



PD Quarterly

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Competencies for PD Professionals

Michele Bendekovic

The American Heritage Dictionary defines a competency as a skill or ability. The many synonyms listed include capability, aptitude, gift, knack, talent, deftness, instinct, intelligence, understanding, effectiveness, influence, resourcefulness, usefulness, and wherewithal. These same words are often used to describe the qualities of PD professionals.

We have seen a shift in the legal industry since the economic downturn. One result of this shift has been the focus on competencies to drive talent management for attorneys, mainly associates. We have heard from many of our colleagues who have designed and adopted competency models at their firms and use those models for training, work assignments, evaluations, promotions, and compensation. These competency models have become the career path or road map for associates, setting and managing their expectations and guiding them through their law firm careers.

Competencies for Other Legal Professionals

The focus on competencies goes beyond associates. Competencies have been developed for legal secretaries, legal assistants, and paralegals through their professional association, NALS, the former National Association of Legal Secretaries. The mission of NALS, which was founded in 1949, is to enhance the competencies and contributions of its members in the legal services profession. In addition, NALS

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offers three unique certifications dedicated to the legal services profession: Accredited Legal Secretary, Professional Legal Secretary, and Professional Paralegal.

Competencies are also in place for legal administrators. One of the goals of the Association of Legal Administrators, or ALA, is to promote and enhance the competence and professionalism of all members of the legal management team. Incorporated in 1971, the ALA was founded by Bradford W. Hildebrandt, Robert I. Weil, and Mary Ann Altman—names we are all familiar with as leaders in the legal industry. In 2007, the ALA conducted its third Competency-Based Education/Needs Analysis to identify the critical tasks performed by principal administrators and the knowledge, skills, and abilities (or competencies) needed to perform those tasks.

The study serves as the foundation for all of the ALA's education and professional development programs as well as its certification program. In addition, the results of the study help ALA members and other principal legal administrators, educators, and employers develop a better understanding of the depth and breadth of the principal administrator's job. The ALA

identified 56 competencies that are required for legal administrators. You can view this list and read more about the ALA's survey at their website, www.alanet.org.

So it seems that most employees in the legal industry have a defined set of competencies, certifications, and increasingly well-defined career paths. But what about PD professionals? How do we measure growth in our profession and learn where we can improve? What is our career path?

Competencies for PD Professionals

Through the 2011 PD Profession and Attorney Development survey conducted by Ida Abbott and Gaye Mara, we learned that the dominance of law graduates in the profession, particularly at the higher compensation levels, is declining and that the importance of PD-relevant qualifications is rising. We also know that the job of a PD professional is a varied and non-routine one. PD professionals are involved in designing competencies, training, mentoring, CLE, integration, evaluations, orientation, coaching, leadership development, outplacement—and the list goes on and on. Much of what we learn is simply by doing (on-the-job training, without the trainer). For many of us, we had the opportunity (and the challenge!) to develop our PD department and programs from the ground up.

Another shift that took hold during the economic downturn and is a much talked about topic is the increase in responsibilities of the PD professional along with a decrease in staff and budget. For those in mid-size or small firms, doing more with less is an every day fact of doing business. The reluctance of clients to pay for training for our most junior associates has also become an every day fact of doing business. While we are helping our attorneys down their career paths, who is helping us?

The Professional Development Consortium, or PDC, through the adoption of its new

strategic plan, has pledged to define and demonstrate the strategic value that PD professionals bring to their firms, companies, and agencies and to increase the services it provides to its members. Thus, it seeks to enable those working in the PD profession to expand their strategic influence within their organizations, develop their own careers, and add greater value to their organizations. By virtue of its credibility, the knowledge and experience base of its members, and the strong voice of its Board of Directors, the PDC is poised to take on the opportunity and challenge of creating a set of core competencies for its members and those in professional development serving the legal industry.

Work on this project started prior to the PDC's December meeting in Washington, DC. The PDC Board endeavored to compile a list of competencies that showcase the skills of its members. Terri Mottershead, Principal of Mottershead Consulting and former PDC Board member, also contributed to this list. Comparing competencies/skills to "buckets," participants identified twenty-six buckets, with numerous experiences filling up each of those buckets.

