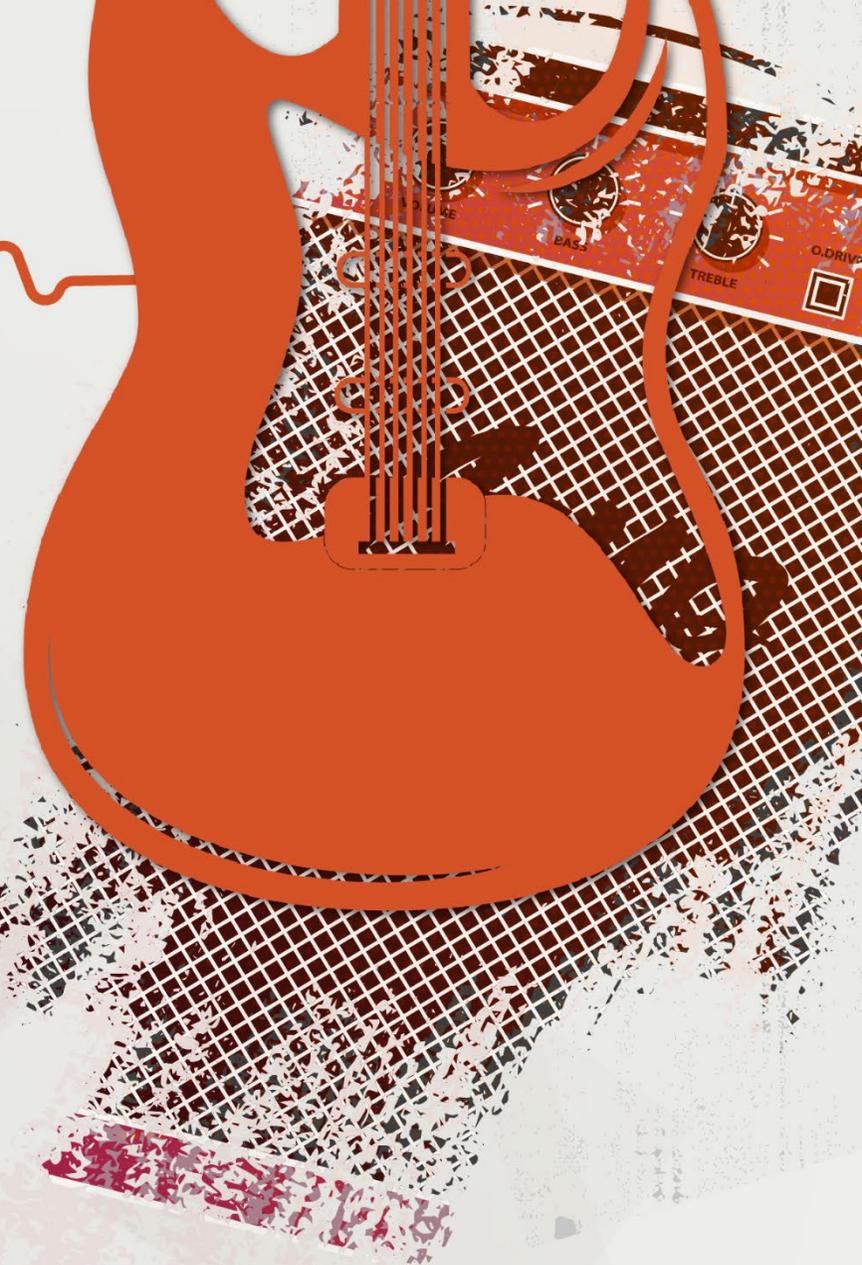


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Welcome



Tough Conversations with Tough Students: High Impact Strategies and Tactics for Counselors

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Agenda

✓ Introduction

✓ Tough Scenarios

- No Offer After 2L Summer
- 1L Grades Not What was Hoped
- Over-Confident Interviewers and Cross-Cultural Nuance for International Students
- LL.M. Qualifications and Job Prospects in the U.S.
- Failures In Professionalism: Consistent Lack of Follow-Through and No Shows

✓ Interactive Scenarios

✓ Questions

**Clear is kind.
Unclear is unkind.**

- Brené Brown



Why Are We Here Today?

- ✓ Tough conversations are tough.
- ✓ Because tough conversations are tough, we probably don't have them enough.
- ✓ If we aim to best serve our students, that's going to include some tough conversations.
- ✓ We want to keep students coming back to our offices.
- ✓ These strategies can be applied to any tough conversation, including those that arise from the challenging situations that arise from today's uncertain federal employment market.



