Legal Project Management: The Apprenticeship Model is Broken
David Cruickshank

In leveraged law firms that tackle large matters, there are recognized project managers. They often go by the name "point person" or "details manager" and by the title "counsel" or "senior associate." They manage up to partners and clients and supervise teams and masses of information below. Partners and clients place great value in those who do it well. One would think that law firms would want to systematically train and improve as many of these valuable attorneys as possible.

My observation is that, instead, most firms are still wedded to an individual apprenticeship system and can only develop a few top legal project managers, not the many who will be needed in the "new normal" of legal services to sophisticated clients. Even those who do rise to a level of expertise now get there by accident, outside learning, or sheer force of labor rather than systematic development. When it comes to legal project management, that apprenticeship model is broken. Other professional services firms and corporate clients demonstrated years ago that more "systems thinking" is needed in firms. And more technology-supported project management skills are required of rising professionals. When will law firms follow?

The apprenticeship model?

Do law firms have an apprenticeship model when it comes to legal project management? From the 21st century, let me turn to an older definition of an apprentice:

> "A person legally bound through indenture to a master craftsman in order to learn a trade."

I am sure that many a senior associate who has tried to keep on top of a huge project, without time off, support, or guidance, can relate to this definition. They can see the prize – becoming a master attorney. The senior associate's skills may even be highly admired among other craftsmen (and women). But they are not the skills clients need, at the price clients want to pay, in the 21st century. It is like learning to be a master silversmith of fine silver tableware when all the customers want stainless steel.

My thesis is that at the mid-level and above law firms select and advance those who succeed in:

- individual efforts over team efforts
- mastering strong individual relationships with a handful of partner "champions"

- working successfully with multiple partners who have multiple systems and styles of management
- managing client relations as a mirror image of what the partner would do or want
- billing long collectible hours

The hallmark of this development process is the individual's managerial skill. The overall model is one of individual apprenticeship, not corporate competence, systems thinking, or team leadership. My evidence for this declaration is both empirical and anecdotal.

The empirical evidence comes from my work with Firm Leader Inc. on partner development[1]. In 2009 we set out to discover the partner skills most needed, and prized, at four development stages, in management and leadership. We had the participation of 44 firms and over 500 partners at all levels – newly named to senior partner. In the survey we asked about the development and importance of 12 leadership skills; half were individual skills, half were collaborative skills. Our findings demonstrated that:

- Individual skills are most important to making partner, and they continue to be highly ranked by junior partners.
- Individual skills are most admired in leaders (e.g. "leads by example" and "has first-rank reputation").
- Partners believe that they need more development of collaborative skills, especially as they become more senior and responsible for leveraged teams.
- Not until some time between years 5 and 10 as partner do most partners feel proficient at team management skills and see them as fundamental to success.
- Project management skills such as "creating and using budgets to manage matters cost effectively" were the lowest ranked by respondents as future development needs.

---

[1] The study was published only for firms who participated. However, contact the writer if you would like further information.

The message of our research for current associates on the path to partnership is:

Focus on individual proficiency over collaboration. Furthermore, you can wait to develop collaborative skills and project management skills.

The anecdotal evidence comes from my many years of training mid-level and senior associates and counsel in team leadership and project management skills. These are the typical responses I get when I ask how they set out to plan and manage a team on a new matter:

- "It depends on the partner; each one wants it done differently."
- "I often have to manage up to the client, in the dark, because the partner is not responsive."
- "We run a lot of fire drills."
- "Every deal is unique, so you can't plan for what might happen."
- "Partners and clients are unrealistic about how long things take (e.g. electronic discovery tasks)."
- "I have created my own lists or steps that I use to manage a matter."
- "Some partners here are great at this stuff; I try to learn from them."

From the empirical and the anecdotal evidence, I suggest that I have made a case for the apprenticeship model, and it is not a very good model at that. In the law firm, there is not a single master to whom one is apprenticed. You have to guess which of your many masters has the right project management skills, and which is teaching you bad habits. The apprentice also learns that individual long hours and individual skills count far more than collaboration. (However, among those the apprentice is supervising, she needs collaborative teamwork.)

Finally, the hours spent on getting good at project management skills or planning a matter more extensively are not rewarded by the billing system.

So why does the apprenticeship model survive?

First, the system has not survived in other professional service firms, such as accounting and engineering. It lingers to some extent in architecture and medicine, but even in those fields, project management skills and systems thinking are making rapid advances. (In medicine, for example, see Dr. Atul Gawande's "The Checklist Manifesto," Metropolitan, 2009.)

But it has survived in law firms for some of these reasons:

- A few smart, hard-working associates can learn to manage projects, to a basic standard, on their own.
- Those "in the club" (partners) will tend to prize the individual survival skills of those aspiring to join the club.
- Firms are reluctant to bill clients hourly for items like planning time, team meetings, and team conference calls, so teamwork is less prized in the contest for billable, collectible hours.
- Firms have been slow to reach across professional or corporate boundaries to adopt proven project management tools.
- There are not enough fixed fee matters in a firm's business mix to drive changes.
- The in-house law departments of companies are mostly law firm alumni, not managers from other branches of the company who might be highly conversant with project management and systems thinking; therefore, they accept the results of an apprenticeship system.

Will it ever change?

The leading edge of change in the apprentice-ship model is visible, however. We see it in three developments.

First, professional development leaders have been successful in transplanting a corporate talent development model in many law firms in the past 5-6 years. I am speaking of

competency models as a way to give career guidance to associates and evaluate their performance. I will assume readers are familiar with these models. Inside the models, there are usually some management and team competencies, especially at mid-level and above. There is rarely systematic training in those skills, and few competency models separate out "project management" as a collective skill set. However, the framework now exists in firms, large and small. The next step would be to organize pilot projects and training around the project management competencies, rather than wait for them to develop in one-to-one apprentice-ships.

Second, some firms are publicly distinguish-ing their brand with clients by promising project management expertise. Dechert LLP and Seyfarth Shaw LLP are two examples. At the January 2011 PLI conference on Project Management, a number of strategies were discussed.[2] Some firms had senior lawyers undertake the intensive Six Sigma training. Others have hired full-time project managers. If these firms start winning more competitive bids, the AmLaw 200 will get a louder wake-up call.

Third, clients are now asking firms about their project management capacities and seeking statements in requests for proposals. In addition, many in-house counsel have now been trained on the basic elements of project management; they are also under pressure to control fee budgets and improve communications and predictability. These demands will mean that more matters will come under scrutiny and law firms will need more effective project managers. The apprentice model, while producing the exemplary few, will not be able to meet the demand.

What will a new model look like?

A new model for developing and training project managers will have four features, many of them familiar to professional development leaders who have faced similar challenges. They are:

1. Approach the development challenge with "systems thinking."
2. Get leadership support and partner buy-in.
3. Aim the right training at the right audiences and use measurable outcomes.
4. Start with pilot projects in a few groups and build on success.

"Systems thinking" was made popular by Peter M. Senge in his analysis of learning organizations.[3] While he praised individual personal development, Senge noted that the individual had to work within a larger context; that organizations that helped people work effectively in systems were constantly learning (thus, learning organizations).

