provide a brief overview of this Career Associate's role in your matter to provide some context for reviewing the feedback you provide on this form.

If you selected Limited Contact above, please complete only the relevant general comment boxes below. (Each box is optional.)

Limited Contact General Comment Box — Being a Lawyer Second to None (Legal Expertise and General Skills):

Please comment on this attorney's overall abilities, including strengths and areas for development.

Limited Contact General Comment Box — Leadership (Teamwork and Collaboration):

Please comment on this attorney's overall abilities, including strengths and areas for development.

Limited Contact Firm Contribution Box:

If you are aware of any contributions this attorney makes to the firm initiatives (e.g., Career Associate Program, recruiting, training, diversity, community responsibility, risk management), please describe below:

(continued)

If you selected **Moderate Contact** or **Extensive Contact** above, please complete the following questions.

SECTION A: Being a Lawyer Second to None

Part 1: Legal Expertise

Based upon the work assigned and the work product delivered, please identify this attorney's particular strengths with regard to Legal Expertise (**mandatory**):

Based upon the work assigned and the work product delivered, please identify this attorney's areas for development with regard to Legal Expertise (**mandatory**):

Part 2: General Skills

General Skills: *Analytical Thinking*

Based on the Core Skills and Advanced Skills defined below, please rate this Career Associate as to *Analytical Thinking* on a scale of 1 to 4, with 1=Developing Core Skills and 4=Mastered Advanced Skills (**mandatory**)

Rating: Deficiency 1 2 3 4 No Opinion

CORE SKILLS:

- Effectively analyzes facts, documents, or evidence that may support or undermine theories, including potential risks.
- Provides thorough and complete responses to identified problem/issue.
- Research is thorough and complete.
- Employs a practical approach and creativity in analysis and problem solving.

ADVANCED SKILLS:

- Offers innovative solutions to legal issues.
- Is relied on by others to make independent decisions.

(continued)

Sample Career Associate Review Form, continued

General Skills: *Written & Oral Communication*

Based on the Core Skills and Advanced Skills defined below, please rate this Career Associate as to *Written & Oral Communication* on a scale of 1 to 4, with 1=Developing Core Skills and 4=Mastered Advanced Skills (**mandatory**)

Rating: Deficiency 1 2 3 4 No Opinion

CORE SKILLS:

- Written communication is clear, concise, and well-organized.
- Oral communication is clear, concise, and well-organized.
- Keeps the team informed regarding his/her areas of responsibilities.

ADVANCED SKILLS:

- Written and oral communication is persuasive.
- Ably communicates complex ideas.
- Captures the interest of others when presenting ideas.
- Encourages open dialogue.

General Skills: *Organization/Initiative*

Based on the Core Skills and Advanced Skills defined below, please rate this Career Associate as to *Organization/Initiative* on a scale of 1 to 4, with 1=Developing Core Skills and 4=Mastered Advanced Skills (**mandatory**)

Rating: Deficiency 1 2 3 4 No Opinion

CORE SKILLS:

- Regularly checks in and reports progress.
- Plans ahead and meets deadlines.
- Seeks out work and takes on new challenges enthusiastically.
- Asks for feedback.

ADVANCED SKILLS:

- Leverages his/her time in a manner that adds distinctive value.
- Takes charge of certain aspects of a case/deal and delegates appropriately.
- Ably engages partners in practice group in order to achieve case/matter goals.

(continued)

Sample Career Associate Review Form, continued

General Skills: Efficiency

Based on the Core Skills and Advanced Skills defined below, please rate this Career Associate as to *Efficiency* on a scale of 1 to 4, with 1=Developing Core Skills and 4=Mastered Advanced Skills **(mandatory)**

Rating: Deficiency 1 2 3 4 No Opinion

CORE SKILLS:

- Provides high quality, accurate work in a timely manner.
- Effectively uses firm resources in completing assignments.

ADVANCED SKILLS:

- Prioritizes effectively; plans and organizes projects and manages others to efficiently accomplish goals.
- Provides insight on most efficient ways to organize projects.

Please identify this attorney's particular strengths with regard to General Skills (Analytical Thinking, Written & Oral Communication, Organization/Initiative, and Efficiency) **(mandatory)**:

Please provide specific comments on areas in which this attorney needs further development with regard to General Skills (Analytical Thinking, Written & Oral Communication, Organization/Initiative, and Efficiency) **(mandatory)**:

(continued)

SECTION B: Leadership

Teamwork and Collaboration

Based on the Core Skills and Advanced Skills defined below, please rate this Career Associate as to *Teamwork and Collaboration* on a scale of 1 to 4, with 1=Developing Core Skills and 4=Mastered Advanced Skills (**mandatory**)

Rating: Deficiency 1 2 3 4 No Opinion

CORE SKILLS:

- Works well with lawyers and staff and is respectful of all.
- Is a team player.
- Furthers the goals of the Career Associate Program.
- Within the confines of the Career Associate's individual schedule, makes every effort to meet the needs of the case/team/assigning attorney.