Learning Objectives

- Develop and manage counseling guidelines to proactively prepare for working with difficult students;
- Identify potential challenges presented in advising particular students and in particular situations and evaluate the sources of those challenges;
- Assess potential courses of action to address the difficulties posted by those challenges;
- Productively approach difficult conversations with students to ensure continued engagement and promote job search success and career development;
- Incorporate cultural awareness and sensitivity into difficult conversations with students; and
- Be sensitive to the potential impact on a student's wellness of challenging discussions with their career advisor.



Scenario: No Offer After 2L Summer

A rising 3L student communicates with you in August to report that their law firm summer employer, which routinely gives post-grad offers to its 2L summer associates, has declined to extend them an offer.

- Variant A: They didn't "have room"
- Variant B: The decision was performance-based
- Variant C: No explanation



No-Offer Conversation: Considerations

- Have the student tell their whole story
 - Give them room to vent
- Avoid unprofitable rehashing of the decision
 - Consider what can be salvaged of the relationship
- Shift to looking forward
 - Use summer experience as part of future direction
 - Be wary of being directive
- Have the student create their own “what’s next” to-do list



Scenario: 1L Grades Not What Was Hoped

A 1L law student adds a meeting to your calendar in January to discuss being upset with their first semester grades.

- Variant A: The student is in the Top 30% and thinks they should drop out of law school
- Variant B: The student is aware that that they are in the bottom of the class
- Variant C: The student does not think being in the bottom of the class will impact their chances at Big Law



1L Grades Conversation: Considerations

- In the first two variants the student wants or needs reassurance while the third needs a kind reality check
 - It's okay to give all three an opportunity to vent
- No one is a failure but some might need information about career options and room to pivot to the idea of a different career path than they envisioned
- Discuss how to approach the grades in cover letters and interviews



Scenario: Over-Confident Interviewer

The student has a 3.7 GPA and refused to do an externship during law school. They want to land a BigLaw job and are over-confident given their GPA. Student expects any and every employer to hire them based on their GPA. They have struggled connecting with prospective employers because of their direct and demanding approach.



Over-Confident Interviewing Conversation: Considerations

Preparation:

- Understand that the student may have a reason (i.e. financial or personal)
- Identify courses and jobs that the student has held that may be relevant

Conversation:

- ✓ Listen to the student and gauge their reasoning for not doing an externship.
- ✓ Remind the student that every bit of practical experience helps, especially firm background given their career goals
- ✓ Ask the student to keep his tone and ask in check via email and in person

Takeaway:

- Practice a mock interview or a networking spiel with the career office!



Scenario: Cross-Cultural Nuance for International Students

Student is a foreign-trained LL.M. and has never interviewed for a job in the U.S. before. Student is not used to selling themselves to the employer and are too humble to discuss their accomplishments or share non-U.S. professional experience. They are especially concerned about their language ability, academic program and not being able to market themselves to land the job during an upcoming interview.



Cross-Cultural Nuance for International Students Conversation: Considerations

Preparation:

- Know the student's cultural background and legal experience

Conversation:

- ✓ Remind the student that the conversation needs to stay professional, and that employers are not able to ask about the student's relationship status, personal information and/or non-job-related questions
- ✓ The interview is a two-way conversation and inform the student that they must wait until the end to ask the employer questions they have prepared.
- ✓ Walk them through the question types and how best to answer each. It is important to be concise and to avoid oversharing or speaking too much.

Takeway:

- Tell the student that they must sell themselves to the employer by connecting their prior experience with the job responsibilities!



Scenario: LL.M. Qualifications and Job Prospects in the U.S.

The student is a foreign-trained attorney with extensive legal experience. Most recently, the student owned a law firm in their home country. Student is concerned that they are not eligible to work at a U.S. firm since they are not pursuing a J.D. program. They wish they had known this before closing their law firm to pursue the LL.M. program and to move stateside in hopes of the American dream.



LL.M. Qualifications Conversation: Considerations

Preparation:

- Identifying the right employers based on each student's academic qualifications, professional experience and visa restrictions is key.
- Understanding what the different jurisdiction entails, and which firms might be focused on the student's practice area globally.

Conversation:

- ✓ Ask open-ended questions to gauge their interest and job search process.
- ✓ It is important to remind students of their legal worth—walking through their past experiences and discussing how they can use their transferable skills to support their application for the jobs they are seeking.
- ✓ Help them develop a professional narrative and create a sandwich of sorts. (Past-Present-Future)
- ✓ Provide students with the employer list based on different industries and practice areas.