Here are two definitions that help bring together "systems thinking" and "project management":

> *Systems Thinking* has been defined as an approach to problem solving, by viewing "problems" as parts of an overall system, rather than reacting to specific parts, outcomes or events and potentially contributing to further development of unintended consequences. Systems thinking is not one thing but a set of habits or practices within a framework that is based on the belief that the component parts of a system can best be understood in the context of relationships with each other and with other systems, rather than in isolation. Systems thinking focuses on

[2] My paper for this conference explains training strategies: David Cruickshank, "Training and Beyond for Project Management Skills," Practising Law Institute, New York, 2011, p.109. See www.pli.edu.

[3] *The Fifth Discipline: The Art & Practice of the Learning Organization.* 1990, Currency Doubleday.

cyclical rather than linear cause and effect.

Project Management is the discipline of planning, organizing, securing and managing resources to bring about the successful completion of specific project goals and objectives.[4]

An example that would bring these two concepts together is *the project management framework* that I have developed for law firms. If this framework is used as the organizing structure for most projects and as the outline curriculum for training, it illustrates systems thinking.

A Project Management Framework

I have discussed this framework more extensively in the Practising Law Institute paper referred to above.

1. Define client objectives, scope of project, pricing, and budget.
2. Staff, structure, and schedule the project.
3. Organize the team and allocate responsibilities.
4. Set up risk management processes.
5. Conduct ongoing review of plan assumptions.
6. Manage the project resources (team, documents, communications, etc.).
7. Establish controls (*e.g.*, weekly budget updates, after-project reviews).

In other professional services firms, it would be common for junior managers to receive extensive project management training around a framework like this one. Furthermore, they would work for partners who shared and respected project management protocols over individual preferences. Leaders would also stress a systems approach to implementing protocols

---

[4] Definitions are from Wikipedia, July 19, 2011. Sourced from the Senge book and other works on project management.

for all clients. And the firms would embed and promote these frameworks with clients. Furthermore, their corporate clients understand and embrace project management in the business units outside the legal department.

This brings me to leader support and partner buy-in. Legal project management is another challenge in change management. It requires top down leadership, individual partner champions, and ongoing discipline during implementation. Leaders, either with client evidence or the help of a consultant, must demonstrate the business case for project management. Does it make sense financially? Will it make us more competitive? Will existing clients appreciate and support it? Can we orient our talent development with our business goals? I find that many firms want a "familiarization tour" from an outside speaker to get the ball rolling.

Buy-in can be accomplished through a variety of mechanisms – client feedback, focus groups, surveys, practice group meetings, and leadership sponsorship of key players. In one Canadian firm, for example, the leaders gave one partner the time and freedom to develop project management protocols in a few practice groups. He did such a great job that they were marketing their LPM expertise within a year.

Training is not a good mechanism for buy-in to project management. If there is no climate of acceptance, there are no partner champions and little client demand, it becomes like getting the kids to eat their broccoli. In this field, after familiarization training, it is best to wait until you have created some pilot projects and done extensive buy-in before you conduct skill training. I have explored the steps in detail in the PLI paper mentioned above.

As buy-in proceeds, you select pilot projects – perhaps one transactional group and one litigation group. Now you can work on developing training content and training the right people. A practice group first needs to choose its protocols. These are the "default

rules" for handling a project. The group needs to agree that these protocols will be followed unless there are highly persuasive reasons to depart from them. Examples of protocols are:

- Hold a kick-off meeting (live or by telephone) with all team members and specialists staffed on the matter
- Conduct a post-project debriefing and select key documents, tips, and procedures for the Knowledge Management system.

The collection of protocols, forms, and checklists will make up a project management manual for that practice group. The content of training will be this manual and the implementation challenges that accompany it.

The principal "right audience" for the most intensive project management training comprises those "apprentices" I have been talking about – senior associates, income partners, and counsel. They may require as much as two days of training. Partners need a half-day, so they can tap into this new resource and use it wisely. Juniors need about a two-hour introduction course, so they know what is expected. Finally, you must train staffs in finance, IT, marketing, and lawyer development so that all can support the new discipline the lawyers are trying to acquire. In the PLI paper, I describe the "cascading" of training through these various groups.[5]

Selecting the right practice group is more art than science. Do you have partner champions and strong leaders in that group? Are we seeing client demand in that practice area? Would we get ahead of our competitors if we started in one area? (I have been surprised, for example, at the slow start of Intellectual Property practices in this field. They work with engineers and technology experts all the time, yet few have tried to distinguish themselves as project

management firms.) Finally, are we going to measure outcomes and consider rewards for those partners and groups who run successful pilots?

Measuring successful pilots will involve matter reviews and doing two types of analysis:

1. Historical review of hours, efficiencies, work product, etc. compared to a matter managed in the "old school" way.

2. Analysis of business results for your clients. What new value does the client believe you brought to its business results? This will go beyond "doing it cheaper" and will require innovative ways of setting up metrics in advance.

Working with a client and some outside expertise, your firm can get better at skills like setting up measurable outcomes and describing project scope. Many of these skills lead to more precise communications between lawyers and their clients – a key ingredient in obtaining continuing engagements.

The ultimate goal of project management is not internal efficiency alone. It is improved, measurable client results. Thus, you will have improved client satisfaction and more future referrals and business. In short, your firm will have proven the validity of the business case for legal project management.

In other professions and other law firms, they are discarding the apprenticeship model. Some law firms have discarded apprenticeship in the junior years of associate development; instead, strong competency models and compulsory training programs have been put in place to run alongside on-the-job learning. Yet, those firms revert to apprenticeship for the senior associates and junior partners who must manage projects.

---

[5] Interested readers may contact the author for a .pdf of this PLI paper.

The challenge of developing project management expertise is significant. It is costly, if done right. It is time-consuming. It is often not justified by standard billing practices. It requires leadership and partner discipline. But it is the future because clients will demand it. Get there ahead of them by developing legal project management expertise now.

David Cruickshank of Kerma Partners works with law firms on strategy, training and partner development programs. He regularly works with attorneys and practice groups on project management and leadership skills. He can be reached at 212-734-2818, 917-628-8238 (mobile), or David.Cruickshank@KermaPartners.com.

Ten Tips for Writing a Strong LinkedIn Profile
Kathleen P. Dunn

If you're not using LinkedIn as a networking tool, you are in an ever-shrinking minority of professionals. Consider these statistics: As of March, 2011, LinkedIn has 101 million members in 200 countries on every continent. Fully half of those users are active professionals, and one new user joins every second. Sixty-nine of the Fortune 100 companies use LinkedIn, and 80% of all companies use LinkedIn as a recruiting tool. [1]

We're living in a very different world now. The "Social Register" has become the *online social graph* – the map of every person on the Internet and how they are connected. Unlike the Social Register, however, anyone and everyone can join social media sites, and they are – at breakneck speed. Social media empower us to be better, more effective, more efficient, and more fulfilled in communicating who we are and in transacting and interacting with others in ways that were unimaginable just a few short years ago. Additionally, the business applications are considerable as social media provide powerful communications tools with vast outreach capability. We can establish and increase our personal brand, reach niche groups, build business relationships, and stay informed with hundreds, if not thousands, of people – in real time.