At the PDC December meeting, the afternoon session facilitated by Terri Mottershead asked the members in attendance to self identify their level of experience and years on the job and then to tackle the list of skills – or buckets. The goal was to see what skills and experiences the PDC membership identified as part of their roles and to determine if any skills and experiences were missing from the list.

This is the first step to identifying a set of core competencies for PD professionals. The information gained by this exercise will be used to revise the initial buckets before sending the list to the greater membership for their input. Going hand in hand with identifying core competencies is defining a career path for those either new to PD, those transitioning from attorney roles, or those entering the legal profession from other professional service industries. The PDC is best positioned to undertake this labor and, by using the depth and breadth of its membership and their experiences, can accomplish this substantial project .

Developing core competencies and a career path for PD professionals makes sense and will show organizational leaders the importance and value added by those professionals to their organizations. It also will show those leaders the strategic value of PD professionals and the significant contributions talent development makes to an organization's bottom line.



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Classic Quote:

“We have been doing more and more with less and less for so long, soon we will be doing everything with nothing.”

— Anonymous

Have Writer's Block? Run Away From It. Literally.

Ben Oipari

You're probably reading this sitting down. You might be at home, you might be on the train, or you might be at work, but you're probably sitting down. In fact, you probably spend most of your workday sitting: writing, reading, thinking, or meeting. And while it may be comfortable, this simple act is stifling your ability to solve problems and think creatively.

Boosting your brain

We know that exercise has long-term benefits for your cognitive health. But researchers have discovered that exercise also has immediate benefits by boosting your executive function. This type of higher-order thinking allows people to organize plans, formulate arguments, develop strategies, and synthesize information. It involves goal setting and planning, creative problem solving, and critical analysis—all things that attorneys do when they write. After exercising, there's a sweet spot when your brain performs these tasks best.

So ditch those energy drinks and bottomless pots of coffee, because what you really need are athletic shoes.

The link between exercise and improved executive function is especially important to attorneys who spend long stretches of time tethered to their chairs crafting transactions and court documents. Of course, on a practical level, any change in routine—even something as simple as a five-minute walk—can lift a writer from a temporary funk. Attorneys in big law firms who are beholden to the billable hour frequently develop rigid routines: they sit in front of a computer screen all morning, eat lunch at their desk, sit in front of a computer screen all afternoon, go home, eat dinner, then sit in front of a computer screen at home for a few more hours.

Because they write so much, attorneys ask me how to beat writer's block. Often the brain's creative and problem solving process grinds to a halt after an extended period of writing, and this is when writer's block sets in. While we all have our quirky ways of getting back on track, the worst thing to do is stay put. The best thing to do is take a break. Now it appears this break should involve physical activity, because exercise re-energizes the tired brain and can make for a more productive writing session.

Quite simply, exercise makes us more alert. Joyce Carol Oates wrote, "The structural problems I set for myself in writing, in a long, snarled, frustrating and sometimes despairing morning of work, for instance, I can usually unsnarl by running in the afternoon." Acclaimed short story writer Anthony Doerr once told me that "exercise tends to rinse my brain of lots of detritus. Walking, in particular, helps me sort through problems in my work." Neither Oates nor Doerr, however, can compare to the English poet William Wordsworth, who thought nothing of walking 30 miles a day—and composing his poems in their entirety in his head while walking.

It's no wonder: our brain is a flurry of activity when we exercise, awash with chemicals that work on the attention system. One of these chemicals is called brain-derived neurotrophic factor (BDNF), which acts on the brain's neurons. BDNF sits at the brain's synapses and gets released as your blood pumps during exercise. It doesn't take much to boost the levels of BDNF in your brain and increase your powers of executive function, and the blood flow immediately improves brainpower. It's so immediate, in fact, that you can even improve cognition while you exercise.

How much exercise?

The good news is that it doesn't take much to reap the benefits, though there is a slight correlation between intensity and creativity. One study demonstrated that the higher the heart rate, the stronger the brain.¹ The researchers assessed learning performance in three separate test groups directly after high impact anaerobic sprints, low impact aerobic running, and a period of rest. Vocabulary learning was twenty percent faster after the high impact sprints compared to the other two conditions.