Takeaways:

- Know your legal worth! Consider prior experience and transferable skills
- Identify the right employers based on practice-area and industry early in the program!



Scenario: No Follow-Through

A 2L student schedules a meeting and wants to talk about their summer job search, on which they seem to have made little progress. This is your third meeting with the student this semester and you recall that during their 1L year, they fell into a similar pattern. There were lots of meetings and lots of plans to move things forward, but in between meetings, there was little to no action. The frequency with which they schedule meetings with you exceeds the average and you're frustrated that the lack of forward progress doesn't match up to the amount of time and effort that you are putting into this student.



No Follow-Through: Considerations

- Make sure the student is in a place to receive feedback
- Review your history with the student
- Explain how the lack of follow through threatens their progress
- Explore the challenges the student is facing
- Discuss accountability, goal setting, and next steps



Scenario: Consistent No-Show

A 1L student has registered for a number of CDO and employer events and has developed a pattern of dropping out at the last minute or just no showing to the event. I've already sent out my "don't ghost the host" email, which I send once a year to students when we have an event with a high no show rate, but the student's behavior continues unabated.



Consistent No-Show Conversation: Considerations

- Listen to the reason for the student's repeated failures to appear
- Acknowledge what the student is facing
- Explain the potential impact on the student's reputation
- Explain the importance of honoring commitments
- Explore ways to handle in the future



Interactive Scenarios: Your Turn!

- ✓ What are the challenges associated with the situation?
- ✓ Can you prepare for the conversation? If so, how?
- ✓ What are possible courses of action you can identify?
- ✓ How can you manage the conversation to keep the student engaged?
- ✓ Cultural awareness or wellness factors to consider!

Questions





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Resources

- [Difficult Conversations](#), by Douglas Stone, Bruce Patton, and Sheila Heen
- [Crucial Conversations](#), by Kerry Patterson, Joseph Grenny, Ron McMillan, Al Switzler
- [Conversations Worth Having](#), by Jackie Stavros and Cheri Torres
- [Radical Candor](#), by Kim Scott
- [Fierce Conversations](#), by Susan Scott
- [We Need to Talk, Preparing for Difficult Conversations](#), by Susanne Carpenter
- [Difficult Conversations: A Resource Guide](#), by Matthew Kohut
- [A Blueprint for Difficult Conversations](#)
- [Radical Candor Blog](#)
- [LL.M. Advisor Manual](#), by NALP
- [How to Answer Tough Interview Questions](#), by NALP
- [Clear is Kind, Unclear is Unkind](#), by Brené Brown

Tough Conversations for Practice and Discussion

Reminders for approaching these conversations:

1. Consider your office's or your own counseling guidelines that apply to these types of situations;
2. Identify challenges presented and evaluate the sources of those challenges;
3. Assess potential courses of action;
4. Productively approach the conversation in a way that ensures continued engagement and promotes job search success and career development;
5. Incorporate cultural awareness and sensitivity; and
6. Consider the potential impact on student wellness.

Scenario: Reneging on an “accepted” offer

It's early April and 2L student has scheduled a short-notice meeting with you.

In your very first interaction with this student, back in the Fall of their 1L year, they spoke effusively about how their goal in coming to law school was to work for your state's attorney general's office. For their 1L summer, they went through 2 rounds of interviews for an internship with the state attorney general's office but were not offered a job and ended up working for Legal Aid. In the fall of their 2L year, they applied for a paid summer position with the AG's office, but were not selected for an interview. The student proceeded to apply to summer positions with firms in the state capital. In January, the student accepted a 2L summer offer from a prominent mid-sized firm in the state capital that, although it has a number of your law school's alums as partners, has rarely hired your law school's students despite extensive efforts by the law school's employer relations dean to promote more interactions.

The student arrives at the meeting and tells you that yesterday, out of the blue, they received a paid summer internship offer from the AG's office. The AG's office explained that the offer was based on the student's fall application and their strong interview performance as a 1L. The student announces their intention to accept the AG's offer and pull out of their acceptance with the firm.

Considerations

- What are the risks to the student of reneging on the firm and going with the AG's office? The risks of maintaining the commitment to the firm? Are those risks short term or

long term? How would you optimally get the student to identify and/or recognize those risks in your conversation?