But how do we establish our professional identity and ensure the message we're sending is professional and effective? Following are 10 tips to help you write a

[1] *LinkedIn. About Us.* http://press.linkedin.com/about. Retrieved July 7, 2011.

strong LinkedIn professional profile and promote your brand:[2]

1.   Introduce Yourself.

Don't just cut and paste your resume. You wouldn't hand it out or recite it before introducing yourself, so don't do it in your *Profile*. Sites like LinkedIn connect you with a network of professionals, not a human resources department. Instead, describe your experience and abilities as you would to someone you just met. Also, write for the screen, in short blocks of copy with visual or textual signposts.

2.   Use Your Authentic Voice.

The best marketers know that to get and keep attention, you should light up your profile with your voice. Use specific adjectives, colorful verbs, and active rather than passive voice. For instance, it's better and stronger to say "managed project team," rather than "responsible for project team management." Write as you would speak. In other words, don't write in the third person unless that formality suits your brand. Picture yourself at a conference or client meeting. How do you introduce yourself? That's your authentic voice, so use it.

3.   Write a personal tagline.

That line of text under your name is the first thing people see in your profile. It follows your name in search hit lists. It's your brand. (Note: your e-mail address is not a brand!) Your company's brand might be so strong that it and your title are sufficient. However, you might need to refine your professional personality into a more eye-catching phrase that describes who you are at a glance.

4.   Put your elevator pitch to work.

Go back to your conference introduction. That 30-second description, the essence of who you are and what you do, is a personal elevator pitch. Use it in the *Summary* section to engage readers. You've got 5-10 seconds to capture their attention. The more meaningful your summary is, the more time you'll get from readers.

5.   Point out your skills.

Think of the *Specialties* field as your personal search engine optimizer. It is an avenue to refine the ways people find and remember you. This searchable section is where that list of industry buzzwords from your resume belongs. This is also the place to display particular abilities and interests; the personal values you bring to your professional performance. You can also include a note of humor or passion – but remember, use humor carefully and sparingly. And never sacrifice common sense or professionalism for a joke.

6.   Talk about your experience.

Help the reader grasp the key points. Briefly describe what the company does and what you did or do for them. Picture yourself at that conference again. After you've introduced yourself, how do you describe what you do, what your company does? Use clear, succinct phrases here, and break them into visually digestible chunks.

7.   Distinguish yourself from the crowd.

Use the 'Additional Information' section to round out your Profile with a few key interests. Add websites that showcase your abilities or passions. Then edit the default 'My Website' label to encourage click-throughs (you get Google page rankings for those, raising your visibility). Maybe you belong to a trade association or an interest

---

[2] Adapted from *LinkedIn: Profile Basics: Overview.* http://learn.linkedin.com/profiles/overview/. Retrieved February 12, 2011.

group; help other members find you by naming those groups. If you're an award winner recognized by peers, customers, or employers, add prestige without bragging by listing them here.

8. Ask and answer questions.

Thoughtful questions and useful answers build your credibility. The best ones give people a reason to look at your Profile. Make a point of answering questions in your field to establish your expertise, raise your visibility, and, most important, build social capital with people in your network. You may need answers to a question of your own down the road.

9. Improve your Google Page Rank.

Pat your own back and others'. Get recommendations from colleagues, clients, and employers who can speak credibly about your abilities or performance. (Think quality, not quantity.) Ask them to focus on a specific skill or personality trait that drives their opinion of you. Make meaningful comments when you recommend others. Also, mix it up because variety makes your recommendations feel authentic.

10. Build your connections.

Connections are one of the most important aspects of your brand. The company you keep reflects the quality of your brand. What happens when you view a Profile and see that you know someone in common? That

Profile's credibility increases. The value of that commonality works both ways. So identify connections that will add to your credibility and pursue those.

A final note: As you add connections and recommendations, your Profile develops into a peer-reviewed picture of you and of your personal brand. Make sure it's in focus, well composed, and easy to find. Edit your public Profile's URL to reflect your name or tagline. Then you can put it to work by adding it to your blog, linking to it from your website, and including it in your e-mail signature. And don't forget your photo! You want a clear, professional head shot. People respond more positively to profiles that include photos than those that do not.

Kathleen Dunn, MBA, MS OD, is the Director of Training and Professional Development at Patton Boggs LLP. She is a certified MBTI® and EQ-i® practitioner and adjunct faculty at the Catholic University of America where she teaches Human Resources Development and Training. She can be reached at KDunn@pattonboggs.com or 202-457-6517.

Tom Rath, *StrengthsFinder 2.0*. 2007: Gallup Press, New York (174 pages)

> *"At its fundamentally flawed core, the aim of almost any learning program is to help us become who we are not."* (p.3)

Originally called the Clifton StrengthsFinder, the assessment espoused in this book was inspired by the late Donald O. Clifton, Ph.D. – the "Father of Strengths-Based Psychology" – as a response to "society's relentless focus on people's shortcomings" (p.1). Rather than adhering to the "misguided maxim" that we can be whatever we want as long as we work hard enough, the book's position is that we should instead be uncovering our true talents and then putting our time and investment into building on them (p.5). Gallup "studies indicate that people who *do* have the opportunity to focus on their strengths every day are *six times as likely to be engaged in their jobs* and more than *three times as likely to report having an excellent quality of life in general*" (p.iii, emphasis in original). Conversely, workers not using their strengths on the job are "six times less likely to be engaged" in their jobs and actually "achieve less on a daily basis" (p.12).

The book itself is divided into two sections:

Part I, "Finding Your Strengths – An Introduction," lays out the thinking behind the assessment's development and provides a compelling rationale for focusing on natural abilities and teaming up with those whose abilities shore up your weaknesses.

Part II, "Applying Your Strengths," lists the 34 Themes and Ideas for Action. (A lack of parallel structure bothered me: the first three talents are Achiever, Activator, and Adaptability – why not Achiever, Activator, and Adapter?) Along with descriptions of the 34 dominant talents the assessment measures are suggestions for making the most of each talent. For example, a person with Analytical talent is encouraged to rely on and demand supporting data but also to partner with an Activator to help her move from analysis to action.

Once you've read Part I and been motivated by the strengths message as I truly was, the book encourages you to take the online assessment (each copy of the book comes with an individual access code). The website and the assessment were where I started feeling less inspired. It took me a few moments to figure out how to log on and then how to find the assessment – perhaps not surprising, the website is full of information about and links to products.

Like other assessments StrengthsFinder suggests answering questions quickly, going with instinctive responses for the truest results, and actually gives the taker only 20 seconds per question. This, of course, drove me crazy.

Several years ago my two children and I took a self-scoring version of the Myers-Briggs. My younger son probably managed it in under 20 seconds per question because he likes to finish things and move on. My older son processes things verbally and so initiated an in-depth discussion about every question. I, on the other hand, just wanted to be left alone to think about my answers. While encouraging us to go with our "gut reactions," the MBTI test gave us room to take it as we needed to. (Although we probably weren't supposed to talk about each question!)

