

MEMORANDUM

To: Gwen Ferrell, Board Liaison

From: Mary Beth Nielsen, JD Career Advisors Section Chair

Cc: Fred Thrasher, Deputy Director

Date: October 22, 2020

Re: NALP JD Career Advisors Section Quarterly Report

SUMMARY OF ACTIVITIES

On September 16, 2020, we held our second quarterly section call. Approximately 40 members joined our Zoom call. We heard from our workgroups on their projects, an update from the Nominating Committee and discussed issues facing schools these semester. Among areas discussed were job market trends for students and recent graduates, as well as updates on recruiting programs. Some members held recruiting programs this fall, while others moved theirs entirely to spring 2021. Hearing from members who had conducted virtual interview programs this fall was helpful in providing insight into platforms and logistics for virtual programs. Additionally, members shared with the group different digital platforms they had used in recruiting and/or to engage students. Schools continue to engage students virtually and are seeking creative ways to do so. They are also evaluating ways to hold virtual networking events in an effective way, as well as platforms to host them.

As noted below, the JD Career Advisors Section has put in a great amount of work this Quarter – work groups have drafted new resources for members, been well represented in the Bulletin, Conference RFPs, and in NALP Town Halls, and creatively found ways to engage JDCA Section members.

WORK GROUPS

Annual Education Conference/Bulletin Articles and Webinar Planning

Vice-chairs: Hallie Prest (Minnesota) and Alexis Joyce (Pepperdine)

Hallie oversaw the Bulletin Article RFP process for the JD Career Advisors Section. The section submitted 8 articles to Andrew Parker on behalf of the section, and all 8 were accepted.

The section's articles this year are:

- Employer Outreach in the Time of the Pandemic – August 2020
- Navigating Remote Work Placements During COVID-19 – September 2020
- Tips for Counseling Students Remotely – October 2020
- Kitchen Table Connections: Using Remote Technology to Conduct Employer Outreach – October 2020
- Virtual Interview Preparation – December 2020
- Law Student Financial Literacy/Financial Considerations in Career Exploration – January 2021
- Helping Students Manage Anxiety/How to IRAC Anxiety – February 2021

- Job Search Resilience – cosponsored by the Well Being Committee – May 2020

Hallie has been working with Andrew through the process. She has raved about how helpful he has been in reminding authors of upcoming deadlines and requirements. She says she has seen great interaction and support from him, and it is greatly appreciated.

Alexis is overseeing the Conference RFP process. We submitted 9 conference RFPs on behalf of the section. Those include:

- Who's the Expert Here? Hitting the Reset Button on Peer Counseling
- Beyond Legal Skills: Holistic Integration of Competencies and Professionalism in Law School
- Employment Reporting: Et tu, ABA?
- JD Advantage Stigma
- Top JD Advantage Career Paths
- Impact ESG: The Bridge Between Public Interest and The Private Sector
- Always Be Closing
- Remote Externships and Changes to Externships due to COVID-19

Member Relations

Vice-chairs: Beth Lee (SMU) and Valerie Castelo (UC - Berkeley)

Ten new members joined the section from May 25, 2020 to October 16, 2020. Beth and Valerie sent an e-mail to all new members welcoming them to the group and offering to speak with each individually. Two of the new members scheduled meetings to learn more about the purpose and role of the section, how they can become more involved in NALP, and the tools and resources that will be helpful to them.

Each month, they will continue to run a report to learn of new members and welcome them to the section.

During the JD Career Advisors Quarterly Call on September 16, Beth and Valerie announced the possibility of a JD Career Advisors Social since there have been limited opportunities for networking in the last six months. Several members indicated an interest in the event during the call. Beth and Valerie are in the midst of planning the event, which is tentatively scheduled for early December.

CSO Employer Outreach

Vice-chairs: Kourtney James (Houston) and Jill Backer (Pace)

The CSO Employer Outreach Work Group has been incredibly busy this Quarter. They had two articles in the NALP Bulletin. *Employer Outreach in the Time of the Pandemic* by Jill Backer ran in the August 2020 issue, and *Kitchen Table Connections: Using Remote Technology to Conduct Employer Outreach* by Kourtney James and Alison Plavin ran in the October 2020 issue. They also spoke at a NALP All Member Town Hall on Small and Solo CSOs and Virtual Employer Outreach on September 1, 2020.

