

HIDDEN TALENT: How Hiring Internationally Trained Lawyers with U.S. LL.M. Degrees Can Add Value to Your Firm's Business

"Consistent with our global focus, we value diversity in the broadest sense of the word and recognize that creating a more inclusive environment gives us a unique business strength. International LL.M. graduates help advance these objectives, bringing with them a variety of cultural backgrounds and experiences, knowledge of multiple educational and legal systems, and unique viewpoints that raise awareness within our community and help us better serve our clients."

— DENISE ROBINSON, DIVERSITY ADMINISTRATOR,
O'MELVENY & MYERS LLP

In today's increasingly global legal environment more and more employers are recognizing the value of hiring associates with overseas training and experience. An internationally trained attorney with a U.S. LL.M. degree can be a valuable asset not only to a firm's overseas offices but also to a U.S. office with significant exposure to international clients and deals. These graduates provide strong language skills (both in English and in their native language), legal training, practical experience, business development networks, and understanding of another legal system, as well as the U.S. legal skills developed in their Master of Laws program.

However, you may have some questions about the logistics of hiring a non-U.S. trained attorney

with a U.S. LL.M. This toolkit is designed to highlight some of the factors your organization may consider when evaluating an internationally trained candidate for a position.

Assessing Need

What special skills does an LL.M. candidate offer?

A non-U.S.-educated lawyer with an LL.M. degree from a U.S. law school brings substantive legal training, real-world experience, professionalism, strong networks in different markets, and a fresh perspective to a U.S. legal position. Hiring an overseas-trained lawyer with a U.S. LL.M. degree can be a fantastic way for your firm to:

- Enter into a certain international market and develop client relationships there;
- Make your current international clients feel at ease;
- Facilitate cross-border transactions; and
- Train your associates to work in your firm's overseas offices.

Most lawyers who come from overseas to pursue an LL.M. in the U.S. are highly accomplished attorneys and have extensive connections in their home countries from which you can build your firm's client and co-counsel base. In

addition, legal employers often comment on the depth and breadth of understanding and knowledge that international lawyers bring to their practice.

These candidates develop their lawyering skills further through their LL.M. studies. Some may come to study international legal issues; others come for a specialization in a facet of U.S. law, such as tax law, securities law, or another area of focus. This additional training can provide added benefits to your practice, especially in the case where the candidate's higher-level LL.M. coursework is directly relevant.

How can a firm determine a need to hire an LL.M.?

An LL.M. candidate is most useful where a firm has significant practice in a particular region or is looking to expand practice in a growing region. LL.M. candidates can bridge the gap between two different legal systems and may have extensive contacts to help your firm complete a project in a given geographical area. Even those without extensive contacts can bring knowledge of not only the legal system but also the culture and customs of a market in which you are doing business.

What if my firm has a limited international practice?

In some cases, the prior legal experience of LL.M. candidates can bring value to a purely domestic practice because you may be able to hire experienced LL.M. candidates at a more junior level than their skills would suggest. Their U.S. training, coupled with strong legal skills prior to enrolling in the U.S. program, make them polished professionals who can contribute to many U.S. offices. Additionally,

some LL.M. candidates — typically common-law trained, native English speaking LL.M. candidates with law degrees from countries including the UK, New Zealand, Australia, and Canada — have historically been viewed by U.S. employers as “J.D. substitutes” who bring top credentials from their home country to your practice.

Additionally, if your firm is considering international partnerships, a non-U.S. trained LL.M. candidate could facilitate an entrée into a certain geographical area through both his/her knowledge and connections.

Communication Skills

How can we evaluate communication skills?

LL.M. candidates are expected to perform at the same level as J.D. students while enrolled in a U.S. law school. LL.M. programs are quite rigorous and usually include at least some coursework from the J.D. curriculum.

Most employers can quickly assess writing skills through a review of a candidate's application materials. LL.M. candidates will be prepared to provide an English-language writing sample to demonstrate legal writing and analysis. An in-person or phone interview will allow an employer to evaluate interpersonal communication skills and confidence in speaking with partners, clients, or other constituents. LL.M. students can provide references (often U.S. law professors or lawyers) who can speak to the candidate's abilities as a whole. Grades in the LL.M. program are another good indicator of the candidate's ability to perform in a U.S. legal setting.