ADVANCED SKILLS:

- Promotes a spirit of teamwork and collaboration.
- Supervises and delegates effectively; keeps team members positively engaged.
- Serves as a role model for other Career Associates.

Please identify this attorney's particular strengths with regard to Leadership (Teamwork and Collaboration) (**mandatory**):

Please provide specific comments on areas in which this attorney needs further development with regard to Leadership (Teamwork and Collaboration) (**mandatory**):

(continued)

Firm Contribution (optional)

If you are aware of any contributions this attorney makes to firm initiatives (e.g., Career Associate Program, recruiting, training, diversity, community responsibility, risk management), please describe below:

Core Values (mandatory)

Does this reviewee act in a manner that is consistent with the firm's core values?

- Yes No

Comments regarding adherence to core values:

Review Wrap-up (mandatory)

Would you like to work with this reviewee again?

- I do not want to work with this reviewee again.
 I would accept opportunities to work with this reviewee if asked.
 I would actively seek opportunities to work with this reviewee.

Would you like to meet with a member of the professional development committee to discuss any issues or concerns you do not feel you were able to fully address in your evaluation above?

- Yes No

You are expected to provide direct feedback to the reviewee during the review period. Have you?

- Yes No

Overall Rating: The final form with compiled results has this rating:

Based on the feedback from all reviewers, please indicate this attorney's development on a scale of 1 to 4, with 1=Developing Core Skills and 4=Mastered Advanced Skills

- 1 2 3 4

Please indicate your assessment of the overall quality of this attorney's work:

- Below expectations Meets expectations Exceeds expectations

Sample Practice Group Lawyer Evaluation Form

Work Contact

Basis for Feedback (check one):

- Substantial work contact
- Moderate work contact
- Minimal work contact
- Social interaction only

Have you given oral feedback to the lawyer in the last 6 months?

- Yes
- No

Would you ask to work with this lawyer again? Why or why not?

Overall Comments

Strengths (please provide specific examples of behaviors observed):

Observed in the following matters:

Opportunities for improvement (please provide specific examples of behaviors observed):

(continued)

Sample Practice Group Lawyer Evaluation Form, continued

Observed in the following matters:

Primary matters on which this lawyer worked with you:

Technical Competence

Research ability (appropriate quality and depth)

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Analytical ability (e.g., identify and resolve issues, discern relationships and patterns in complex situations)

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Writing ability

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

(continued)

Oral communication skills

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Comments/Examples:

Professionalism

Strives to serve clients with the firm's client service principles

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Responsive and available (e.g., promptly returns calls and emails, in office during normal business hours, available to do work and answer questions)

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Takes appropriate ownership of matters

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

(continued)

Attentive to detail, follows through

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Completes work (including time sheets and other administrative tasks) in an efficient and timely manner

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Works effectively with clients, lawyers, and staff

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Keeps senior lawyers informed of matter status

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Delegates work to junior lawyers and staff appropriately

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

(continued)

Sense of responsibility for the growth and profitability of the firm's practices

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Comments/Examples:

Motivation and Attitude

Willing to work hard

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Demonstrates enthusiasm for practice and firm

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Manages time pressures and challenging situations well

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

(continued)

Participates in internal and external formal training programs, takes advantage of learning opportunities

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Comments/Examples:

Firm and Community Involvement

Actively involved in practice group, firm, and community building activities (e.g., recruiting, training of others, practice development, practice group meetings, firm meetings, pro bono, community leadership)

- 1 = Below expectations for current level
- 2 = Below expectations in some respects and meets expectations in some respects
- 3 = Meets expectations for current level
- 4 = Meets expectations in some respects and exceeds expectations in some respects
- 5 = Exceeds expectations for current level
- Insufficient information

Comments/Examples:

(continued)

Overall Performance

Taking into account all expectations for a lawyer of this level, this lawyer's performance

- Meets expectations
- Falls below expectations

Recommended Areas of Focus

Based on your work with the lawyer, please suggest two to three priorities on which you recommend the lawyer focus in the next 6 months (e.g., types of work, people to work with, skills to develop or improve)

Sample Practice Group Lawyer Self-Evaluation Form

General Information

The information you provide will serve as a basis for discussion during your upcoming review. Lawyers frequently ask how long it should take to complete this form — one to two hours should be sufficient. Please limit your self-evaluation to no more than 5 pages, excluding the description of matters involving substantial time.

Law School Class: _____

Year Joined Firm: _____

Description of Matters Involving Substantial Time

List the name of the client, the matter, and the primary supervising lawyers (those who reviewed your work for the five matters on which you spent the most time) and provide a brief description of each matter and your work.