- What are the benefits to the student of renegeing on the firm and going with the AG's office? The benefits of maintaining their commitment to the firm? Are those benefits short term or long term? How would you optimally get the student to identify and/or recognize those benefits in your conversation?
- Does the Law School have an interest in the student's decision? How would you get the student to recognize that interest? Do you want the student to take that interest into account in their decision?
- If the Law School has a policy against students renegeing on accepted offers, would you introduce that into the conversation and, if so, how?

Scenario: Recent grad wanting to quit after a six months on the job

It's late February and you field a call from an alum who graduated last May. They started work just after the bar exam at a 10-person law firm specializing in plaintiff's side employment law located in a city in which the student had no previous connections. The alum had a long-standing interest in employment law, and worked during their law school summers at the EEOC and at your state's department of labor and industry. The post-grad job is their first experience working for a law firm.

The alum starts the call by telling you that they want to quit their job, and it is apparent from their tone of voice that they are deeply upset. They don't feel like they're being given the most interesting work, and at the same time are not being given mentorship to help them grow. There is one partner that they do most of their work for, and they don't really like that partner, who is always harping on how much work the alum needs to be doing. They're also starting to think that other people at the firm are talking about them behind their back.

Considerations

- How can you approach the conversation to balance the professional component with the wellness component?
- How can you approach wellness issues in this situation, where you're dealing with an alum rather than a student?
- How might you try to draw the alum out in conversation to assess how much of the situation stems from the fact that it's the alum's first experience in a law firm and how much might stem from issues with the alum's own workstyle?
- Does your approach to this conversation change if it happens on March 20th rather than late February?

Scenario: Spring “no job” panic

It’s late January and a 1L student has scheduled an appointment with you next week to discuss their job search.

You’ve met with this student before and know that they feel intense financial pressure. They have previously expressed to you that they must have a paid job during their 1L summer and they don’t care what kind of work they’ll be doing - they’ll take anything that is paid.

The student underperformed academically in the first semester (their GPA is just below a 3.0). The student has work experience before law school consisting largely of service industry jobs. During the six months before they started law school, they worked as a legal assistant at a law firm in their hometown.

When the student arrives in your office, they announce that they are “panicking” that they do not yet have a job for the summer and they reiterate that they must have paid work for the summer.

You know there are a lot of postings still to roll out and that there is a lot of time for the student to continue to conduct a meaningful job search. However, you are concerned that the student’s desired paid 1L summer job may be difficult to achieve given their grades.

Considerations

- What considerations do you give to wellness issues considering the financial pressure the student faces and the anxiety they are exhibiting?
- How do you assess whether they have a realistic understanding of their academic performance and the challenges it may pose to their job search?
- How does your approach change if the conversation is happening in April?

Scenario: Foreign-trained LL.M. students who think US firms are a guaranteed foot in the door since they practiced in their home country

Student is an international attorney with extensive experience working at global firms. They were informed that getting a law degree (i.e. LL.M.) will give them an opportunity to work for U.S. firms after they complete their program. Student is not aware of the academic requirements, bar admission, and visa requirements that play a role for foreign lawyers to be able to practice at law firms.

Considerations

- How would you plan ahead for this discussion keeping in mind their academic program, short-term (while in school) and long-term (after graduation) goals.

- What suggestions would you have for the student in this case in terms of U.S. firm requirements and recruiting timelines?
- What types of employment opportunities and legal employers should an international attorney consider in terms of geographic, linguistic, and common law jurisdictions?

Scenario: Student who wants to do sports/entertainment law (the unicorn job seeker)

A student drops into your office hours to talk about their career goals and summer job search. They talk passionately about their love of sports and let you know that they are solely focused on opportunities in sports law.

The student has average grades and one year of post-undergraduate experience doing data analysis for a marketing company.

Considerations

- How do you approach discussing a highly coveted and very competitive field of law while balancing the student's passions and the challenging realities that student may face in seeking opportunities in that field of law?
- How can you help students explore/consider other areas of law in which they may be able to build skills and/or networks that may later allow them to turn to opportunities in sports law?
- How would you assist the student in creating an action plan that helps them move toward accomplishing their goal?
- How do you encourage the student's continued engagement with your office if they're feeling discouraged by the conversation?

Scenario: Student thinks we should no longer allow a particular employer to post positions with our office/hire our students

A 2L schedules an appointment with you to discuss their 1L summer position but does not provide many details when scheduling. During the appointment the student becomes flustered and says that the School of Law should not continue to hire from the employer. When you ask follow-up questions the student repeats that they had a bad experience there because the employer had too high of expectations and the student did not feel the employer was professional but cannot provide concrete examples.