Similar results have been achieved with college undergraduates who were tested on an executive control task after a thirty-minute treadmill session: cognitive processing sped up with the group that exercised. So, if you're trying to retain information, the best time might be after exercise because it may facilitate the consolidation of information into long-term memory.²

But you don't need to put in a lot of miles to gain the cognitive benefit; better fitness levels do not necessarily lead to larger cognitive gains. A ten-mile run won't make you twice as sharp as a five-mile run.

Furthermore, marathoners aren't necessarily more creative than first time 5k runners, because you don't even have to be *in shape* to reap the benefits: a single thirty-five minute treadmill session at sixty percent of maximum heart rate (considered moderately intense) can increase cognitive function. After just one workout, runners increase processing speed and cognitive flexibility; that is, they think creatively and problem solve instead of just regurgitating items from memory.

¹ Bernward Winter et al., *High impact running improves learning*, 87, *Neurobiology of Learning and Memory*, 597 (2009).

² Kathryn Coles and Philip D. Tomporowski, *Effects of acute exercise on executive processing, short-term and long-term memory*, 26, *Journal of Sports Sciences*, 333 (2008).

According to Dr. Charles Hillman at the University of Illinois, fitness level doesn't really make a difference. Even someone with no aerobic base will show an immediate cognitive benefit from a single workout.³ And anything that boosts your heart rate will work; Hillman says that even a "moderately intense bout of walking" helps.

How long does the benefit last?

So just how soon after exercising should you begin that task involving higher-order thinking?

You can probably shower first: most researchers who studied the link between exercise and cognition tested subjects whose heart rates had returned to within 10% of pre-exercise levels. And one 2005 study showed that, for as long as two hours after you complete your workout, you can enjoy the residual effects of exercise on cognition after exercising at moderate intensity (defined as double your resting heart rate). The workout "significantly impacted the creative processes of the participants," said the researchers.⁴

Where to exercise?

Where you exercise also plays a role in the cognitive benefits you reap.

Nature stokes creativity and strengthens your cognitive powers better than urban environments, according to a 2008 study.⁵ It has to do with what you pay attention to while you're exercising. There are two types of attention: involuntary (paying attention to pretty things like flowers and foliage) and

³ Telephone interview (March 17, 2010)

⁴ David M. Blanchette et al., *Aerobic Exercise and Cognitive Creativity: Immediate and Residual Effects*, 17, *Creativity Research Journal*, 257 (2005).

⁵ Marc G. Berman et al., *The Cognitive Benefits of Interacting With Nature*, 19, *Psychological Science*, 1207 (2008).

voluntary (paying attention to that bus that's about to run you over).

It doesn't take any extra effort to notice those pretty leaves; you just do it. But voluntary attention—also called executive attention—does take work because it requires active cognitive processes. You always have to be looking out for that big bus while you're running, so your attention center is constantly on alert. You also use this executive attention throughout the day to “resolve conflict and suppress distraction stimulation,” according to the authors.

This executive attention is certainly something in which attorneys participate. To keep that part of our cognitive process fresh for when we need it most—like when writing a lengthy legal document—it's best to give it a brief, well-needed vacation. “Simple and brief interactions with nature can produce marked increase in cognitive control,” the authors of the study note. So, when faced with a mid-afternoon funk, do something that does not require directed attention, where you don't have to worry about the potentially life-ending distractions in an urban environment.

Of course, if you work in a law firm, you probably don't have easy access to babbling brooks and beautiful foliage. No problem: a park will do. The important thing is to remove yourself from dangerous stimuli, which is a good idea even if you don't want to be creative. (Note to southern California readers: Muscle Beach won't work. Since blood flow affects executive function, weight training won't give you the same effect as aerobic exercise. One recent study compared a group who had just completed 30 minutes on the treadmill with a group who had just completed 30 minutes of resistance training. The treadmill group had a shorter response time during a working memory task.⁶)

⁶ Matthew B. Pontifex et al., *The Effect of Acute Aerobic and Resistance Exercise on Working Memory*, 41, *Medicine & Science in Sports & Exercise*, 927 (2009).