Matter #1

- a. Client Matter Name:

- b. Primary Supervising Lawyer(s):

- c. Description of Matter (one sentence):

- d. Summary of Your Work (one sentence):

Matter #2

- a. Client Matter Name:

- b. Primary Supervising Lawyer(s):

- c. Description of Matter (one sentence):

- d. Summary of Your Work (one sentence):

(continued)

Matter #3

- a. Client Matter Name:

- b. Primary Supervising Lawyer(s):

- c. Description of Matter (one sentence):

- d. Summary of Your Work (one sentence):

Matter #4

- a. Client Matter Name:

- b. Primary Supervising Lawyer(s):

- c. Description of Matter (one sentence):

- d. Summary of Your Work (one sentence):

Matter #5

- a. Client Matter Name:

- b. Primary Supervising Lawyer(s):

- c. Description of Matter (one sentence):

- d. Summary of Your Work (one sentence):

(continued)

Practice Development

Please describe your practice (no more than three sentences):

List in bullet point form what you have done during the review period to build your specialized skills and expertise in addition to doing your billable work (e.g., formal training programs attended inside and outside the firm; client meetings, depositions, and other proceedings observed; professional reading conducted; mentor meetings attended; etc.)

Client Development

Please describe any client development activities (e.g., professional speaking or writing, helping to respond to Requests for Proposal, planning or attending client events, entertaining clients/prospective clients) in which you were involved during the review period. For each activity, list the approximate time you worked on it and a partner who would be familiar with your work.

Firm-Building and Community Involvement

List in bullet point form other firm and community activities in which you were involved during the review period, noting any leadership positions you held (e.g., pro bono, recruiting, practice development, training or mentoring others, participating in bar associations, civic, and charitable groups, etc.)

(continued)

Practice Development Goals

Identify three goals to be accomplished in the next year to continue to develop your practice and build your profile inside and outside the firm (e.g., specialized skills you will develop; writing or speaking opportunities you will pursue; client/potential client relationships you will cultivate; client development efforts in which you will participate).

Please list any partners or counsel with whom you discussed your practice development goals listed above.

Other Information

List any information regarding any other matters that you think might be relevant to the evaluation discussion.

Appendix G. Attorney Profiles

On the following pages are profiles of eleven law graduates in nontraditional-track positions. These profiles provide an idea of the type of work being performed by attorneys in these roles as well as information on how they happened to pursue this track for their careers, how they landed their jobs, how they see their career progression, what they consider the pros and cons of their work, and what advice they would give to new law graduates.

Rural New England 2013 Graduate Working for a Litigation Support Company in the Mid-Atlantic Region

How did you happen on this track for your career?

She was an older law student, having worked for ten years in a wide range of areas including the Peace Corps, teaching, social work, administrative roles, copy editing, and in the Office of Administrative Hearings. She entered law school with an open mind; she expected she would practice but was not wedded to that expectation. The catalyst for pursuing a technology-related law job came from pursuing soft IP courses, mentorships with professors, and attending the Legal Tech Fair in NYC.

How did you land the job?

She met her current employer at the Legal Tech Fair and secured a summer position with them doing e-discovery and predictive coding. They valued her not just for her law studies but also for her previous work experience, particularly in copy editing and marketing. The summer job led to a post-graduate offer in a new area, the trial consulting division.

What is your (perceived) career progression?

She is breaking new ground as a recent hire in the trial consulting division and expects much room for growth and additional responsibility. The company is growing and she expects to assume a director role with increased client contact and supervisory responsibilities in the future.

Type of work, expectations?

She helps design arguments and exhibits that meet evidence requirements for patent litigation and anti-trust cases. She employs various techniques and technologies from flash animation to PowerPoint. She directs tutorials on how disputed technologies work to present to a judge and/or jury. Further, she is assisting with building the company's website, does business development, and trains interns. She considers her work/life balance good; she works 40 hours a week with some peaks during project crunch times, and she is on call every other weekend. She is well compensated, earns overtime, and has good benefits.

Pros and cons of job and level of satisfaction

She is having fun and enjoys her work. She has flexibility and is able to work remotely. She sees lots of potential for growth and advancement. Her company is owned by a non-U.S. entity. It is important to be culturally sensitive and adaptive. Communication skills and high emotional intelligence are essential. As a lawyer, she represents one of several categories of professional, including engineers, designers, and IT professionals. The "we know more" mindset of some attorneys needs to be tempered in this setting.

Advice to new grads

Have an open mind about what you are willing to do with your law degree, advises this graduate. She sees a growing need for international privacy and data protection law experts. Try to get an internship in one of these companies; get a toe hold. Demonstrate your ability to learn new things and to be willing to learn new technologies. Help the company to understand the value-added of your legal training. "This field has huge potential," she says.