Considerations

- How can you balance allowing the student to vent/demonstrating that you are taking their concerns seriously while also balancing the needs of the employer?

- How will you establish if something unethical, egregious, abusive, and/or discriminatory has happened versus whether this position was a personality clash/not a good fit for the student?
- Does the law school have an interest in this employer outside of them hiring your students (is the employer an alumni)?
 - Is there another office at the law school that needs to be looped in if the hiring employer is an alumni?

Scenario: Second career student who thinks we can't be helpful

A 1L comes into your office after their initial orientation meeting. They have significant business experience and have started law school part-time. They may continue at their employer but they also have an interest in other areas of the law. The student is resistant to your resume suggestions and wants to know what you can offer them as a second-career student.

Considerations

- Does your office have any mandatory portions of Career Services (resume review, mock interviews, etc), and are you prepared to flag those for the student?
- What programs and opportunities do you think would be most helpful for a student to be aware of or consider if they will not be regularly engaging with your office?
 - Some ideas include mock interviews, cover letter reviews, individual meetings, panels, and networking events as well as where specific resources might be located that the student may find valuable later.
- Is your office involved in anything else that the student may need help with even if they are not engaging with you for Career Services?
 - Some ideas include externship placements, pro bono requirements, or professionalism credit.
- Keep in mind that while it is important to connect with all students and share resources you cannot force students to work with your office if they are truly uninterested (it can feel hard to let one go but it's okay).

Scenario: Student who expects you to draft their application materials

The student is in their final semester and just beginning to apply for jobs. They did not attend your office's mandatory resume writing and cover letter workshops. They have met with the career office once before for a resume review.

When reviewing their resume, you notice that the student has not made any suggested changes or attempted to convert their CV into a legal resume format. They are not familiar with a cover letter and ask for your help with drafting one.

Considerations

- How would you approach this conversation while keeping in mind the student may be stressedors outside of their job search that are impacting them?
- Which resources does your office share with the students around orientation and through the academic year?
- How frequently does your office remind the students of the resources available to them?
- Does your office offer drop-in hours or other services for students to be able to get their application materials reviewed?
- What considerations will you keep in mind when having this discussion with an international student keeping in mind that they may not be aware of the expectations that come with studying at a U.S. law school?

Scenario: Student who thinks career services office is an employment placement service and doesn't want to do their part

Student comes into your office and tells you that you were told by the admissions office that the career services will get me a job. They also share that the only reason they accepted and decided to study at a U.S. law school was because of the job prospects they will have in the U.S. after completing the program.

Considerations

- How would you approach this conversation and what would you initially say to the student?
- What information would you share to help the student strategize their job search based on their professional background and their career goals?
- Would it be helpful to have the student also consider employment options back home given that their U.S. degree will make them more marketable?
- Which professional networks would you suggest that the student tap into for their employment options?

Tough Conversations with Tough Students: High Impact Strategies and Tactics for Counselors

NALP Annual Education Conference, April 10, 2025

Alecia Bencze, Director of Career Services and Strategic Initiatives, The University of Akron School of Law
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George Podolin, Assistant Dean for Career Services, William & Mary Law School
Shanza Qureshi, Associate Director of Graduate Careers, Georgetown University Law Center

➤ Introduction (Marci)

- “Clear is kind. Unclear is unkind.” Brené Brown
- Why should we have tough conversations?
 - Having tough conversations, including providing honest, productive feedback, is challenging. No one wants to be the bearer of difficult news.
 - However, if we avoid giving feedback to our students simply because we are challenged by doing so, we are doing them a disservice.
 - In addition to leaving students unprepared in the professional settings they’ll face, we also run the risk of them losing faith in our offices and disengaging.
 - The idea for this session came about during a conversation last year when several of us were sitting around lamenting some of the challenging discussions we repeat year after year. While there are no hard and fast rules for how to approach these conversations, as we discussed our approaches, we discovered that we had quite a lot in common.
 - The techniques/preparatory steps discussed today are applicable in the context of any tough situation, including the challenge and uncertainty occasioned by the rapidly evolving and uncertain federal hiring picture that so many of our students face.
- Review Session Outcomes

➤ No Offer (George)

- **Scenario: A rising 3L student communicates with you in August to report that their law firm summer employer, which routinely gives post-grad offers to its 2L summer associates, has declined to extend them an offer.**
 - Variant A: Firm explains that they didn’t “have room”
 - Variant B: Firm explains that the decision was performance-based
 - Variant C: Firm offers no explanation