They are currently reviewing the [CSO Employer Outreach Best Practices Guide](#) on the NALP Resources page for updates.

JD Counseling

Vice-chairs: Samantha Ciriaco (Case Western), Marti McCausland (Willamette) and George Podolin (William & Mary)

The JD Counseling Work Group finalized the Salary Negotiation Resource ([see Appendix A](#)) in August, and it was submitted up the chain of command for review. Once the resource is approved and ready for distribution, the group would like to write a NALP Bulletin article to bring attention to it. Additionally, they submitted an RFP to expand on the resource, “Always Be Closing, Advising Students and Alumni on Strategy and Tactics of Salary Negotiation,” and it was accepted for the 2021 NALP Annual Education Conference.

The JD Counseling Work Group continues to investigate coordination with the Public Service section on a potential resource on the government background check/clearance process. It’s our understanding it was not a prominent part of their charge this year, and while the Section and PSJD/Resource Development Workgroup leadership agreed that it would be a useful resource to explore developing, they weren’t able to find members to join us in the effort this year. Our group has agreed to revisit it with them again in the future. George discovered a resource published by Yale that discusses much of the information the group pictured in this type of resource. The link is [here](#). The workgroup chatted about the possibility of reaching out to Yale to obtain permission to make it available to NALP members.

First Generation College Students

Vice-chairs: Kate Harrison (Mercy) and Becky Fitzsimmons (Villanova)

Becky and Kate developed a survey for law schools about their first-generation programming – if programming was offered, what types of programs were offered, what department oversaw the programming, whether they had a website and who the contact was. They reached out to members via NALP Connect and the Regional Resource Council to promote the survey with a due date of October 9. The group had over 60 responses with pretty detailed information about First-Gen Programming. Now, they are in the process of culling through the information and putting it into a resource for members.

They had a school reach out and ask them about a resource for students regarding affinity groups at law firms. Specifically, this school had students looking for law firms with a first-gen affinity group. A project to consider in the future could be tracking first-gen (or all) affinity groups at law firms.

JD Advantage Careers

Vice-chairs: Irina Gomelskaya (New York Law School) and Rhonda Rittenberg (Northeastern)

The JD Advantage Work Group continues to actively promote the JDA Career Guide by circulating via fellow consortium members, regional groups, LinkedIn, student newsletters and Symplicity. They submitted several RFPs on JDA Careers for the 2021 Annual Conference.

They are focusing on the below three projects:

Project 1: Create a model for regional career fairs (virtual and/or live format)

Project 2: Collaborate with NALP and Law School members to create a national JDA-focused week (virtual and live programs). Design a webinar series and live program ideas that schools can implement.

Project 3: Create a podcast series on JDA careers (interview attorneys for each career path outlined in the Guide) to be posted on NALP website.

Recruitment Tools Evaluation

Vice Chairs: Nicole Simmons (Texas) and Simona Suen (Minnesota)

Simona and Nicole met with their counterparts for the Recruiting and DEI sections, Fernando Romo and Fayola Alibey. They decided to partner together and want to survey NALP employers on their use of assessment tools in the recruitment process and develop a guide to highlight best practices for such use.

Nicole and Simona met with members of the recruiting session to discuss and develop questions for an employer survey.

The group seeks Board approval to survey employers about their use of assessment tools using the included Assessment Tools Survey draft ([See Appendix B](#)). The workgroup would like to launch the survey this semester in advance of the January OCI rush.

Knowledge Management

Vice-Chair: Laurel Hajek (Louisville)

Laurel is working with the Knowledge Management Implementation Work Group on the content audit of the NALP website. Following her knowledge management training, she was assigned the “For Career Services” section of the website, and she is checking all materials to determine if they are still relevant, and, if so, how to label/record each so they will be more helpful to NALP members. For each item, she logs her recommendations on a spreadsheet.