What type of exercise?

It's also good to stimulate your executive attention center by partaking in novel routines as you exercise. A treadmill or elliptical workout might not do as much to improve brainpower as a routine that stimulates the brain. Even running the same route outdoors offers little stimulation. So pick a new route each day. Or try trail running, an activity that combines aerobic exercise and complex motor skills to navigate obstacles and uneven (though not too uneven) terrain. But remember to avoid trails with bears and snakes so that you don't have to use your executive attention while on the run.

Several studies back this assertion. In one, scientists evaluated cognitive function in two groups, one with elevated heart rates only through aerobic exercise and another with elevated heart rate combined with complex motor challenges. While both groups raised their scores, the group that performed the complex motor challenges scored higher.⁷

Another study found that gym-based aerobics and aerobic dance both enhanced creativity. The latter group scored higher on the creativity measure, a result that caused the authors to question whether “free rather than prescribed exercise is more likely to release the stream of consciousness,” since the subjects had greater freedom of movement. The authors said that “it is also possible that running, which has most strikingly led to enhanced moods, would have been a more suitable form of exercise” for the study.

This supports the idea that creative and spontaneous aerobic exercise is better than any monotonous or repetitive routine, and it could also explain why those in the aforementioned aerobic dance group scored slightly higher on the creativity test than

⁷ Henning Budde et al., *Acute coordinative exercise improves attentional performance in adolescents*, 441, *Neuroscience Letters*, 219 (2008).

those in the gym-based aerobics group: they had greater freedom of movement.⁸

Why take the time?

Implementing such a program into your writing routine begins with countering the argument that there is no time for a lunch hour or afternoon workout because time spent away from the desk is time wasted. But look at your options. You can skip the workout—saving an hour—and spend your afternoon in a semi-stupor fighting the inevitable afternoon funk. Or you can use the hour to make your afternoon more productive. So look at your workout as an investment into a more productive day.

Here are more tips for using aerobic exercise to boost brainpower:

- Exercise when you know you'll need it most. If you plan on spending your afternoon writing, exercise at lunch.
- Take a colleague with you and use the time to strategize. You'll both be at your creative peak while you exercise. After all, John Medina, author of *Brain Rules: 12 Principles for Surviving and Thriving at Work, Home, and School*, says we are way overdressed in the workplace. "If I had my way, the standard work force 'uniform' would not be a suit and tie, or business skirt and blouse. It would be gym clothes and tennis shoes," says Medina.⁹
- When you have writer's block, take a walk. It may not elevate your heart rate as much as running, but it's better than sitting. If you hate to run, no worries. Dave Anderson, a partner at a Chicago law firm, plays a couple of games on the firm's ping-pong table "as a great way to refocus." If that's not possible and he's at a standstill, he'll walk down to Millennium Park at lunch.

⁸ Hannan Steinberg et al., *Exercise enhances creativity independently of mood*, 31, *British Journal of Sports Medicine*, 240 (1997).

⁹ Interview (March 5, 2010)

Or if it's late afternoon he takes a 4pm yoga class. You're never that far from a way to incorporate activity into your day.

Of course, the cognitive benefits begin while you're exercising. You don't have to wait until after your workout to break through a writing funk. Mike Padden, a Chicago-based attorney, says, "I get some of my best ideas when I am out running. They're usually issues that have not been on the front burner, but more from the subconscious, non-analytical side of the brain. Running is especially helpful when I'm really under the gun; it helps clear my mind of the excess chatter that is clogging it."

This sentiment is echoed by Ken Chestek, Clinical Professor of Law at Indiana University, who says, "I can think, deeply, about whatever I'm working on while I run. Sometimes I come up with creative ideas for writing problems, or new concepts for whatever writing project I'm working on."

The long-term benefits of aerobic exercise have been well documented: it keeps the mind sharp by staving off cognitive decline. But who has time to wait that long? Your lunchtime run will make you a better thinker within minutes of breaking a sweat.