- Preparation considerations:
 - Even if the student has reached out by phone, try to schedule the full conversation for a separate time to allow for preparation.
 - There is unlikely to be a ticking clock, but verify that with the student
 - When reviewing the student’s advising history and resume, consider what other post-grad positions would be a good “pivot” in terms of practice and/or location
- Challenges:
 - The “no offer” likely disrupted the student’s entire view of their future
 - The student is likely to be either very confused or very angry, or both
- Conversation considerations:
 - Let (or prompt) the student tell the full story of the summer, up to and including the “no offer” and any rationale given for it
 - This will help the student to express their frustration and disappointment.
 - This will help you develop the fullest sense of what occurred
 - Try (gently) to focus on what the firm has said or done around the no offer
 - Given the student’s narrative, consider what might be salvaged from the student’s relationship with the firm.
 - Is there a possibility of negotiating a “cold offer”?
 - Is there a possibility of having one or more of the firm attorneys serve as a reference for the student?
 - Give the student room to express and vent their feelings
 - Depending on the situation, these might include confusion, frustration, anger regret, or self-blame
 - While giving the student space to express what they’re feeling, try to avoid “taking sides” by agreeing or disagreeing with any particular view (e.g. avoid “I’d feel that way too,” instead try “I can understand why you’d feel that way”).
 - At the same time, try to guide the student away from unprofitably trying to revisit the decision with the employer
 - Focus on how the employer may be leveraged for the future through things like references.
 - Shift the conversation to be forward looking – what are the student’s steps from here?
 - That might be part of the initial conversation, or might be deferred to a second conversation
 - Consider using student’s likes/dislikes from summer work to inform what post-grad alternatives to emphasize – but be wary of being directive
 - For students with the BigLaw credentials, clerkships or government work might be a way back towards large firms
 - Try to prompt the student towards identifying their own “what to do next” list in order to begin focusing on an alternative future
 - Are there mentors that the student could check in with
 - Identifying alternative categories of post-grad employers
 - Identifying potential networking targets to learn more about those alternatives

- First 1L Grades Discussion (Alecia)
 - **Scenario One: The student is in the Top 30% and upset that they did not do better in the first semester. They are considering dropping out of law school.**
 - In this instance, the tough conversation is providing the student reassurance that they have done well and that there is an opportunity to improve in the spring semester.
 - I encourage them to review their exams with their professors and to attend sessions with our Academic Success team to figure out opportunities for improvement.
 - I also encourage them to use their own discretion when applying to positions. Just because a firm is asking for Top 20% or Top 25%, they should not count themselves out. I tell the student to let the firm make the decision and not to remove themselves from the running before even applying.
 - Note that law school is not for everyone and it is a personal decision whether to continue but that this talk is premature because they have not done badly even if they did not do as well as they would like
 - **Takeaway:** This student just needs/wants reassurance and more of an action plan.
 - **Scenario Two: The student is aware that they are in the bottom of the class and wants to know what options they have for summer.**
 - In this instance, the tough conversation is the student working through coming to terms that some of the dreams they had for their career may not work out. Maybe they had an interest in Big Law or a judicial clerkship.
 - I encourage the student to think about the areas of interest they have. Is there a class they seem to have a particular aptitude for that came as a surprise to them? Did they do particularly well in their research and writing course?
 - I discuss firms and organizations in their areas of interest that are not looking for grades. At this time, I typically go through our weekly newsletter with them and point out employers already looking for 1L students with no grade requirement.
 - I encourage them to be prepared to discuss their grades in an interview setting in a way that shows forward momentum but that is not disparaging to themselves. I discourage them from addressing how poorly they have done in their cover letters and encourage them to let any conversation about it happen organically from the employer.