ENVIRONMENTAL SCANNING

During the section call on September 16, members discussed plans for recruiting programs, engaging with students virtually and the technology used by schools for networking and interview programs. Some schools held smaller recruiting programs in the fall semester – August or October. Almost all of them were all done virtually. Many were operating under the idea that if an employer wants to interview, they will let them at any time. Generally, many schools felt like timelines and hiring processes for 2Ls were all over the place despite schools moving to January OCI programs. As schools mentioned they were following law firm updates, a [Reddit thread](#) tracking start dates and updates from large law firms for first year associates was shared with the group.

As schools have moved all of their programs virtual, many are brainstorming ways to keep their students engaged. Schools shared ways in which they were making their programming available and showcasing it to students who are remote. Some were adding programming into Canvas pages so they would be available On-Demand. Others have implemented a “Live Chat” feature through a program called “Tawk To” in order to answer on-off questions from students in the way they would during office hours.

For virtual interview programs and networking events, schools have evaluated and implemented the use of third-party technology outside of Symplicity or 12Twenty. Schools provided their input on what had worked, what they were using and feedback they had received on platforms such as Brazen, Career Fair Plus, Flo Recruit, and hopin.to.

Appendix A – Salary Negotiation Guide

SALARY NEGOTIATION GUIDE- cover page

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INTRODUCTION

One challenge that arises in a Career Services Office is working with a student or recent graduate who is negotiating a salary and benefits package with a post-graduate employer. Although larger law firms and government agencies typically have established (and inflexible) entry- or junior-level compensation packages, smaller employers or those that only infrequently hire entry-level attorneys may be amenable to negotiation or may even ask the candidate to express their expectations to open the process.

Students and alumni in this situation may need assistance not only in figuring out whether an offered salary is reasonable based on the nature of the employer and its market, but also in identifying points for negotiation and in going through the negotiation process.

To aid CSOs in this situation, the JD Counseling workgroup of the JD Career Advisors Section has prepared this resource to:

- Identify resources that CSOs can consult to provide guidance on reasonable expectations for a base salary;
- Outline potential additional elements of compensation, both monetary and non-monetary, that the prospective employee can consider or negotiate for as part of the overall compensation package; and
- Offer guidelines for helping the student through the negotiation process.

Advising our students and graduates on negotiating the terms of their offers can make a difference felt throughout their careers. Even when the negotiation provides little immediate result, new attorneys will benefit from taking the initiative to advocate for themselves and employers will appreciate seeing the advocacy skills they expect to see utilized on behalf of clients.

RESOURCES PROVIDING GUIDANCE ON BASE SALARY

SALARY RESOURCES SPECIFIC TO LEGAL JOBS

NALP's Jobs & JDs

Jobs & JDs is published annually in the late Fall based on employment and salary data reported by law schools in March. It is available from NALP online bookstore, \$95 per copy for members.

This resource contains a great variety of salary information for entry-level legal jobs across the spectrum of employer types and geographic markets, and can provide both background and localized salary information that will be helpful in counseling students and graduates. The salary information also includes the number of reported salaries the statistics are based on, which allows you to give your advisee a sense of how robust the data is. If you have *Jobs & JDs* dating back several years, you can look at that older information in order to evaluate trends.

Because *Jobs & JDs* is such a comprehensive and helpful resource, it's worth discussing its contents in some depth:

National-level salary information

Jobs & JDs' national benchmark information includes national summary data for salaries across each major legal industry segment: business, education, government, judicial clerkships, private practice, and public interest. This information can help advisors put potential salaries in a broad context when a student or graduate is trying to compare salaries across segments.

There is also detailed segment-specific national-level salary information. For example, within the government segment, there are 25th percentile/median/75th percentile breakdowns of salaries of jobs at different government levels (federal, state, and local) but also different types of government jobs (e.g. executive agency, legislative, prosecution). The business segment is similarly broken down by type of job (e.g. compliance and eDiscovery attorney) as well as type of employer (e.g. accounting and legal/law-related technology company). This detailed segment data can help student evaluate a proposed salary against other market segments they may be considering.

Geographically-focused salary information

The portion of *Jobs & JDs* that is probably most helpful in advising students on a particular employer's salary offer is the salary information that is disaggregated on a state-by-state or city-by-city basis.