I found the StrengthsFinder assessment stressful precisely because it didn't accommodate my need for processing. Several times I had already clicked to move on to the next question only to realize I should have answered the previous one completely differently.

Upon completing the assessment I received my individual Strengths Insight and Action-Planning Guide with descriptions of my top 5 "themes." Four of the five described me quite well and were also four of the nine I'd picked earlier when reading the descriptions in the book. The fifth I felt did not reflect any real talent of mine but rather one particularly demanding component of my new job. Following each description were suggestions for applying the talent and quotes from people who share it, but all of these were also in the book. Among the resources available online for me as an individual was the opportunity to schedule a consultation with a Gallup specialist (for $550) and a Quick Reference Guide to Strengths Basics.

The StrengthsFinder actually measures "talent, not strength" but is called StrengthsFinder, as Rath says, "because the ultimate goal is to build a true strength, and talent is just one of the ingredients ...." (p.17). The fairly interchangeable use of these terms was distracting – especially with the addition of "theme" later on – but the formula "Talent x Investment = Strength" helped clarify things (p.20). The online Quick Reference Guide further defines a strength as a combination of an innate talent, skills acquired through training and practice, and knowledge gained through education. Basically, talent is what you're born with, you can acquire skills and knowledge, and strengths enable you to perform at a consistently high level.

While some firms are using The StrengthsFinder in conjunction with the MBTI for attorneys' career development, the StrengthsFinder philosophy and assessment seem particularly useful to me as part of a larger discussion on how organizations manage and develop the talent they have, through evaluations, trainings, staffing, and team building (more on this below). Both tools promote accepting and valuing people's differences and provide a positive language for discussing them. StrengthsFinder's very concrete terms – Achiever, Competition, Learner, for example – would probably be much more palatable to older-school attorneys who resist what they see as the "touchy-feely" aspects of the Myers-Briggs.

Much of the rationale in the beginning of the book is based on findings about how much happier and more productive people are when they have the opportunity to use their strengths and when employers value those strengths. As Rath notes, managers who focus on employee strengths are more likely to have engaged, motivated employees. For the individual, this means taking responsibility for determining your strengths and putting them to use. For the organization, it means recognizing and capitalizing on the varied strengths of your workforce – accurately identifying the strengths needed for the success of your particular organization, hiring and developing people with those strengths, putting the right task in the hands of the right person, building teams with complementary strengths, and creating space for workers with different combinations of strengths.

Rath makes the point that the problem in organizational hierarchies is that they rarely allow for progress in the specific role in which a person excels: In order to "move up," one must often shift into a different role (p.6). We've all seen it – the exceptional teacher must become an administrator to "move up"; the lawyer with excellent research and writing skills risks having no place at the firm because he's not also a rainmaker. There's probably no single job that allows a person to use only her innate talents without requiring others she might not have – even the talented professional athlete does more than play a position – and no organization can expect to excel in its market if all its

employees have the same talents. To continue the sports analogy for a moment, no coach would want a team full of quarterbacks or expect a gifted quarterback to play wide receiver, too. While each player needs certain basic skills and knowledge and a certain fitness level, a team that expects every player to be good at every position will miss out on the players who are really great at one. The great quarterback needs a great receiver to catch the ball, the great receiver needs a great blocker, and so on.

In developing lawyer competency models, many firms appear to operate on the assumption that each individual will move smoothly up the levels of competence, developing all of the designated competencies at an equivalent pace; some may progress to the next level faster than others, but all will have developed the complete skillset at the designated level of mastery in order to move from one level to the next. There's seemingly no expectation or accommodation for someone to be strong in some areas and weak in others, nor the idea that the organization can compensate for that through teaming rather than making people develop skills they're not suited to.

So the challenge for the organization is to determine the minimum basic skills and knowledge it needs from everyone and then move beyond that to a serious consideration of the strengths required to build the business. In addition to competency models for individual workers, the firm could develop strategic team competency models. Gallup does offer management consulting services in, among other areas, Employee Engagement, Strengths-Based Selection, Strengths-Based Development, Leadership Succession, and Employment Branding. (See also David Cruikshank's discussion of systems thinking and project management on pages 4 and 5.)

Since any team requires members with varied and complementary strengths, the firm and its leadership can only benefit from identifying the specific talents of the very talented people it's hired, developing those into the strengths it needs, and combining those strengths for maximum impact.

Honora Mara is Associate Editor of PD Quarterly. *She has accepted a concurrent position as Grant Manager for the Global Fairness Initiative, a non-profit organization in Washington, DC that promotes economic development for working poor communities around the world.*

Quote of the Quarter:

"[Our] findings suggest that many professional fathers who challenge the male norm of work devotion and take advantage of family leave and other flexible work policies experience a range of negative consequences. .... Most children today are growing up in families that do not include a full-time, stay-at-home parent, so it is especially important for workplace cultures, policies, and laws to support the family responsibilities of both working mothers and fathers. Additionally, as more families rely on the need for two salaries, paid leave and flexible work arrangements are especially critical to ensuring that workers can care for their families without risking their economic security."

-- Dina Bakst et al., *Beyond the Breadwinner: Professional Dads Speak Out on Work and Family.* June 2011, The Work and Family Legal Center.

Perfection Through Pilot-Testing

My first experience with pilot-testing made me a fan forever. At the time (1994) I was a member of what was then known as the Washington-Area Professional Development Administrators, or WAPDA. We agreed that I would survey the group about their firms' PD programs and compile and report the results anonymously for everyone's benefit. We discussed what information I should collect, and I drafted a preliminary survey questionnaire for the group's review and comment. After incorporating their suggestions, I then recruited six members of the group to complete the revised questionnaire and let me know:

1. How long it took and whether the time demand was acceptable
2. Whether any questions should be clarified, simplified, added, eliminated, or otherwise revised
3. Any other reactions to or suggestions about the survey

Their feedback, along with their answers to the survey questions (showing, *e.g.*, questions they misunderstood or that different people understood differently), alerted me to some unexpected problems and greatly improved the final survey. The pilot group also did a great job of selling survey participation to everyone else.

Since then, another thing that has made me a fan of pilots is that I got burned the one time I failed to do one before implementing an important project.

Whether your project is a survey, a training session, a customized computer application, a new workflow system, or any other substantial initiative whose results matter to you, a test run of your draft design will help you make it as good as it can be. A good pilot test can:

- Show how the project can be improved and let you fine-tune it before Launch Day.

- Confirm the value and effectiveness of the project (or the lack of same) to help you and/or upper management decide whether to go forward with it and what level of resources to invest.
- Build enthusiasm for the project and help you recruit both champions and participants.