- **Takeaway:** This student needs/wants reassurance but needs help thinking creatively about where they can go in their career from here, what classes and skills from student organizations they can pick-up in the future to stand out and understanding that there are students every year in this same position who end up being successful attorneys.
 - **Scenario Three: The student is in the bottom of the class and does not think this will impact their chances at Big Law.**
 - In this instance the tough conversation is that the student needs a reality check.
 - I firmly (but kindly) let the student know that while we allow anyone to apply through Symplicity and do not screen applications for student grades that it is going to waste a lot of their time and energy to apply to employers with grade cut-offs when they are nowhere near them.
 - If I receive pushback from the student, I try to emphasize the difficulty they will have in securing the type of position they are looking for with the grades they earned in their first semester.
 - If they want to vent that is okay but I also want them to leave with an idea of where they can go next.
 - I encourage the student to think about the areas of interest they have. Is there a class they seem to have a particular aptitude for that came as a surprise to them? Did they do particularly well in their research and writing course?
 - I encourage them to be prepared to discuss their grades in an interview setting in a way that shows forward momentum but that is not disparaging to themselves. I discourage them from addressing how poorly they have done in their cover letters and encourage them to let any conversation about it happen organically from the employer.
 - **Takeaway:** This student needs to know that the reality of their grades and their goals are not aligned. I never want them to leave thinking they are a failure and will not be a successful attorney, but I do want them to have a realistic understanding of where they can go from here.
- Interviewing (Over-Confident Interviewers; Cross-Cultural Nuance for International Students) (Shanza)
 - **Scenario 1: The student has a 3.7 GPA and refused to do an externship during law school. They want to land a BigLaw job and are over-confident given their GPA. Student expects any and every employer to hire them**

based on their GPA. They have struggled connecting with prospective employers because of their direct and demanding approach.

- Preparation:
 - Understand that the student may have a reason (i.e. financial or personal)
 - Identify courses and jobs that the student has held that may be relevant
- Conversation:
 - Listen to the student and gauge their reasoning for not doing an internship.
 - Remind the student that every bit of practical experience helps, especially firm background given their career goals.
 - Ask the student to keep his tone and ask in check via email and in person.
- Takeaways:
 - Practice a mock interview or a networking spiel with the career office!
- **Scenario 2: Student is a foreign-trained LL.M. with extensive legal background in their home country. They have not worked or interviewed with a US employer before. Student is not used to selling themselves to the employer and are too humble to discuss their accomplishments or share non-U.S. professional experience. They are especially concerned about their language ability, academic program and not being able to market themselves to land the job.**
- Preparation:
 - Know the student's cultural background and legal experience
- Conversation:
 - Remind the student that the conversation needs to stay professional, and that employers are not able to ask about the student's relationship status, personal information and/or non-job-related questions
 - The interview is a two-way conversation and inform the student that they must wait until the end to ask the employer questions they have prepared.
 - Walk them through the question types and how best to answer each. It is important to be concise and to avoid oversharing or talking too much.
- Takeaway:
 - Tell the student that they must sell themselves to the employer by connecting their prior experience with the job responsibilities!
- LL.M. Qualifications (Academic, Prior Experience, Work Authorization, etc.)
 - **Scenario 1: The student is a foreign-trained attorney with extensive legal experience. Most recently, the student owned a law firm in their home country. Student is concerned that they are not eligible to work at a U.S. since they are not pursuing a J.D. program. They wish they had known this**

before closing their law firm to pursue the LL.M. program and to move stateside in hopes of the American dream.

- Preparation:
 - Identifying the right employers based on each student’s academic qualifications, professional experience and visa restrictions is key.
 - Understanding what the different jurisdiction entails, and which firms might be focused on the student’s practice area globally.
 - Conversation:
 - Ask open-ended questions to gauge their interest and job search process.
 - It is important to remind students of their legal worth–walking through their past experiences and discussing how they can use their transferable skills to support their application for the jobs they are seeking.
 - Help them develop a professional narrative and create a sandwich of sorts. (Past-Present-Future)
 - Provide students with the employer list based on different industries and practice areas.
 - Takeaways:
 - Know your legal worth!
 - Consider prior experience and transferable skills
 - Identify the right employers based on practice-area and industry
- Failure to follow through (Marci)
- **Scenario 1: A 2L student schedules a meeting and wants to talk about their summer job search, on which they seem to have made little progress. This is your third meeting with the student this semester and you recall that during their 1L year, they fell into a similar pattern. There were lots of meetings and lots of plans to move things forward, but in between meetings, there was little to no action. The frequency with which they schedule meetings with you exceeds the average and you’re frustrated that the lack of forward progress doesn’t match up to the amount of time and effort that you are putting into this student.**
 - Preparation:
 - Review the history of interactions with the student. A portion of the conversation may include reviewing actionable steps the student has left previous conversations with, the lack of forward progress on the previous action items, and a discussion about whether continued meetings in the same manner are serving the student.
 - Check any emotional triggers that may come into play during the conversation.