Jobs & JDs includes salary data on a state-by-state basis for jobs in:

- firms of varying sizes (1-10 attorneys, 11-25 attorneys, 26-50 attorneys, 51-100 attorneys, 101-250 attorneys and 250+ attorneys);
- business;
- government;
- both federal and state judicial clerkships;
- public interest.

There is also law firm salary data on a city-by-city basis: data for law firms broken down by size of firm for a select group of big cities, and data for firms generally (not disaggregated by firm size) for a much larger group of cities.

NALP Directory of Legal Employers

If a student or graduate wants to compare an offered salary package to other law firm employers in the region, the employer-by-employer entries in the *NALP Directory of Legal Employers* (www.nalpdirectory.com) contain useful entry-level salary and benefit information. In referring to that information, of course, the advisee should be cautioned to consider the degree of similarity (or dissimilarity) between their prospective employer and the employers whose NALP Directory salary data is being examined.

Prior Years of Graduate Employment Surveys at Your School

Another resource available to JD Career Advisors that is helpful in providing advice on base salary offers to students and graduates are the individual Graduate Employment Surveys of your prior graduates. While of course these Surveys are the original data input that is used to build the statistics in *Jobs & JDs*, your law school may frequently have graduates hired into markets or firm types that are a close match to an advisee's prospective employer. Therefore, the disaggregated data from individual graduates may provide the most useful window into typical or reasonable salaries at the particular types of employers in particular markets that often draw your school's graduates.

To aid in retrieving this historical graduate salary information, consider building reports into your employment database that can readily call up salary information from graduate surveys on jobs meeting a particular profile. Alternatively, if your office regularly tracks graduate employment information through the use of tables or spreadsheets, you should ensure that salary level is one of the pieces of data collected into those management tools so that you can later refer just to that table or spreadsheet for the salary data rather than having to cross-reference that document back to the individual Graduate Employment Survey.

When using salary information from individual Graduate Employment Surveys, you'll want to make sure that the way in which you relate the information to your advisee does not inadvertently identify the individual alumna/us that it pertains to. For example, if your advisee is evaluating an offer from an employer in a geographic market where only two graduates out of the last 5 classes have found employment, you'd want to avoid stating that you had salary information from jobs in that particular market. Instead, you could mask the source by saying that the information came from a "similar" or "comparable" market.

If you're working with a student who is trying to understand how a proposed salary compares to other graduates of your school, you can look to the NALP Employment Summary information for each graduating class, which includes salary breakdowns by employer type and, for firms, employer size. Caution should be used in evaluating this information, however, as compensation differences between geographic markets is not accounted for in the summaries.

Trusted Alumni

Alumni who frequently work with or recruit through the Career Services Office are another resource that an advisor can consider calling on. An alumna/us who works at an employer similar to an advisee's prospective employer may be able to offer a confidential assessment of the reasonableness of a salary offer.

You can also consider suggesting that the advisee her/himself reach out to recent graduates at comparable employers and/or in the same geographic market to discuss their job search and their pending offer to see if those interactions can provide insight into the reasonableness of the offer.

Online Legal Salary Databases

Several national legal staffing firms have online salary databases that can offer information on attorney positions. NOTE: NALP does not endorse these organizations, nor can NALP attest to the accuracy of the information in these databases.

Robert Half Salary Guide

<https://www.roberthalf.com/salary-guide/legal>

Special Counsel

<https://www.specialcounsel.com/resources/salary-guide/>

GENERAL SALARY RESOURCES

These are online sites that contain attorney salary information; for some, the user must input data about their job or prospective job in order to access the relevant salary information. NOTE: NALP does not endorse these organizations, nor can NALP attest to the accuracy of the information in these databases.

www.glassdoor.com

www.payscale.com

www.salary.com

COMPARING SALARIES ACROSS GEOGRAPHIC MARKETS

If an advisee is considering opportunities in several different geographic markets, they may want to evaluate what a prospective salary in one market would be equivalent to in another market.

Some tools that would be helpful in that analysis are:

Federal “locality pay” information, at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/general-schedule/>

To account for differences in the cost of living in markets across the country, the federal government adjusts its pay market-by-market. This information, expressed as a percentage increase of the base pay, offers an advisee a way to compare between two markets.