How can we find a candidate who is fluent in a particular language?

You could easily locate such a candidate by sending an advertisement for the position to law schools with non-U.S. trained LL.M. programs.

Bar Admission

Can an LL.M. gain admission to the bar in my state?

Most non-U.S. trained LL.M. students apply successfully to take the New York bar exam, and many others can qualify to take the California bar exam. In addition, a number of states will allow LL.M.'s with sufficient experience in their home country to take their respective bar exam. LL.M. candidates are instructed to know their own eligibility to take a U.S. bar exam and will be able to discuss this in an interview. Many will indicate their eligibility in a résumé or cover letter. (For detailed information on bar exam eligibility requirements see the *Comprehensive Guide to Bar Admission Requirements*, available at www.ncbex.org, and/or contact your local bar association.)

Do all LL.M. students take a bar exam?

Not all LL.M. graduates take a bar exam, but usually candidates who want to work in the U.S. take a bar exam, most often the New York bar exam. If this is a requirement for your firm, you can communicate this to the student during the interview process or in your job listing.

Visa Status

Will our organization need to sponsor a visa?

This varies depending on the student's immigration status. While the majority of LL.M. candidates are studying in the U.S. on an F-1 student

visa, there will be some in other visa categories, including U.S. permanent residents. For students on F-1 visas, most will be eligible for one year of "Optional Practical Training" (OPT), allowing them to work in a legal position for one year after graduation without any requirement that their employer apply for a work visa on their behalf. If you are seeking an LL.M. candidate for more than a one-year position, consult with an immigration advisor about your organization's options for sponsoring longer term work authorization. Students are advised to be knowledgeable about their own status when going into the U.S. job search process and therefore usually can answer visa questions specific to their own situation.

Credentials

How do I know if an LL.M. candidate is qualified in his/her home country?

Many LL.M. candidates will indicate on their résumé if they are admitted to practice in another jurisdiction. Note that the criteria for qualification vary greatly depending on the country, so this credential may not be listed as a "bar admission" but could instead be a license to practice or state certification. The newly published *International Directory of Lawyer Qualification* from the NALP Foundation (www.nalpfoundation.org) outlines the legal education systems and lawyer qualification criteria of more than 36 countries.

How do I evaluate international legal credentials?

Most top law schools have competitive admission criteria for non-U.S. trained LL.M. candidates, so you can trust that the first cut has been made for you. When evaluating an international candidate's résumé, there are a number of resources that have been useful to recruiting offices in the past. The *International Directory of Lawyer Qualifica-*

tion, published by the NALP Foundation in spring 2009, is a good place to start. Additionally, it is often helpful to review such sites as those of Chambers & Partners, the Legal 500, or the International Financial Law Review's Legal 1000 to get a sense of the practice of the law firms where an LL.M. candidate has worked in the past. Finally, many hiring offices turn to the guidance of partner law firms in the candidate's home country when reviewing a particularly interesting candidate.

Grades

When should I request a U.S. transcript for the LL.M. course of study?

Because the LL.M. is typically a two-semester program, the earliest that students can provide transcripts from their U.S. courses would be late January when the fall semester grades are published. Keep in mind that law schools have differing policies in grading LL.M. students. For some schools, LL.M. candidates are considered in the same pool/curve as J.D. candidates with no special accommodations given, while in other schools there may be a different curve or other accommodations given to LL.M. students. You can ask the school's career services office to provide you with grading guidelines for LL.M. candidates.

How can I evaluate a candidate's performance in his/her J.D.-level program?

LL.M. candidates can provide you with transcripts of legal studies in their country of origin, together with a translation of the grading system explaining the value of their grades in terms of the U.S. grading system.

Temporary vs. Permanent Positions

Is an LL.M. candidate appropriate if we only want people who will commit to staying in our firm for the long term?

You may specify the type of commitment you are seeking in a job posting. While typically non-U.S. trained LL.M. students seek to obtain at least a year of employment, many are open to longer commitments.