Northern California 2011 Graduate Working for the California Office of an Alternately Structured Law firm

How did you happen on this track for your career?

He was an older law student with 20 years in corporate America. He set his sights on an in-house job but this did not come to pass. He wanted work/life balance and a friend encouraged him to apply to his current employer.

How did you land the job?

He brought to the table his JD and also a good skill set from his previous work life, including technology skills and a background in licensing. His employer usually doesn't hire new law graduates but his profile made him an exception.

What is your (perceived) career progression?

At his firm he is "paid if he plays." He receives assignments that can last from three months to as much as a year. He can stay in this practitioner mode or could move into a practice management role that involves servicing client relationships. He works for the firm, not the individual client firms or companies that provide the work assignments.

Type of work, expectations?

He has performed a variety of work, from reviewing contracts and working in commercial transactions for a financial services organization to reviewing offshore supplier contracts for a healthcare conglomerate. Sometimes he works in the client's office, other times remotely. He negotiates his salary with his parent firm and has regular, reasonable hours and other benefits including a 401K and health insurance. He can work steadily or take a break as he chooses. His parent firm provides him with an annual review and periodic feedback through his practice manager. He also receives feedback directly from the client-employer.

Pros and cons of job and level of satisfaction

Pros to the job include that he is always learning something new and is afforded a good variety of practice experiences. He wants to secure a long-term full-time in-house engagement at a company. In the meantime he is building experiences and skills. His parent firm offers a "temp to perm buy-out" option should a client seek to hire him full-time. Additional pluses include work/life flexibility.

On the negative side, he does not always have a dependable paycheck as he moves between assignments. However, if he wanted to advance within his parent firm to become a practice manager and have enhanced work stability, he could do that.

Advice to new grads

Law students should know that the financial model of law practice is not working, this graduate notes. He urges law graduates to be open to growing, vibrant organizations like his employer that can afford one career flexibility. He feels like he is "accidentally/intentionally on the right side of the fence" for both growth and opportunity in his career.

Urban New England 2013 Graduate Working for a Big Four Public Accounting Firm in the Northeast

How did you happen on this track for your career?

He was a political science major and business minor as an undergrad. He knew he wanted to go to law school and secure a dual JD/MBA. During college he saw the inside workings of a major international law firm while working in an administrative position. From that experience he knew he'd prefer to do something in a business setting. As a 2L he took tax and says "things clicked."

How did you land the job?

With his sights on a career in tax he started looking for opportunities in the area. He secured a job in the tax department of a defense contractor and continued to take advanced tax courses. During OCI he was granted an interview with a Big Four accounting firm and was hired as a summer intern. His commitment to tax, dual degrees, and related work experience all enhanced his marketability. He also benefited from the advocacy of graduates of his law school already working for the firm. Similar to BigLaw, the Big Four have summer programs that serve as feeders to full-time positions after graduation. He received a post-graduate offer after the summer, worked part-time during his last year of law school, graduated, took the bar, and now is a tax consultant.

What is your (perceived) career progression?

The career progression in a major accounting firm is very structured. He has the potential to grow and advance through a series of levels. They are: tax consultant, senior tax consultant, manager, senior manager, director, and principal (or equity partner). The firm expects its professionals to advance through these ranks. They offer much structured training and professional development centrally and he also receives extensive support and training within his group.

Type of work, expectations?

He performs a mix of work that falls into two categories: compliance (tax returns and review) and consulting (advising clients about tax liability and strategies). All tax consultants must perform the compliance duties — many peers at his level are not attorneys but are accountants and business grads. The JD advantage comes into play on the consulting side of his job. Billable hour expectations are 1,750. He is supervised by a manager in his group and receives a lot of support. No one looks over his shoulder; he is afforded a good deal of responsibility. He receives twice-annual evaluations which include a self-rating evaluation mechanism. Salary and benefits are good (although not as high as in BigLaw).

Pros and cons of job and level of satisfaction

Seven months into the job, he said he is happy. He enjoys the autonomy and responsibility afforded by the group in which he works. Fifteen of the eighteen colleagues in the group have JDs, so his law degree is valued. He has lots of opportunity to learn new things and is using his legal skills, especially researching and writing, and he is already doing more consulting projects. His work/life balance is better than his peers in private firms (although he has experienced long hours during peak tax filing times). He has not experienced any major negatives except a lower starting salary that he nevertheless considers "fair."

Advice for new grads

He encourages students to pursue this career path. However, they need to know that the job requires more accounting skills than most JDs may want to acquire. Facility with numbers and spreadsheets is necessary. To market themselves for this career path, students should take as many tax courses as possible and get relevant tax and business-related work experiences. These credentials will help differentiate candidates with public accounting employers.