Online “cost of living” calculators maintained by commercial sites. Examples include:

<https://money.cnn.com/calculator/pf/cost-of-living/index.html>

<https://www.nerdwallet.com/cost-of-living-calculator>

<https://www.salary.com/research/cost-of-living>

NOTE: NALP does not endorse these organizations, nor can NALP attest to the accuracy of the information in these databases.

COMPENSATION VARIABLES

Advise students to keep their eye on the big picture when negotiating a job offer. Although salary is the most obvious term in a job offer, negotiating additional terms can also impact a new lawyer's quality of life and bottom line. When negotiating an employment offer, it is important to look at the entire offer, not just the base salary. Outside of a base salary, possible monetary benefits might include the following:

Monetary Benefits

Bonus	Can be attached to billable hours targets or successful case outcomes Annual, quarterly or coinciding with attorney reviews
Commissions	New clients New matters Contingency fees
Stock Options	Good for in-house counsel positions for startup companies
Profit Sharing and 401K contributions	401K contributions can be attached to an associate match or a percent of salary.

Insurance Benefits and Wellness

Health Insurance	Compare employer-offered insurance to that available outside employment (open market, spouse, or other) to apply insurance premium to salary increase or other benefit
Dental, vision, alternative care Life and short-term and long-term disability Other wellness programs like gym memberships, nutrition advising, etc.	Pay attention to how other insurance and wellness benefits compare to those of other employers to use as leverage in negotiating an offer

Membership Dues, Professional Development and Marketing Budgets

Expenses required for maintaining an active bar membership are usually covered by employers.

- Annual Bar Dues
- Malpractice Liability Insurance
- Marketing Budget to cultivate client and referral relationships
- CLE and other Professional Development costs

Reimbursement for Expenses Prior to Employment

These one-time benefits can be paid out prior to the start of employment.

- Bar Admission Fees
- Bar Exam Prep Course(s)
- Relocation Costs
- Signing Bonus
- Clerkship Bonus

Transportation Expenses including parking or transit subsidies may be covered. For some rural practices, employers provide a car or make car payments.

Technology expenses Employers also frequently cover costs for cell phone subscriptions and laptops. Some employers will supply attorneys with equipment to set up an entire home office for remote working.

Time away from work Time off including vacation time, personal leave including family leave (both maternity and paternity) for the birth or adoption of a child, sick days as well as options to telecommute or work a flextime schedule can also be negotiated.

Scope of position - Another alternative to getting monetary compensation is negotiating on scope of the position. You can ask for a title, a change in responsibilities, options to work alternative hours or telecommute from a home office.

Finally, when employers are unwilling to negotiate on salary and benefits, candidates might have success with employers agreeing to revisit the compensation package after starting work for the

employer. Sometimes it is easier to make the case for an additional salary after demonstrating an ability to exceed productivity expectations of employers.

STUDENT MEETING TIPS

In addition to the guide below, a helpful resource for advisors working with students on salary negotiations are the materials from *Show Me the Money: Negotiating Job Offers*, a program presented at the 2018 NALP Annual Education Conference by Joe Christian, Assistant Director of Career Services at the University of Tennessee College of Law; Tammy King, Assistant Dean for Professional Development at Washburn University School of Law; and Paula Smith, Director of Career Services at Texas Tech University School of Law. The handouts and PowerPoint slides for that presentation can be found on the NALP website at https://www.nalp.org/page.cfm?name=2018_conference_handouts

The *Show Me the Money* program slides go through the steps of helping a student (1) assess their bargaining power, including by evaluating their goals and analyzing the strengths and weaknesses of their negotiating position; (2) determine both the student’s own and the employer’s priorities; and (3) develop a negotiation strategy. The program handouts provide both a checklist for conducting a negotiation workshop for students as well as a model handout for students to use in such a workshop.