5 Tips for Pilot-Testing

1. **Recruit participants** in the pilot who are broadly representative of the target population for the project – *e.g*, potential training participants, questionnaire respondents, software users, etc. Explain their role and the time commitment that will be involved. Usually 4-6 people are sufficient, unless there are activities or processes that require a larger number. (At one firm, an entire practice group pilot-tested a new upward evaluation system.) They should be individuals who are positive or at least open-minded about the project and positive about the firm, and who will therefore approach their testing and feedback responsibilities conscientiously.

2. When conducting the pilot test, **simulate the intended experience** as exactly as possible. If a location, equipment, or materials will be involved, provide the real thing or a very close approximation.

3. **Collect data** on the pilot. If feasible, attend and observe it and take good notes. If you are leading it, have someone else take the notes. Immediately afterward, collect the participants' observations via interview or a feedback form. If you're piloting a training session, wait a week or so and poll the participants again about the extent to which the training has improved their performance, how the training could do more in that regard, and whether additional supports need to be put in place or obstacles removed for the training to be fully utilized

on the job. Also poll their supervisors on these same questions.

4. **Communicate the results of the pilot** to the participants and acknowledge their contribution. Also communicate them to other constituencies for the project, such as potential champions, upper management, future participants, etc. As needed and appropriate, prepare a report and recommendations to management on the effectiveness of the program, the participants' feedback, and your proposed changes.

5. **Implement the changes**. If they are substantial or you are uncertain about them, run a second pilot to make sure the redesign hasn't introduced any new bugs.

Now that you're done with the fine-tuning, blast off with confidence!

— Gaye Mara

PDQ Classic:
Associate Development Through Effective Paralegal Utilization
Heather V. Edes

Partner asks busy 4th-year Associate to run another relatively routine asset acquisition by Client Company. The deadline is tight, but not unreasonable. Associate dutifully accepts, staying late that evening talking with Partner about the transaction (1 hour) and organizing and marking up documents from the last acquisition (2 hours).

Over the course of the next few days, Associate reviews the minimal due diligence and, with Target Company's counsel, prepares the schedules that accompany the acquisition agreement and inventories all of Target Company's employees, assets, and outstanding liabilities (5 hours).

Associate exchanges draft documents with Client Company and with Target Company's counsel and, a week before closing, enlists a paralegal to obtain required closing certificates and to organize documents for the closing (another 5 hours). Despite a delay in procuring a necessary certificate from the Secretary of State's office, which is easily remedied by paying an extra fee to expedite the process, the transaction closes on time and the client is happy.

While typical and straightforward, this approach to staffing a routine matter is replete with lost professional development opportunities. In fact, the practice outlined in this scenario is quite insidious; it undermines a law firm's ability to provide excellent service and value to its clients.

By failing to enlist the assistance of a paralegal early on and handling most of the transaction herself, Associate precludes any opportunity to take on more substantively challenging work during the course of the matter, fails to develop the ability to delegate, diverts time from business development activities and bypasses an opportunity to learn critical matter management skills. In addition to failing to capitalize on the developmental opportunities presented by this otherwise mundane matter, Associate undermines the firm's success by contributing to low morale, fueling turnover and not generating the most cost-effective solution for the client.

This article evaluates the consequences of such a staffing model and explores the benefits of an alternative and often underutilized approach – the effective collaboration of associates, particularly junior and mid-level associates, with paralegals. It then sets out a role for Professional Development personnel in guiding and facilitating appropriate use of a firm's paralegal resources as an associate professional development tool.

Consequences of This Staffing Model

Lost Opportunity 1: Learning New Substance

To remain competitive, experienced attorneys must be able to guide clients through the development of new legal issues. Therefore, the development of well-rounded professionals serves clients and the firm better than training associates as narrow subject-matter experts. The associate years should be dedicated to developing both a familiarity with a wide range of subject matters and the ability to apply existing skills to new contexts.

In the scenario outlined above, most of the work that Associate handles augments neither her knowledge nor her skills. As Associate has already handled this type of matter before, Associate's best learning opportunities will be found in any unusual developments in the substantive issues, or possibly in any challenging interpersonal issues that Associate encounters. Associate's goal should be to delegate as much work on this matter as possible, making time to accept and complete more substantively developmental assignments.

One way to accomplish this goal is to involve a paralegal early in the matter. Defined similarly by the ABA and several professional organizations, a paralegal is a trained or experienced individual who performs legal work under supervision of an attorney. Generally speaking, a paralegal may ethically handle any portion of a matter other than establishing the attorney-client relationship, setting legal fees, appearing on behalf of a client in court or dispensing legal advice. Anything else within the paralegal's skill set is fair game.

A firm with a good paralegal program will be able to provide skilled, experienced paralegals who can prepare initial drafts of pleadings and agreements, establish and maintain databases, evaluate and process many of the client's and opposing counsel's comments, and prepare schedules and exhibits. Paralegals also have the best sense of how far in advance to order required closing certificates (avoiding delays and expediting fees) and, when involved in a matter from the beginning, can organize and run a closing, or assist at court appearances, with a minimum investment of attorney time.

Of course, as with any delegation or collaboration, the supervising attorney is responsible for the resulting work product. By enlisting a paralegal to handle the majority of the substantive work in addition to the paper-shuffling and administrative tasks, Associate's role shifts to monitoring the progress of the matter and participating as necessary, and she now has time to take on more substantively challenging assignments.

Lost Opportunity 2: Learning to Delegate

Associates must develop solid delegation skills to be prepared to handle the demands of partnership. While the associate years are primarily focused on training, partnership requires an additional focus on business development and management of the business of practicing law. Not only are delegation skills required for effective time management, but clients, increasingly watchful of expenses, now question whether they should pay top dollar for work product that a professional with a lower billing rate could handle.

For these reasons, savvy firms will not promote to partnership associates who lack the ability to delegate. In the unlikely event that an associate lacking delegation skills does make partner, she is likely to find that the varied and time-consuming demands of ownership and management responsibility encroach very quickly on her ability to "carry the laboring oar" on a matter, and she will founder whether or not she tries to delegate.

Associates would do well to adopt a variation on the time-honored approach to training medical students: "See one, do one, delegate one." Once an associate has mastered the key aspects of any task, she should be on the lookout for opportunities to delegate that task when next assigned. Often, junior and mid-level associates will find that many of their assignments can be handled in large part by a paralegal. Taking this approach, even the most junior associate can begin developing his or her delegation skills.

Lost Opportunity 3: Devoting Time to Business Development

Ten years ago, associates were generally admonished to focus solely on training and to leave the generation of business to the partners. Now, however, the competitive climate has changed to favor earlier cultivation of business

development skills. While substantive training is still associates' main focus, even the newest associates now know that the contacts they nurture in their early professional years can affect partnership decisions, compensation levels, and overall success.

It is a common lament of associates that there is insufficient time for both substantive work and networking/relationship-building. It is a waste when associates spend time on assignments that do not contribute significantly to their development but do detract greatly from investing time in client-cultivation activities. Again, a paralegal is often an appropriate, but overlooked, resource for getting the work done.

Lost Opportunity 4: Learning Management Skills

Big-ticket matters mandate effective and appropriate use of resources. By choosing not to delegate, associates are bypassing an opportunity to develop team management skills. Inexperienced delegators, when finally and inevitably forced to parcel out work, tend to exhibit poor judgment in managing their team's work, either micro-managing (inefficient) or neglecting to supervise sufficiently (dangerous).