Mid-Atlantic 2013 Graduate Working for an Energy Company in the Mid-Atlantic Region

How did you happen on this track for your career?

He had interned in DC between undergrad and law school for several Senators and a Congressman, working in the energy agency arena. Once in law school, he pursued the school's energy law program and secured a summer job with a major electric company. A mentor at that company suggested that he look at his current employer, and he got additional encouragement and references from a professor and alum who worked there. He interviewed for law firm jobs (and got an offer) but his marketability with employers was strongest in the energy field.

How did you land the job?

His employer values his relevant work and academic qualifications, especially in property and in oil and gas law. During the interview, his employer closely evaluated his personal traits, including diligence, focus, attention to detail, analytical skills, collegiality, and team work.

What is your (perceived) career progression?

At this early stage he is not exactly sure where his career will lead. However, he sees opportunity for advancement with his current employer. His immediate supervisor is a 2010 law grad, and his boss, the Director of Title, graduated from law school less than 10 years ago. His salary is very good (higher than most of his peers in private practice). Also, he does not have to bill his time. His hours are regular and reasonable. He is expected to review a set number of leases per month and the benchmarks are attainable and fair. His progress is monitored monthly and he is given a year-end review. They offer CLE and he is encouraged to be involved in the community.

Type of work, expectations?

He performs lease reviews of drilling units, resolves title and survey issues and conflicts, makes due diligence checks, and offers curative recommendations or waivers for defective land titles.

Pros and cons of job and level of satisfaction

He has an understanding and young boss who is forthcoming with feedback and offers a lot of support, direction, and insights. He works with great colleagues at all levels. Everyone is a team player and it is a good work culture. The main negative: he has an hour-long commute.

Advice to new grads

Use your career services office! Think in terms of the ways that your JD will apply and add value to your future employer. Develop internships and job experiences aligned with your interests and background. Target employers strategically. Until you get a job, pursue several career paths simultaneously and network!

2011 Graduate from a Mid-Atlantic Law School Working for an LPO in India

How did you happen upon this track for your career?

He had read an article about LPOs while in law school.

How did you find the job opportunity? Were you targeting this type of position in your job search?

He saw a posting on his law school's Symplicity site for the job.

How did you land the job? How did you sell yourself in the interview?

He had an IT/business background which the company found attractive. He had also lived abroad for some time and was looking for an international experience and was accustomed to living far away from the U.S.

What is your (perceived) career progression?

There is some career progression from associate litigation manager to litigation manager to senior litigation manager but this progression is limited. The expectation is that new hires will stay for three years. His goal down the road is perhaps to come back to the States and work for a tech company or for a third-party entity like EPIC that organizes documents from clients before they go overseas. He might also manage e-discovery for a large firm. He could also work in non-legal outsourcing.

What type of work does this position entail? Do you have skills that set you apart?

He can have anywhere from 35- to 100-hour weeks. In some ways, the office has a college feel because seven to eight out of ten managers are under 28. There are about 500 attorneys in all. The LPO has much the feel of a startup — which it essentially is, having only been around for ten years. The focus of the work is document review using technology. When he started, he had no background in e-discovery and was actually doing the document review alongside the Indian-trained attorneys whom he now supervises. He works directly with associates from client firms and in-house attorneys to manage their document review needs. He is an Associate Litigation Manager and now he manages project managers. The LPO is broken up into various teams such as the privilege team and the confidentiality team. There is a lot of pressure and long hours because they are servicing many clients in many countries. He essentially translates the memo from the firm to the document reviewers. He must understand the risks that the company is dealing with as well as the deadlines. For some companies he is almost incorporated into the firm; others treat him as a vendor; and others are clueless about the process.

Security is very tight. No one can take work home; no cellphones are allowed at work; one must be fingerprinted to enter a room; and you are not allowed to enter rooms without prior authorization. Employees cannot use personal email. Email can only be sent internally and to clients.

How are you supervised, evaluated, compensated?

There is no formal review process. Reviews are informal conversations. A new hire must be a self-starter. If one wants to get ahead, one has to ask for feedback. The salary is \$35,000 base with bonuses, and housing and transportation are included. Costs of services are low, but buying things in India can be very expensive. Bonuses can be 0-50% and it is often hard to tell how well you are doing. Each U.S. attorney is working under an individual contract and must renew his visa annually and prove that a knowledge of the American legal system is crucial to his job.

What are the pros and cons of the position?

There are several family-oriented company events. However, one must be a bit of a wanderer: Nearly everyone who takes these jobs is single because the main “con” is dealing with family and friends who are 12 time zones away. Working in a different culture can also be challenging. One must cultivate cultural sensitivity in a country where tent cities butt up against glass skyscrapers.

How would you describe your level of job satisfaction and why?

He likes the job. He enjoys being on the cutting edge of something new.

Did your law school career services office play any role in your getting the job?