Ben Opipari is the founder of *Persuasive Matters*, offering writing seminars and writing coaching to law firms. An avid runner, Ben was a 400m track athlete in college and was also a head high school track coach for ten years; he also recently coached his mother to a top five finish in the 5k at the United States Senior Games. He holds a Ph.D. in English Language and Literature and resides in the Washington, DC area. Ben can be reached at ben@persuasivematters.com or www.persuasivematters.com.

PD Directors' Job Qualifications and Relationships with Top Firm Management

Ida Abbott and Gaye Mara

Our survey report in the November issue profiled the 60 law firms that responded to our August survey and their

- PD departments and PD-related committees,
- PD-related programs and resources,
- PD budgets and director compensation,
- non-traditional attorney job categories, and
- systems and policies for associates' work and practice area assignments.

This supplemental report focuses on the responding PD Directors themselves: their preparation for the position in terms of education and prior experience and their relationships with top management at their firms.

Preparation for the Director's Job

Almost all (91%) of the Directors leading professional development departments today say they learned their skills for the job "on the job." Their education and work preparation cover a broad spectrum, as shown in Figures 1 and 2. The most common background is law practice: 69% of respondents have law degrees and practiced for a period of time, and one Director taught in law school. These results are similar to those in PDQ's 2002 and 2007 surveys,

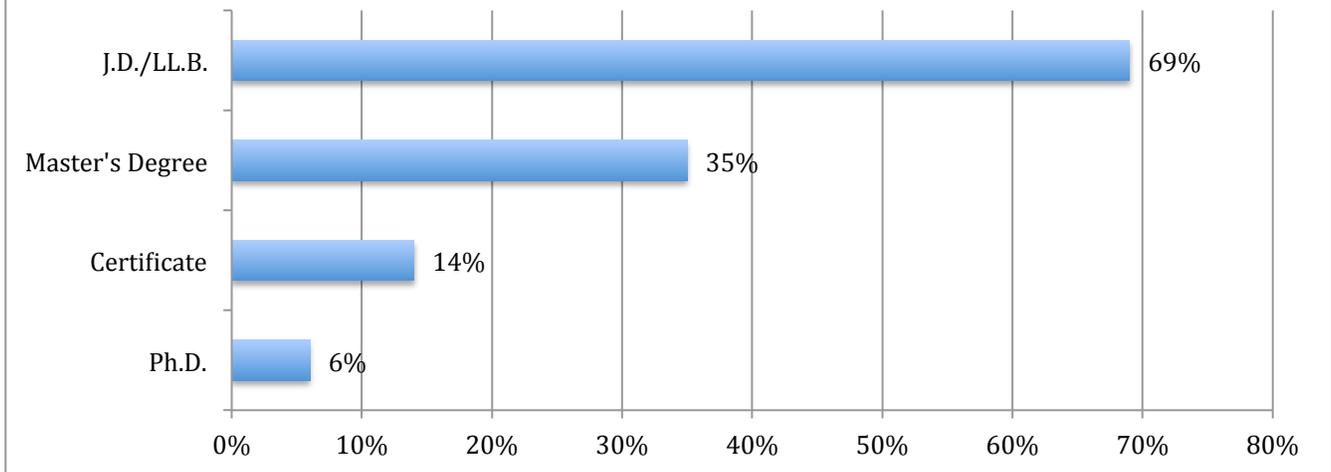
where law was the dominant educational and professional background. However, the trend at the largest firms and in the most highly compensated positions at all firms has been to emphasize PD-related qualifications over legal backgrounds (see the compensation discussion at pp. 15-16 of the November issue for more on this).

Most Directors also have advanced degrees or specialized certificates: in addition to law degrees (69%), these include master's degrees (34.7%); advanced certificates in areas relevant to professional development, management or human resources (14%); and doctorates (6%). Figure 1 illustrates the distribution.