Successful partners are able to manage teams of professionals all working to achieve the client's goal. Experienced delegators know how much supervision and guidance are required at each level. They can foster teamwork and loyalty, and they know how to boost morale during low points. These abilities can be developed early in an associate's career when paralegals are appropriately utilized.

Lost Opportunity 5: Retaining Personnel

Not only is individual development compromised by failure to inappropriately utilize paralegal resources, but overall staff development is also affected. Ineffective delegation and team management contribute to lower morale and the defection of both associates and paralegals.

Even before the question of partnership arises, associates who find themselves handling the same types of work over and over again may become frustrated and seek employment elsewhere - not necessarily realizing that their inability to delegate may be more at fault than

the firm's staffing procedures. Similarly, a good paralegal is unlikely to find challenging or rewarding a job that consists primarily of clerical and administrative activities. When an opportunity to perform more challenging work in another setting arises, it may prove too attractive to turn down.

Good associates and paralegals may not even choose to work at a firm that does not encourage delegation in the first place. While compensation is determined by a number of factors, appropriate utilization of resources is a key driver. Only firms that make effective use of their staffs can charge higher billing rates, leading to greater profitability and higher compensation. Similarly, lower rates lead to lower compensation, and if a skilled paralegal will be more highly valued and compensated elsewhere, it is difficult to understand why he would choose to work at a lower-paying firm.

How to Overcome Obstacles to Learning to Delegate

The benefits of the effective use of paralegal resources are clear, but implementation of best practices is a challenge. Many law firms fail to maximize their use of paralegals.

How might cultures change so that the effective delegation to paralegals becomes the norm, not a goal? Professional development personnel, with access to and influence on attorneys, law firm managers, and training resources, have a unique and important opportunity to act as change agents in this effort.

Obstacle 1: Perceived Ceding of Control

A common challenge when learning to delegate is confronting the need to feel in control.

Many lawyers tend to be detail-oriented perfectionists with a strong sense of how things should be done. It can be very disconcerting to cede control over a task to someone who may prefer a different approach. It can also be unnerving as a deadline looms not to have a critical piece of paper on one's desk, not to know intimately how long each piece of the project will take to finish. For a new, or poor, delegator, not to be the "owner" of a task can be more unsettling than

owning all tasks and working on them day and night.

This is an area in which traditional training can be useful. However, the most common approach to delegation skills training – training mid-level associates how to delegate – is insufficient. Recognizing that delegation is a two-way street, many firms also train junior associates how to be most effective when on the receiving end of a delegated assignment. This training is important because it empowers more junior professionals to seek work and help proactively manage an effective team effort.

What is less common, but very useful, is training delegators and delegatees together. Exercises that require supervisors to delegate specific tasks to subordinates are remarkably effective in ingraining new behaviors, instilling trust, and demonstrating, in concrete fashion, that teams that delegate win. And junior associates should be trained how to delegate, so that they can begin delegating early in their careers.

Training associates and paralegals together is important, but including partners is crucial. Even the best-intentioned associates give up trying to delegate if their efforts are repeatedly crushed by partners who don't understand the efficiency gains, who don't trust either the skills of their paralegals or the supervisory abilities of their associates, or who simply aren't good at delegation themselves.

I recommend training partners and associates of all levels together. This not only builds confidence and trust among team members but, by addressing the consequences of both poor and effective delegation on the achievements of a team, helps associates gain the confidence to pursue delegation even if the assigning partner proves a less-than-perfect role model in this respect.

Obstacle 2: Confusion About Paralegal Role

Another challenge in learning to delegate, particularly for more junior associates, will be the general confusion over the appropriate role of a paralegal.

While many attorneys understand and appreciate the value that a properly trained paralegal brings to a matter, others are less enlightened. I have observed time and again that partners who are

comfortable delegating to a particular associate are often uncomfortable with that trusted associate's logical next step of delegating to a paralegal. Many firms have orientation or junior-associate training sessions that address the effective use of paralegals, but associates don't often take the initiative to learn how to use paralegals, particularly when their own role models, the partners, don't.

Some of this confusion can be alleviated by team-based delegation skills training as noted above. I find it additionally helpful, however, to remind both attorneys and paralegals on a regular basis of the scope of activities in which paralegals are ethically able to engage. Distribute and discuss the ABA Guidelines for the Utilization of Legal Assistant Services at practice group, paralegal, and associate meetings. It can also be helpful to provide models for successful delegation by inviting effective teams to talk about their experiences.

A work broker can be a very effective advocate and/or catalyst for developing associates' delegation skills. Any work broker, whether attorney or staff, should be well trained in the basics of law firm economics and communication skills.

A work broker who responds to a partner's request to "get me a good associate to work on this project" by reactively staffing the practice group's star associate in that area is not doing her job. Rather, the work broker should ask questions to determine the nature of the project, the different levels of work involved, and the budget for completing the work. She should then recommend the best staffing arrangement given the circumstances, and if the work broker does not also handle staffing for paralegals (the best approach), she should work with the paralegal work broker to find the most appropriate staffing choice.

Obstacle 3: I'd Rather Work with a First-Year

Related to the confusion over paralegals' roles is the potential tension between training junior associates and drawing upon paralegal resources.

It seems that associates find it more comfortable to work with a summer or first-year associate than with a paralegal. Particularly when billable hours are scarce, there may be a perception that it is more important to train the next generation

of lawyers than to delegate work to a paralegal who, after all, is not on partnership track. The best remedy for this issue is to train associates and paralegals in the basics of law firm economics. Associates need to understand the increase in profitability that comes from properly utilizing a paralegal, and how increased profitability benefits them.

This is not to suggest, however, that junior associates have no role. Rather, I recommend using paralegals, not more advanced associates, to train junior associates. Billing rates for most paralegals are lower than for mid-level associates. Paralegals also have a good understanding of the degree to which new associates lack a knowledge of the basics, which is something that more advanced attorneys freely admit they have trouble remembering. Paralegals are on the front line for new associate requests, many of which may not be made in a timely or informed manner.

Many associates quickly learn that an experienced paralegal can be an extremely valuable resource, but firms can stretch training dollars and deliver more targeted training by drawing upon paralegals as trainers and content contributors.

Obstacle 4: "It's Faster to Do It Myself"

An almost ubiquitous challenge to encouraging delegation is the perceived drain of time required to delegate a task. I wish I had a dollar for every time an associate (or, for that matter, a partner) has told me, "I know I'm supposed to delegate, but I just don't have time – it's faster to do it myself."

This declaration is, almost always, simply wrong. In their 2003 publication for the Law Practice Management Section of the ABA, Arthur Greene and Therese Cannon parse the hours required of an experienced attorney handling a routine matter. They then analyze the hours required if that same attorney brings a paralegal into the matter early on. They find that while overall more hours are invested by the attorney and paralegal combined in the second approach, adding the paralegal's assistance actually reduced the attorney's time commitment by more than half.