He learned about this job through a school job posting.

Midwest 2010 Law School Graduate Working in Compliance at a Bank in the Midwest

How did you happen upon this track for your career?

He returned to his home state in the Midwest where his family is located and got a job as a bank teller through his mother. He obtained his current job by applying to an internal posting in mid-2011.

How did you find the job opportunity? Were you targeting this type of position in your job search?

This was not the job he wanted. He had planned on working for a county state's attorney's office but was not hired.

How did you land the job? How did you sell yourself in the interview?

He was hired for the compliance position due to his law degree. He also cites the fact that he was an internal hire and that he had previously had some compliance experience.

What is your (perceived) career progression?

There is no direct route for advancement. He would have to change business lines and most likely relocate in order to advance. After three years, he is eligible to apply for a position as a Commercial Regulatory Corporate Manager.

What type of work does this position entail? Do you have skills that set you apart?

Overall, he is tasked with ensuring that the consumer lending arm of the bank is in compliance with lending regulations. His job has four facets. He responds to internal audits and tells the auditors how any issues found will be resolved; he drafts responses to complaints that his arm of the business receives from federal regulators; he participates in bank-wide compliance initiatives; finally, he performs self-audits on randomly selected loan agreements. He checks to see how well his bank is doing in comparison with peer institutions.

How are you supervised, evaluated, compensated?

He is evaluated semi-annually. His starting salary was \$47,000 — four grades below attorney salaries.

To what extent are you integrated into the company?

He receives a mixed reaction from the in-house attorneys. Some treat him with respect as an attorney and others do not like the fact that he is an attorney and often remind him that he can't hold himself out as an attorney. He has to be careful about not giving legal advice. He can't interpret statutes. He can't set policies or procedures. The GC is great on this issue, however, and treats him well.

What are the pros and cons of the position?

He likes the flexible hours allowing him to share child-care duties (he can work 10-6 or 11-7). He very much enjoys the people he works with — there is no feeling of competition. He finds that his JD is very helpful with issue-spotting and problem-solving. The job pays better than other jobs. It is fairly stress-free. He feels that he will have job security due to new regulations in financial security. There are several "cons," however. The work is not very challenging. He has tried to apply for legal positions but is finding that working in compliance is a stigma for him for these jobs — i.e., "if you are good enough to be an attorney, why couldn't you get a real job?"

How would you describe your level of job satisfaction and why?

Overall he says that it is "not a bad job."

Did your law school career services office play any role in your getting the job?

No.

2008 Graduate from a Law School in the Southeast Working as an E-Discovery Attorney for a Large Law Firm in the Southeast

How did you happen upon this track for your career?

He graduated from college in 1999 and worked for six years at IBM before becoming an evening law student (graduating in December 2008). He started at his firm in early 2010 and has been there for four years.

How did you find the job opportunity? Were you targeting this type of position in your job search?

He got his job through a classmate who referred him. He wanted to use his tech background but was not targeting this type of position.

How did you land the job? How did you sell yourself in the interview?

His tech background was a huge plus.

What is your (perceived) career progression?

He began as an e-discovery project attorney and after 18 months was promoted to Staff Attorney. The majority of the 60-80 current attorneys in e-discovery are project attorneys. Some contract attorneys treat the job as a stopgap until they can move on to small private firms or government jobs. Some also open their own shops. Six or seven contract attorneys get promoted to Staff Attorney each year. The firm has recently implemented a Staff Attorney II position (a 15% bump in salary). Senior Staff Attorneys have ten years of experience and make in the \$75,000-\$80,000 range.

What type of work does this position entail? Is the work similar to on-track associates? Do you have skills that set you apart?

Staff Attorneys do project management and supervise the contract attorneys. His point of contact with the firm is the associate on the case assigned to discovery. Some cases have lasted four years or more. He gets to use his tech background skills in writing code for the e-discovery programs; he also manages databases. Finally, he works with vendors who collect and organize the huge amounts of data from the clients. This job is a particularly good fit for him given his background at IBM.

What are the billable and non-billable expectations?

Billable hours are 1,900 for contract attorneys and 1,950 for Staff Attorneys. Staff Attorneys are eligible for bonuses for exceeding their hour minimums.

How are you supervised, evaluated, compensated?

E-discovery project attorneys start at \$50K with no benefits; staff attorneys start at \$57,500 with the same benefits as partner-track attorneys. There is no formalized review process though the firm has recently started doing self-assessments.

To what extent are you integrated into the firm? Training, CLE, pro bono work, other?

The e-discovery attorneys are located in the discovery center, a separate facility from the law firm's offices. The center has been operating for 15 years. Staff Attorneys can use 50 pro bono hours toward the 1,950 minimum.

What are the pros and cons to the position?