The 34.7% of Directors with master's degrees identified their subject areas as follows:

- Business Administration (MBA)
- Communications/Media
- Counseling
- Education
- Legal administration
- Organizational development
- Organizational psychology
- Organizational training
- Personnel administration and relations
- Professional service firm leadership
- Psychology
- Public health and healthcare systems
- Social work

**Figure 1. Preparation for the Director's Position:
Education**



Those with Certificates (14%) identified them as:

- Coaching
- Human resources
- Law firm management
- Organization development
- Training

The Ph.D. (6%) subject areas were:

- Adult education
- Organizational behavior
- Organizational sociology

Among the Directors with law degrees, the years of law practice experience range widely:

- 4 years or less - 38.9%
- 5-7 years - 22.2%
- 8-10 years - 8.3%
- More than 10 years - 30.6%

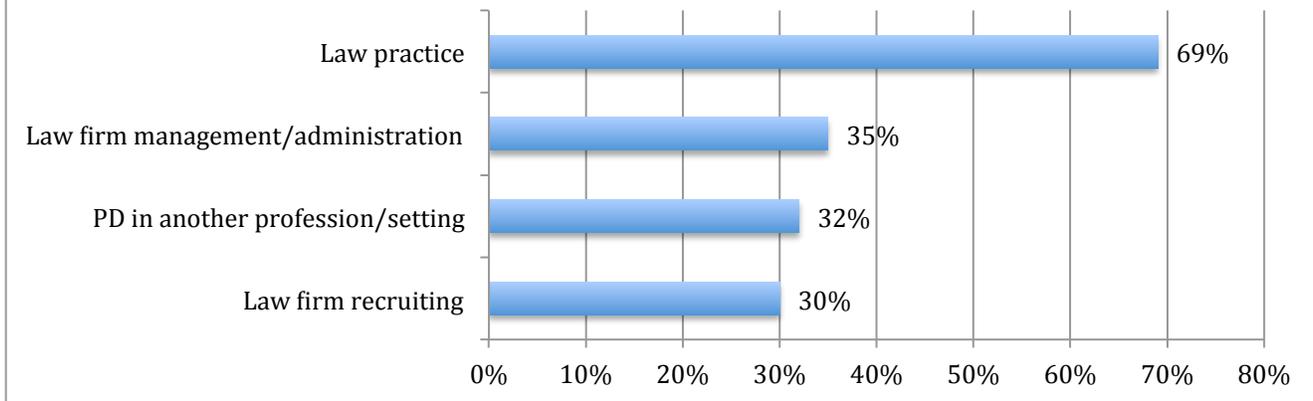
Of those respondents who stated specific time periods in answers to this and other survey questions about their years in law

practice, the low is less than two years in practice and the high is more than 30 years.

78.4% of respondents with law degrees no longer practice law. Of those who do continue to practice and who identified their status, 1 is an equity partner, 1 a non-equity partner, 2 are associates, and 1 maintains an active law license in order to do pro bono work. This trend away from law practice and toward a full-time commitment to PD is another welcome development. In the 2002 PDQ survey, 86% of the respondents' top PD leaders were firm partners with only a part-time commitment to PD.

In addition to work experience as a lawyer, 35.2% of respondents have many years, sometimes decades, of experience in law firm management and/or administrative roles, and almost as many (29.6%) have worked in recruiting. Almost one-third of respondents (31.5%) have professional development-related work experience in consulting, training and other professional, educational, and regulatory organizations. (See Figure 2.)

Figure 2. Preparation for the Director's Position: Experience



The 35% of respondents with law firm backgrounds other than law practice or recruiting listed:

- CLE administration
- Executive director
- Human resources
- Paralegal
- Pro bono administration
- Professional development

As noted earlier, recruiting at 30% was by far the most common of these internal paths to PD.

The 32% who came from PD-related backgrounds outside of law firms identified them as:

- Bar associations
- Consulting practice
- Law schools (teaching, career services)
- Lawyer regulatory agencies
- Professional development in consulting, accounting, or other professional service firms
- Running articling students' programs (Canada)
- Training companies, CLE providers

PD Directors' Relationship with Top Firm Management

One of the survey questions was intended to elicit responses about the relationship between Directors and firm management. The responses are encouraging:

- 50.9% of respondents indicated they are members of their firm's top management team, and
- 27.7% answered that, while they are not members, the top management team respects their expertise and consults them on relevant matters.