As a bonus, the attorney/paralegal approach generated an overall cost savings for the client.[1]

Finally, to drive home the importance of developing good delegation skills, and to support the professional development efforts described above, it is important to incorporate delegation skills into the evaluation process for associates at all levels. Junior associates should be evaluated on their ability to delegate to paralegals, as well as to secretaries and other legal support professionals, and more senior associates should be able to delegate to all junior associates and staff. If expectations are clear for achievement at all levels, and particularly if achievement is supported by appropriate training and other professional development initiatives, associates will start to develop good delegation skills. Tying achievement specifically to compensation will motivate associates to work that much harder to overcome any obstacles they may encounter.

Let's rewrite the opening scenario:

> *Associate accepts Partner's assignment and tells Partner that Associate will be delegating work, as appropriate, to Paralegal. Both Associate and Paralegal attend the initial 1-hour conference with Partner to learn the parameters of the matter.*
>
> *While Paralegal is preparing initial drafts of documents and processing edits (3 hours), preparing initial schedules and exhibits and triaging issues for Associate's attention (5 hours), Associate is at work on a cutting-edge transaction with a new client. Associate spends a few hours addressing issues that arise and reviewing revised documents.*
>
> *Paralegal arranges and runs the closing (5 hours) and Associate makes an appearance to congratulate the happy client.*

This approach to staffing challenges both the associate and the paralegal and benefits the firm and its clients in the long run. The paralegal takes "ownership" of the matter, and having the ability and responsibility to evaluate issues and discuss them with the associate allows the paralegal to enhance his knowledge base. Associate can now rely on Paralegal to handle

---

Greene, Arthur G. and Cannon, Therese A., *Paralegals, Profitability, and the Future of Your Law Practice.* American Bar Association, 2003 (10-13).

large portions of similar transactions going forward and has established a relationship with Paralegal that will enable her to help train Paralegal on new types of matters.

As a direct result of proper delegation, the workloads of both associates and paralegals comprise more varied, challenging, and interesting work. Fully engaged employees reduce the firm's personnel costs and overhead, enhancing profitability and the firm's ability to provide clients with a competitive rate structure.

> *Editor's Note:* This article was first published in our May 2005 issue, when **Heather Edes** was the Manager of Paralegal Services at Nixon Peabody LLP. Since then she has returned to Sullivan & Worcester LLP, where she is Director of Professional Development. Heather also has worked as an associate in mid-size and large law firms.

Professional Developments

Events

Upcoming PD-related conferences, seminars, and workshops:

Legal Profession:

- 9/21/11, New York, NY. *2011 Lawyer Development Institute: Essential Partner Skills for the New Economy*. National Association for Law Placement, www.nalp.org.
- 12/8-9/11, Washington, DC. *Professional Development Institute 2011*. National Association for Law Placement, www.nalp.org.

General Audience:

- 8/11-12/11, Arlington, VA. **E-Learning Uncovered Series:** *Lectora X.* American Society for Training & Development, http://www.dcastd.org/Event_Calendar?eventId=352059&EventViewMode=EventDetails.
- 9/22-23/11, Atlanta, GA. *Telling Ain't Training*. American Society for Training & Development, www.tat.astd.org.

- 10/4-5/11, Chicago, IL. *Learning 3.0 Conference*. *Training* magazine, www.learning3point0.com.
- 10/18-19/11, Arlington, VA. *Telling Ain't Training*. American Society for Training & Development, www.tat.astd.org.
- 11/6-9/11, Orlando, FL. *Learning 2011*. Masie Center, www.masie.com.
- 2/13-15/12, Atlanta, GA. 35th Annual *Training 2012 Conference & Expo. Training* magazine, www.TrainingMagEvents.com.
- 4/20-23/12, Toronto, ON. *THE Performance Improvement Conference 2012*. International Society for Performance Improvement, www.ispi.org.

Certificate and Degree Programs

American Management Association, Myers-Briggs Type Indicator® (MBTI®) Certification Program, www.amacourses.com (4 days. See the website for dates and locations.)

American Society for Training & Development, Certificate Programs, www.astd.org (see the website for online and/or on-site dates and locations for each topic):

- Action Learning Certificate (2 days)
- Advanced Designing Learning Certificate (2 days)
- Analyzing Human Performance Certificate (3 days)
- Blended Learning Certificate (2 days)
- Business Essentials Certificate: Strategy, Finance, Marketing (3 days)
- Career Planning and Talent Management Certificate (2 days)
- Coaching Certificate (2 days)
- Consulting Skills for Trainers Certificate (2 days)
- Creating Leadership Development Programs Certificate (2 days)
- Creating New Supervisor Training Programs Certificate (2 days)
- Designing Learning Certificate (3 days)
- Designing Online Learning Using Rapid Prototyping Certificate (2 days)
- E-Learning Instructional Design Certificate (2 days)
- Essentials of Adult Learning (2 weeks, online only)
- Facilitating for Excellence Certificate (1 day)
- Facilitating Organizational Change Certificate (2 days)
- HPI (Human Performance Improvement) in the Workplace Certificate (3 days)
- Managing Organizational Knowledge Certificate (2 days)
- Managing Talent for Mission Success Certificate (2 days)
- Managing the Learning Function Certificate (3 days)
- Measuring and Evaluating Learning Certificate (3 days)
- Multimedia for Instructional Designers Certificate (2 days)
- Presentation Skills Certificate (2 days)
- Project Management for Trainers Certificate (2 days)
- Rapid Learning Techniques Certificate (2 days)
- ROI Skill Building Certificate (2 days)
- Selecting HPI Solutions Certificate (3 days)
- Test Design and Delivery Certificate (2 days)
- Training Certificate (3 days)
- Training Certificate Plus! (4 days)

Clark Certification Programs, www.clarktraining.com: Online only. Check the website for available dates for:

1. E-Learning Certificate:

- Needs Assessment for Performance Technologists: Tools and Techniques
- How to Plan, Design, and Evaluate e-Learning
- E-Learning and the Science of Instruction

2. Instructional Systems Design Certificate:

- Needs Assessment for Performance Technologists: Tools and Techniques
- How to Plan, Develop, and Evaluate Training
- Building Expertise: How to Apply Learning Psychology to Instructional Design

George Mason University Leadership Coaching for Organizational Performance Certificate Program, Fairfax, VA. A one-semester program consisting of 5 in-person course modules of 2-3 days each approximately once a month, supplemented by distance learning and independent work between modules. The Fall 2011 class schedule runs from October 11-February 16. It includes:

- Course Module I, Leadership Coaching Foundation
- Course Module II, Creating Awareness
- Course Module III, Coaching Skills
- Course Module IV, Coaching Skills in Action
- Course Module V, The Process and Business of Coaching

www.ocpe.gmu.edu/programs/org_dev/leadership_coaching.php.