Is an LL.M. candidate appropriate if we only want people who are interested in short-term opportunities?

Yes, many LL.M. students are interested in gaining one to two years of experience in the U.S. before returning to their home country. Some will consider even shorter term opportunities as well.

How do we assess a candidate's interest in returning to his/her home country?

You can ask a candidate about his or her intentions during the interview. Additionally, cover letters and résumés should give you clues as to the geographic intentions of candidates.

How do we manage candidate expectations regarding the type of position offered?

Always be clear with candidates about the type of position you are seeking to fill and the skills required for the position. Let them know if you are seeking someone primarily for global training or if they will be part of a broader practice team.

Effective Recruiting of LL.M. Students

What is the timing for LL.M. recruiting?

Recruiting of LL.M. students is a more compressed process than J.D. recruiting because of the short time-frame of LL.M. programs. This can be helpful because it allows your firm to determine your hiring needs in a more “on-demand” manner. Because employers typically wish to review LL.M. grades in the hiring process, the bulk of LL.M. recruiting takes place in the spring semester, after the non-U.S. trained candidates have received grades from their U.S. institution. Employers typically begin reaching out to students in December, January, and February. Students have had the time to adjust to U.S. law school life and are more actively thinking about the job search at this time as well. Employers participating in one of the LL.M. job fairs will start to receive résumés for those fairs in November, in preparation for January and February interviews. Note also that hiring can continue until graduation and beyond for LL.M. candidates as well.

However, some employers consider LL.M. applications in the fall semester, especially if hiring for an overseas office or when hiring candidates who position themselves as a “J.D. substitute.”

How can our organization reach out to individual LL.M. populations?

The easiest way to contact LL.M. candidates about opportunities at your firm is through law school career services offices. Often career offices can post a job listing or résumé collection for your organization or can contact students with particular language skills or training on your behalf. Many law schools publish LL.M. résumé directories, and your organization can request a directory in the fall semester to get a head start on the spring recruiting season.

More than 40 law schools participate in the January and February LL.M. job fairs hosted by UCLA, NYU, and Columbia. Additionally, many law schools will also accommodate LL.M. interviews during their spring OCI programs. Contact individual schools to find out how to register for these events.

How can we promote our practice to overseas-educated LL.M. candidates?

While the busiest LL.M. hiring season is January through March, your organization may wish to begin contacting LL.M. students much earlier in the academic year to put your practice on their “radar.” There are many ways to promote your organization to LL.M. candidates, especially by partnering with law school career services offices, such as:

- Sending an e-mail to LL.M. candidates introducing your firm’s practice and highlighting anything of particular interest to an international candidate (large international clients, for example). It is helpful if this letter comes from partners or other lawyers who have also received LL.M.s in the U.S. because students can more readily relate to this.
- Finding out if there are opportunities to “sponsor” any events targeted toward LL.M. students on-campus at your target law schools. Each school has a different policy on this type of event.
- Contacting your target law schools to offer LL.M. graduates who work for your firm as mentors, practice interviewers, or contacts for current students. (This, of course, is possible only if your firm already has LL.M. graduates working in U.S. offices.)
- Hosting an event at your office or another convenient location for certain LL.M.

populations to introduce your firm's practice. Keep in mind, however, that students generally have a busy academic schedule and also that some students may receive numerous invitations to such events, so attendance at these events may depend on your timing and audience.

And Finally

Hiring non-U.S. trained LL.M. candidates can be a successful recruiting strategy for any legal practice. Along with business development opportunities, prior legal experience, and multi-jurisdictional training, international LL.M. candidates will bring energy, enthusiasm, and dedication to your organization.

This toolkit was written by Jessica Hernández, Associate Director of Professional Development in the Office of Graduate Programs at Georgetown University Law Center, and Clara Solomon, Director, Counseling & Career Development, in the Office of Career Services at NYU School of Law on behalf of the NALP International and Advanced Degree Advising and Recruiting Section. Additional members of the Section contributed their expertise by reviewing this publication, as did some interested employer members of NALP.
