
NEW CAREER MODELS TASK FORCE

Resource Guide

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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. 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. This *Resource Guide* represents the second phase of the Task Force's work. 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 or alumni they serve about nontraditional-track positions.

1. Getting Started

A Word About Definitions

As we have advised previously, 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 their 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, 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.

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 as the firm is able to lower, or maintain, the rates for 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.

Consider Firm Culture

Even if opportunities are ripe for firms to implement a nontraditional staffing model, it is critical to assess whether a firm's culture and leadership will support, or work against, 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. Others 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 many 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. It is also just as important for firms to consider the challenges they may face and consider 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 remotely into the practice? 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 any, 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 attorney's 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 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.
- **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 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.

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.

- **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.** Utilizing the firm's alumni network can tap known talent, 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 or should work with law school professionals outside the on-campus interview program to create a more targeted sourcing model. Law schools are also poised to assist with identifying experienced candidates through their alumni networks.
- **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 they 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 of 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 that might be difficult to overcome.

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 appropriate, 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 a mentor 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.

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 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 the role, 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 an internal curriculum that will lack broad appeal and usage. 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.

Mentoring

As with traditional-track attorneys, mentors can provide 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, firms 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.

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 has 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 alternate 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.
- **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.

- **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.

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.

- 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.
- Who will provide feedback and how will it be delivered?
 - Consider what process the firm will use to gather feedback. Keep in mind that it can be challenging to obtain feedback from evaluators as 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.
- 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.

6. Opportunities and Strategies for Law School Career Services Offices

Educating Students and Alumni

Law school career services offices can play an important role in educating students and alumni about the range of nontraditional-track positions that are available, including information about career trajectories, interviewing, salaries, and billable hours expectations, among other things. To do so, career services professionals first need to educate themselves and then share relevant information as follows.

- Research the types of nontraditional career tracks that exist currently in the firms and 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 websites. Remind them that hiring for these positions occurs on an as-needed basis so they should check firm 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 in 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 due to fewer billable hours 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 events, work/life balance, hours expectations, professional development opportunities, and CLE benefits offered by the firm.
- 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, accounting for lawyers, and project management, to name a few. 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 your 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.

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.

- 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. The Task Force acknowledges that this is an emerging area that likely will continue to evolve as law firms 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, and to be tracking the evolution of these new career models.

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