Ithaca College Online Professional Certificate Programs, Ithaca College, www.ithaca.edu/gps/professional_programs. Two-week online sessions in:

- Performance Improvement Management
- Strategic Communication Management
- Sustainability Leadership

Training Live+Online Certificate Programs. www.TrainingLiveAndOnline.com. Upcoming online courses:

- 9/22/11ff. *Story-Based Design Certificate: How to Engage and Inspire Your Learners.* (3 sessions)
- 9/27/11ff. *Audit and Benchmark Clinic: Get Your Training Function Running on All Cylinders.* (2 sessions)
- 10/4/11ff. *Training Coordinator Certificate: A Consulting Approach to Coordinating the Training Function.* (4 sessions)
- 10/5/11ff. *Project Management for Learning Professionals.* (4 sessions)
- 10/13/11ff. *E-Learning Design Certificate: Effective and Economical Design and Development.* (5 sessions)
- 10/13/11ff. *The Art and Science of Test Creation and Delivery Clinic.* (2 sessions)
- 11/3/11ff. *Assessment and Evaluation Clinic.* (3 sessions)
- 11/14/11ff. *Social Media for Trainers Certificate.* (3 sessions)
- 11/15/11ff. *The Brain Science Clinic: Using Six Principles to Make Training Stick.* (2 sessions)
- 11/29/11ff. *Scenario-Based E-Learning Design Certificate.* (4 sessions)

American Society for Training & Development CPLP Certification: Certified Professional in Learning and Performance. This is a comprehensive program consisting of approximately 10 weeks of coursework, a knowledge-based examination, and submission of a qualifying work product. It addresses the nine areas of expertise identified in the ASTD Competency Model for workplace learning & performance professionals:

- Designing learning
- Delivering training
- Improving human performance
- Measuring and evaluating learning
- Facilitating organizational change
- Coaching
- Career planning and talent management
- Managing the learning function
- Managing organizational knowledge

www.astd.org/content/ASTDcertification/.

University of Pennsylvania Executive Education for Chief Learning Officers. Penn's Wharton School and Graduate School of Education, in consultation with the training industry, teamed in 2006 to create an executive education program for Chief Learning Officers. In December 2010 the program was redesignated PennCLO and draws faculty from across the University. The program "meets for two separate weeks each semester, allowing students to continue working while they study" and offers " a blend of on-site classes, distance learning, and 'field'-based projects" in six course blocks:

1. Strategic leadership
2. Workplace learning
3. Business acumen
4. Evidence-based decision making
5. Technology for work-based learning
6. Dissertation (for EdD candidates)

Students in the program may pursue a master's or doctoral degree from Penn's Graduate School of Education.

http://pennclo.com

Villanova University Master of Science in Human Resource Development. A two-year online master's program, offering courses in:

- Organizational change
- Human resource planning
- Compensation
- International human resources
- Organizational training
- Project management

www.VillanovaU.com/MHRD.

George Washington University/Hildebrandt Institute Master of Professional Studies and Graduate Certificate in Law Firm Management. The Master's curriculum is a two-year, 30-credit, blended learning program consisting of two 12-credit segments (Law Firm Management and Law Firm Leadership), and a 6-credit Independent Research Project. Each 12-credit segment begins and ends with an on-campus residency period in Alexandria, VA, with 4 months of online distance learning in between. The 12-credit segment in Law Firm Management may stand alone as a Graduate Certificate. nearyou.gwu.edu/sfm/index1.html. *(See article describing this program in our February 2011 issue.)*

News

The recruiting wars invade the Web:

In July **Thomas M. Cooley Law School** (Lansing, MI) sued four anonymous Web bloggers and a New York law firm, Kurzon Strauss, for defaming its reputation. The bloggers derided the school's employment statistics and quality of education. The law firm was soliciting plaintiffs on CraigsList for a potential class action against Cooley and other law schools for falsifying their employment statistics. Now the allegations and counter-allegations are racing like wildfire through the legal blogs, so Cooley's suit may have done its reputation more harm than good. Above the Law, in a lively account of the controversy, disdainfully points out that, while Cooley ranks itself the #2 law school in the country, it has declined to hire any of its own graduates to defend it. (15 July 2011 post on abovethelaw.com)

In the meantime, whatever school you graduated from, there's a web site that will help you **buff up your job history**. The site CareerExcuse.com promises to "act as your past employer and have our operators standing by to give you that 'great' reference that you need to any inquirer's *[sic].* Join now and you will be able to create a career with a work history and pay range as you see fit…." Even better, they guarantee "Jobs Within 60 Days or we'll refund your money PLUS $50 extra!" Career Excuse offers two levels of service: "Professional" uses their "established virtual companies" as past employers. "Premium" lets you "create your very own company." Who needs outplacement?

A 2011 survey shows increased spending on **talent management technology systems.** According to Human Resource Executive online, Towers Watson's 14th annual *HR Service Delivery Survey* found that 34% of HR executives in 444 U.S. companies raised their technology spending in 2011. Their top service-delivery issue was "talent- and performance-management systems," but the emphasis has shifted from "siloed, transactional functions" to "tying those fragmented transactions into a more holistic and integrated talent-management system." (Kristen B. Frasch, "Spending Increases for Talent-Management Systems," hreonline.com)

Resources

Ida Abbott alerted us to two new studies on work-life balance for male professionals. Both the Work and Family Legal Center and the Boston College Center for Work & Family found in separate studies that working fathers are experiencing stress from workplace demands that conflict with their family responsibilities. The men studied "favor policies that support workplace flexibility but emphasized the importance of supportive managers and workplace cultures, especially in encouraging men to take advantage of family-friendly policies." (Ida Abbott, "Wonder where your future partners will come from? Don't look at young men." Management Solutions, Summer 2011.)

There are three traits a top leader needs to "excel in this environment of duress," according to Justin Menkes, author of *Better Under Pressure* (2011, Harvard Business Review Press). In a blog on the HBR website, Menkes explains that he researched the book by studying about 200 CEO candidates at large US corporations. Based on performance data and interviews of the candidates, the research team ranked the candidates in quartiles. Those in the top, "highly successful," quartile consistently exhibited three particular traits: "realistic optimism, subservience to purpose, and finding order in chaos." Moreover, "these attributes were almost totally absent among the bottom-performing quartile."

But the best news is "that these three capabilities can be learned."
http://blogs.hbr.org/cs/2011/05/three_traits_every_ceo_needs.html

Subscribe to PD QUARTERLY

TO: Professional Development Services, P.O. Box 150306, Alexandria, VA 22315
Phone: 703-719-7030   Fax: 703-814-8590   E-mail: maraeg@profdev.com

□ **Please send us one year (4 issues) of PDQ for:**

Number of attorneys in organization	*Subscription fee*
□ Under 100*	$125 annually*
□ 100 or more	$195 annually

* The lower rate applies to all government and not-for-profit organizations regardless of size.

Name _____   Title _____

Organization _____

Mailing Address _____

City _____   State/Province _____   Zip/Postal Code _____

Country _____   Email Address _____

□ **My check payable to Professional Development Services is enclosed.**

□ **Charge my** □ Visa   □ MasterCard   □ American Express:

Card # □□□□□□□□□□□□□□□□   Expiration Date □□-□□

Month

Year

Name of Card Holder (please print): _____

Signature _____