- Review the desired outcome of the conversation.
- Conversation:
 - Check in with the student to ensure that they're in a place to have a constructive conversation. It's ok to put a hold on a tough conversation if a student isn't in a place to hear the messaging right now.
 - Introduce the concerns you have about the frequency of meetings and the seeming lack of progress. Discuss with the student your concerns that perhaps the meetings are not serving them well and ask to problem-solve how you might better approach the meetings in the future. What changes could we make to better serve the student?
 - Provide clear expectations about meeting frequency and accomplishments that trigger the next meeting. If a student needs to have goals broken into smaller chunks, meetings may be more frequent for some time, but so long as the student is meeting the goals set, the meetings should continue at a pace that is comfortable for them.
 - Determine whether meetings are necessary or whether there are other ways to check in with each other that will keep the student on track and making forward progress.
 - Agree upon the next goal that will trigger the next meeting and/or check-in.
- Takeaways:
 - Encourage self-reflection, goal setting, and accountability for follow through for future meetings.
- **Scenario 2: A 1L student has registered for a number of CDO and employer events and has developed a pattern of dropping out at the last minute or just no showing to the event. I've already sent out my "don't ghost the host" email, which I send once a year to students when we have an event with a high no show rate, but the student's behavior continues unabated.**
- Preparation:
 - What's the purpose for having the conversation? What's the desired outcome?
 - Acknowledge assumptions I'm making about the situation
 - Are any of my emotional triggers involved in the conversation that I need to be wary of?
 - Consider my attitude as I approach the conversation - don't make the conversation a self-fulfilling prophecy
- The Conversation:
 - Listen - this is my opportunity to learn as much as I can about the student and their reasons behind their behavior

- Acknowledge what I've heard
 - Express my position
 - Potential for impact on the student's reputation
 - Importance of honoring commitments
 - Problem-Solve
 - Discuss ways to handle in the future
- Takeaways:
 - Encourage accountability and business etiquette.
 - Arm student with how to handle situations where they are not able to honor a commitment
 - Reinforce the importance of a student's professional reputation in the small legal community

The Nuts and Bolts of Preparing for Tough Conversations

- Preparing for Tough Conversations
 - Preparation is one thing you can control
 - Collect any helpful information
 - Seek advice from colleagues
 - Consider what your optimal outcome is – what is your goal for the student (and perhaps for the office or yourself as advisor), even if you're not initiating the conversation
 - Consider: Is this conversation necessary or advisable?
- Three Preparation Situations
 - When you have significant lead time to prepare
 - When you have minimal lead time to prepare
 - When you have no time at all to prepare
- Preparation when you have lots of lead time
 - "Lots" might mean a week or a couple hours
 - Review any advising history/notes
 - Review any recent application materials available (resumes, cover letters, etc.)
 - Speak with any other career advisors who've worked with the student
 - Contact student affairs to see if they've had contact with the student
- Preparation with minimal lead time
 - Minimal" might mean 15 minutes or less (e.g. the student is stopped in the outer office)
 - Review any advising history/notes
 - Review any recent application materials available (resumes, cover letters, etc.)
- Preparation with no lead time
 - "No lead time" means that the student approaches you without any buffer

- See if you can delay the conversation just enough to review recent advising history/application materials
- If you can't do any information gathering for preparation, gather the information from the student:
 - Listen and follow-up
 - Consider going full Socratic – only ask questions – until you're confident that you have the full story
- General Advising Concepts Particularly Relevant to Tough Conversations
 - Avoid being reflexively judgmental
 - Be wary of the urge to “fix” the issue
 - Listen first, and consider being an active listener to encourage the student's narrative
 - Be conscious of your limitations, particularly since some “tough” career conversations have roots in non-career problems
 - Try to have the student leave with an action plan, even if that is only a follow-up meeting

Resources

- [Difficult Conversations](#), by Douglas Stone, Bruce Patton, and Sheila Heen
- [Crucial Conversations](#), by Kerry Patterson, Joseph Grenny, Ron McMillan, Al Switzler
- [Conversations Worth Having](#), by Jackie Stavros and Cheri Torres
- [Radical Candor](#), by Kim Scott
- [Fierce Conversations](#), by Susan Scott
- [We Need to Talk, Preparing for Difficult Conversations](#), by Susanne Carpenter
- [Difficult Conversations: A Resource Guide](#), by Matthew Kohut
- [A Blueprint for Difficult Conversations](#)
- [Radical Candor Blog](#)
- [LL.M. Advisor Manual](#), by NALP
- [How to Answer Tough Interview Questions](#), by NALP
- [Clear is Kind, Unclear is Unkind](#), by Brené Brown