<u>Student Meeting Steps</u>		
(1) Meeting preparation.	Ask the student to bring the offer letter or email with them to your meeting.	
(2) Manage expectations.	<p>Students may compare their offers with their peers who have accepted positions at larger firms with bigger starting salaries.</p> <p>Students may also look to the NALP Directory, Glassdoor, etc. and come to the meeting with research to show they would be offered a larger base salary.</p>	<ul style="list-style-type: none"> ● A conversation about firm size, geographic market size, and cost of living can often help put the offer in perspective and help the student realize that if the offer is a fair one. ● A conversation that the salary is only one part of the costs to the firm (costs of office space/assistant/malprac

		tice insurance/etc.) helps, too.
(3) Determine what is negotiable.	<p>Walk through the offer letter with the student to identify negotiation points listed above as part of the conversation.</p> <p>These include n non-salary financial benefits and compensation benefits.</p>	<ul style="list-style-type: none"> • Monetary benefits. • Insurance benefits and Wellness. • Membership Dues, Professional Development and Marketing Budgets • Reimbursement for Expenses Prior to Employment
(4) Is negotiation worth it?	<p>Find out what really matters to the student in their satisfaction with this career choice. Find out how this offer fits in with their overall career goals.</p> <p>The questions to the side can help get the discussion started.</p> <p>This conversation can also help put the offer into perspective.</p>	<ul style="list-style-type: none"> • What excited the student most about the position and opportunity? • Why this firm or organization? • Did they choose a public sector career path to feel as if they are making a difference in the world? • Do they value the firm’s commitment to the community, or the flexibility perks that offer work/life balance?
(5) Other issues to consider.	<p>A big factor behind the motivation for students and new graduates to negotiate their salary is the question, “can I afford to accept this offer?”</p> <p>This includes:</p> <p>→ Budgeting concerns.</p>	<ul style="list-style-type: none"> • Recommend that the student create a budget that includes estimated living expenses and student loan payments. • Refer the student to your law school’s financial aid office for student loan repayment

	<ul style="list-style-type: none"> → Student loan payment questions and concerns. → Cost of living and/or relocation concerns. 	<p>information, payment estimates, and if applicable, information on the Public Service Loan Forgiveness Program or LRAPs.</p>
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FINAL THOUGHTS: THIS IS A PROFESSIONAL GROWTH OPPORTUNITY

Advising our students and graduates on negotiating the terms of their offers can make a difference felt throughout their careers. Even when the negotiation provides little immediate result, new attorneys will benefit from taking the initiative to advocate for themselves and employers will appreciate seeing the advocacy skills they hope to see utilized on behalf of clients.

Appendix B – Assessment Tools Survey Draft

Draft: Assessment Tools Survey NALP Recruitment Tools Workgroup

1. Please select your employer type.
 - Corporate
 - Government
 - Law Firm
 - Public Interest

2. Please select your employer size (by number of attorneys).
 - 1-10
 - 11-25
 - 26-50
 - 51-100
 - 101-250
 - 251-500
 - 501-700
 - 701+

3. Do you currently use non-interview assessment tools in your recruiting process? Examples include writing assessments, personality assessments, psychometrics, Pymetrics, and Thine. **If no, proceed to Question 4. If yes, proceed to Question 5**
 - Yes
 - No

4. What assessment tools, if any, are you currently considering? Examples include writing assessments, personality assessments, psychometrics, Pymetrics, and Thine.
[text box]

5. Please list the assessment tools you are using currently and those you have used in the past. Examples include writing assessments, personality assessments, psychometrics, Pymetrics, and Thine.
[text box]

6. How long have you used each assessment tool?
[text box]

7. What program or vendor do you use to administer the assessments?
[text box]

8. At what stage of the hiring process, if any, do you use the assessment results?
 - During the application process and before extending an interview
 - Before extending an offer
 - After extending an offer
 - We don't use the assessment results in hiring decisions

9. How do the results influence an applicant's candidacy? (select all that apply)
- They are a significant factor in hiring decisions
 - They are weighted equally amongst academic qualifications and interview feedback
 - They are a piece of the puzzle but do not solely determine hiring decisions
 - They do not/did not have a notable impact
 - Other: [text box]
10. What benefits have you realized from using these assessments?
- Decrease in attrition rate
 - Fewer performance issues
 - Greater work satisfaction
 - Too early to see a notable difference
 - We did not notice any benefits
 - Other: [text box]
11. For which candidates does your organization use these assessments? (select all that apply)
- Summer Associates
 - Entry Level Associates
 - Lateral Associates
 - Partners
 - Professional Staff
12. May we contact you for additional information?
- Yes [text box]
 - No