Moreover,

- 56.6% of respondents enjoy the respect and support of their firms;
- only 8% feel their firms do not adequately respect or support professional development efforts.

Those who provided comments express frustrations that many professional development directors likely share. The bad economy has made it difficult to keep professional development a priority or even to find the support staff necessary to implement some PD initiatives. One respondent noted that the

firm “does not adequately understand professional development efforts.” Another respondent voiced a more challenging problem:

There are significant exceptions and I have had an opportunity to make material contributions and changes. In certain fora, I am treated with respect and deference by partners. However, I do not have a seat at the table and there [are] many initiatives for which I could be a valuable resource with which I am not involved. Not all, but numerous senior attorneys treat creative or strategic input from staff, no matter the level or experience, as having limited value.



Gaye Mara is Publisher and Managing Editor of PD Quarterly. She created, implemented, and managed attorney programs at three large law firms over a period of 18 years and subsequently assisted large private and public law offices with attorney development projects for 15 years.

Gaye was a founding member of the Professional Development Consortium; served in a variety of offices for the National Association for Law Placement; and co-authored, with Stephen Chitwood and Anita Gottlieb, *A Business Skills Curriculum for Law Firm Associates* (Association of Legal Administrators, 2001), the first published competency model and training plan for law firm associates. She can be reached at maraeg@profdev.com.

Conclusion

The results of this survey are encouraging for law firm professional development. The field continues to be an excellent career choice for lawyers and is attracting experienced and highly credentialed talent from related fields. PD is now accepted as an important law firm function and most PD directors are respected members of the top management team. This represents a welcome and, we hope, ongoing trend that benefits law firms and the legal profession.

Ida Abbott helps employers manage, retain, and advance legal talent and serves as a mentor and coach to high achieving individuals seeking professional success. A Fellow of the College of Law Practice Management, Ida is co-founder and Director of the Hastings Leadership Academy for Women at Hastings College of the Law, where she is also a Faculty Fellow. Ida was a founding member of the Professional Development Consortium; has led efforts to promote professional development through local, state, and international bar associations; and operates the Professional Development Roundtable for Global Law Firms. Her most recent book is *Women on Top: The Woman's Guide to Leadership and Power in Law Firms* (Thomson Reuters, 2010). She is currently writing the second edition of *Lawyers' Professional Development: The Legal Employer's Comprehensive Guide* and publishes a newsletter, *Management Solutions*, that is available on her website, www.IdaAbbott.com.



A courtesy copy of *The PD Profession and Attorney Development in 2011*, the full survey report from which this article is excerpted, is available upon request. Contact maraeg@provdev.com.



The Learning Lab: Tips & Tools for Creative Lawyer Training

Editor's Note: This column highlights best practices and new approaches to common challenges of in-house training managers. We invite your comments and your suggestions for future articles. You can reach us at (302) 536-7658 or marag@profdev.com.

Competency-Based Interviewing

Many firms have developed competency models for their associates and incorporated the competencies into their hiring criteria. As a result, we're hearing a lot lately about the need for competency-based (or behavior-based) interviewing skills.

The STAR interviewing format designed by Development Dimensions International, Inc. of Pittsburgh, is a useful template for that type of interviewing.¹ The format is typically used to inquire about past performance, based on the generally accepted principle that it's the best predictor of future performance.

In the STAR format, the four elements to be probed by the interviewer are:

1. The **S**ituation or context in which the performance occurred
2. The **T**ask or problem faced by the candidate in the situation
3. The **A**ction(s) s/he took to perform the task or resolve the problem
4. The **R**esult that ensued

The Questioning Technique

To illustrate, let's consider the following entry-level competency and how an interviewer might probe for it.

¹ DDI offers Targeted Selection® training in the relevant interviewing techniques.

Competency:

"Consistently manage unfamiliar client situations with self-assurance and confidence."²

Sample Interview Questions (not all of which may be needed if the candidate volunteers the information):

S: "Have you ever found yourself dealing with a client who needed something you didn't know how to provide? ... Tell me about the circumstances."

T: "What was it the client needed from you?"

A: "How did you go about providing what they needed? And what did you tell them about how you were doing it?"