The pros of his job currently outweigh the cons — even though this was not the job he was seeking when he went to law school. He gets good benefits (and can wear business casual all the time). There is a good work/life balance. He enjoys new technology and seeing how a large firm works. The firm pays for online

training courses. The cons are the tedium of the job and the salary (he was making more at IBM). Also, the job can be either too fast-paced or deathly slow. For the first time, project attorneys were laid off in 2013.

How would you describe your level of job satisfaction and why?

Pretty satisfied — for the reasons above. He is planning to move on at some point to become a firm's technology director or perhaps work for a vendor. Overall, he is optimistic about his future.

Did your law school career services office play any role in your getting the job?

No.

Advice to new grads

As litigation ebbs and technology becomes more dominant, the size of the e-discovery team has shrunk drastically (from 200 attorneys in its heyday to 60-80 currently). New hires will need to be increasingly tech savvy.

Midwest 2012 Law Graduate Working as a Health Law Fellow at a Large Firm in the Midwest

How did you happen upon this track for your career?

She was looking for a job in health law as a third-year law student. This particular opportunity is practice area based.

How did you find the job opportunity? Were you targeting this type of position in your job search?

She was contacted by her career services office because of her interest in health law.

How did you land the job? How did you sell yourself in the interview?

She submitted a resume and had a phone interview and an in-person interview with health law attorneys.

What is your (perceived) career progression?

The fellowship is for one year and there is the potential of being hired as a partner-track associate. The program is intended to provide the fellow with networking contacts in health law and practice with business development. The goal is to give the fellow the skills to work in-house or at another law firm.

What type of work does this position entail? Is the work similar to on-track associates? Do you have skills that set you apart?

She does the same work as the partner-track associates. Each month she works for a different partner in a rotation system. The work is mostly research and writing.

What are the billable and non-billable expectations?

She works harder than the partner-track associates. She has 1,400 billable hours and 1,400 non-billable hours including preparing presentations for partners, blog posting, business development, market analysis, pitching to clients, and drafting client alerts.

How are you supervised, evaluated, compensated?

She works for all of the partners in the health law group and is supervised on a project-by-project basis. She has monthly updates with the practice head and will have a mid-year review. Her salary is \$60,000 compared to the \$120,000 salary for partner-track lawyers.

To what extent are you integrated into the firm? Training, CLE, pro bono work, other?

She is completely integrated into the work of the health law group. The first 100 hours of pro bono is billable. The firm pays for CLEs.

What are the pros and cons to the position?

Pros: exposure to health law; client interaction, such as being included on calls; in-house exposure; focus on learning; gets to work in many different areas of health law; partners are good mentors; learns how to interact with the clients; same perks as partner-track associates — e.g., football and basketball tickets; treated better than partner-track associates. The only con is job insecurity.

How would you describe your level of job satisfaction and why?

Fantastic experience — only issue is whether and how much to look for a permanent job.

Advice to new grads and the role of her career services office

Look for these types of positions in larger firms with practice areas that are highly regulated. Her career office knew of her interest in health law and so contacted her about this position.

Midwest 2010 Law School Graduate Working in a Staff Attorney Position at a Large Law Firm in Chicago

How did you happen on this track for your career?

She worked at a small firm right after law school. When she decided to look for another position she used LinkedIn Jobs Blasts and saw this opportunity. She thought it would be a good way to get her foot in the door to a prestigious firm since she didn't attend a top law school or work at a big firm.

How did you land the job?

The firm wanted to hire someone who was a "fit" with the group. She had the experience they needed and understood what they needed. To prepare, she planned out what questions she thought would be asked and wrote out her answers to all possible questions. She researched how to segue answers into positives about herself. She came across as very prepared.

What is your (perceived) career progression?

The staff attorney program is still new and so opportunities for career progression are unclear. There may be a possibility of becoming senior counsel but it is not a partnership-track position. She is included in all associate training and CLEs.

Type of work, expectations?

She does mostly routine work in the corporate finance department but also is given new types of work as well. Her hours are generally 9-5 and her billables are between 1,400 and 1,700 — very reasonable. She could take on pro bono work if she wanted to. Her salary is \$85,000 annually, which is more than she made at her previous firm despite working fewer hours.

Pros and cons of job and level of satisfaction

She is very satisfied at her firm and job. She is working at a highly regarded firm with people she likes and she does routine work but also learns new areas and always feels comfortable asking questions in this regard.

Her salary is lower than on-track associates but she doesn't have the hours requirements or the need to do client development or other non-billable work.

Advice to new grads

Don't use just one medium for finding a job. Do things on your own like joining bar associations, networking, and doing Internet searches. Be open to everything. She took a low-paying job with a small firm and got good experience and huge raises every year.

Because she had been working for a small firm before she graduated, she didn't use the career services office for additional help. She did use Symplicity and used links provided on how to interview.

Southeast 2012 Law Graduate Working as a Contract Analyst at a Business in Michigan

How did you happen on this track for your career?

He was a finance major in undergraduate school and was always interested in working in-house. He heard about the position because he told everyone he knew he was looking for an in-house position and someone forwarded his resume to the company hiring for this position. He had an offer from the company where he had worked the previous summer but chose his current employer.

How did you land the job?

In order to get the interview for the job, there has to be evidence of being smart enough to do the job successfully. To get the job, he researched the company thoroughly, researched the people with whom he interviewed, and was eager and enthusiastic about the position and company. He demonstrated that he would be the kind of person who would be a good member of the team.

What is your (perceived) career progression?

The career progression is excellent. Because they are "low-cost" attorneys, they get a lot of excellent work experience and training. They have their own accounts to work on in many areas and eventually can choose to move to other locations including New York, San Francisco, and Chicago. They have two to three hours a week of training and he has had additional training on specific topics. He has also shadowed senior attorneys.

Type of work, expectations?

The work he has done includes reviewing 80- to 100-page contracts in IP and limited liability, and reviewing restrictive covenants. He spent a month in New York working on strategic outsourcing and contracts negotiations. The attorneys are given their own work to do, so not much supervision is involved. They are evaluated annually based on the goals they submit, and their boss gives them a rating based on performance. The base salary is \$55,000 (in Michigan); the raises are good and they get a cost of living raise when they move to other offices.

Pros and cons of job and level of satisfaction

He is very happy at the company. The work is interesting, even "fantastic." He is able to use his business background (working on \$100 million contracts). The training is great and the prestige is great. And the quality of life is excellent.

Did your law school career services office play any role in your getting the job?

His career services office was not helpful in getting him this job. (Note that the program was designed for the Big Ten law schools and some other Midwest schools only.)

Midwest 2013 Law Graduate Working as a Career Associate (and Previously as a Summer Career Associate) at the Midwest Office of an International Firm

How did you land the job? How did you sell yourself in the interview?

She got the job through 2L OCI. She did a lot of research on the firm, and attended an info session at her law school. She thinks they were impressed by the research she did and what she knew about the firm.

What is your (perceived) career progression?

She is not quite sure yet. At the time of the interview she had just started. At this initial point it seems to her as if there's a lot to learn and a lot of experience to gain. She thinks eventually the career progression may start to level out, but right now the process of getting started on real legal projects is giving her a lot to keep busy with and to learn from.

What type of work does this position entail? Is the work similar to on-track associates? Do you have skills that set you apart?

The work is similar to on-track associates. The only difference is that career associates are expected to do less of it, in terms of hours. She is getting involved in some pretty big class action suits, so she will be working on things such as conducting interviews and writing briefs — the same as what the on-track associates are doing.

What are the billable and non-billable expectations?

The expectation is 1,600 hours a year. The requirement is for billable and creditable hours (things like training, pro bono work, office events, professional development). She gets to count both types of hours. The on-track associates can only count billable hours but they also have to do the same trainings and professional development activities. That's a big perk for career associates.

How are you supervised, evaluated, compensated?

Career associates have assigning partners who give them work, supervise their work, and evaluate them. There are annual reviews. Career associates have informal mentors who also check up on them and answer their questions. The starting salary for career associates is \$65,000.

To what extent are you integrated into the firm? Training, CLE, pro bono work, other?

She says that career associates are pretty well integrated at her firm. They are included in all of the trainings (including flying them out to the East Coast and West Coast retreats). They are also included in the live meetings on the web (i.e., ones that are broadcast from one office to all of the others). They get a chance to participate in the same pro bono work as well.

What are the pros and cons of the job?

Right now, the pros of the jobs are definitely the lower billable hours. The requirement works out to be about 40 hours a week — which is definitely conducive to a work/life balance. She finds the work environment to be really great too — everyone is very friendly and willing to help out.

How would you describe your level of job satisfaction and why?

So far, she likes it! The work she is doing is really sophisticated and interesting. And the work/life balance so far is great too. She will know more once she gets more involved with assignments, but for right now she is happy with her job.

Did your law school career services office play any role in your getting the job?

Her career services office posted all of the OCI jobs on Symplicity and coordinated OCI. The postings were descriptive enough to allow her to do research on the firm. OCI played a huge role in her getting the job. She interviewed first on campus, and then went over fall break for a call-back interview. She also found the advice she got from her career office about how to follow up after interviews (thank you cards) and how to accept an offer (i.e., call them and then follow up with email) was very helpful.

Advice to new grads

Career services was pretty realistic when it came to discussing the job with her, which she appreciated. For instance, the lower salary was maybe not the most attractive thing about the job, but her career services advisor was helpful in pointing out the perks that made up for it — better work/life balance, a more relaxed working environment, less pressure, etc.