R: "What did they have to say about how you handled the situation?"

S: "Have you ever worked with a client from a culture or an industry that you were not familiar with? How was that different from what you were used to?"

² Excerpted from the Paul Hastings competency model for *Client Service Excellence* presented at the 2010 NALP/ALI-ABA Professional Development Institute.

T: “What problems did that pose for you in working with them?”

A: “How did you go about making yourself and them comfortable with your ability to meet their needs?”

R: “How well were you able to gain their confidence? ... How do you know?”

The format can also be adapted for candidates without prior legal experience so as to gain some insight into their potential in the law office. The interviewer could, for example, analogize to non-legal experience on the resume and ask about unfamiliar situations with customers of a business they worked for. Or describe a hypothetical client situation and task, and ask what the interviewee would do and what they think the result might be.

Using STAR as an Interviewee

Candidates can use the STAR format effectively as well. It’s especially useful in making sure that unskilled interviewers who don’t ask good follow-up questions leave the interview with complete information.

For example, the interviewer might ask a typical “S” question (“Have you ever faced a situation where...?”) that touches on an accomplishment the candidate really wants the employer to know about. The candidate might therefore respond with a complete STAR answer (explain the situation, the task or problem it presented, what s/he did about it, and how well things turned out) without further prompts from the interviewer.

Or s/he might simply answer the “S” question that was asked with an “S” response, as in “Yes, I was in a situation like that just last year at X firm,” and hope the interviewer probes further (or, perhaps, does *not* probe if this was not a positive incident).

If the employer’s competency model is available for advance review, so much the better. In any event, candidates should think through ahead of time those aspects of their experience that a given employer is likely to be interested in and be prepared to make their STAR points.

– Gaye Mara

Quotes of the Quarter:

One-question evaluations suggested at the 2011 NALP/ALI-ABA PD Institute:

Upward review: “To what extent does this individual foster a positive work environment and help people grow?” – Kevin Kelly of Ernst & Young, “Outside the Law: Lessons on Talent Development from Other Professional Services Firms” (December 8 plenary)

Associate review: “What would you tell a colleague about this associate’s performance and career trajectory?” – Scott Westfahl of Goodwin Procter, “Associate Evaluations in the New Economy” (December 9 concurrent session)

Professional Developments

Editor's Note: Beginning with this issue, we have re-ordered the contents of this column to put the "News" items first, based on feedback that they were too easy to overlook, and retitled two other sections: "Conferences" (formerly "Events") and "Publications and other resources" (formerly "Resources").

News

Debate continues about the **role and responsibilities of legal education** in preparing students to practice. At the January 2012 annual meeting of the Association of American Law Schools in Washington, proposed innovations in the schools' curriculum and teaching methods were a major topic of discussion.

Despite the changes many schools are contemplating or have already adopted so as to make their graduates more attractive to corporations and large law firms, disagreements continue on what changes should be made and how valuable they ultimately will prove to be. According to law professor William Henderson of Indiana University, "There's a lot of pious rhetoric coming out of law schools and the profession about what people want.... They say they want this or that, but who do they ultimately hire? The kid on the law review." (Karen Sloan, "What is law school for, anyway?" *The National Law Journal*, January 16, 2012.)



The IT security site Dark Reading reports on an October 2011 study showing that many high-end videoconferencing systems are vulnerable to hacking. The researchers "identified 5,000 videoconferencing systems that were set to automatically answer incoming calls, allowing a knowledgeable attacker to essentially gain a front-row seat inside corporate meetings." Moreover, the most vulnerable firms were those "that can afford \$25,000 videoconferencing systems." Robert Lemos, "Videoconferencing Can Be The Bug In The Boardroom." January 24, 2012.



In *Reckless Endangerment*, a 2011 bestseller about the origins of the financial crisis, authors Gretchen Morgenson and Joshua Rosner praise the prescience and investigative journalism of LegalWritingPro's **Ross Guberman**. In an earlier life, Ross published an exposé of the excesses of the Federal National Mortgage Association ("Fannie Mae") and the potential dangers it posed to the economy and the taxpayers. ("Balancing Act: Fannie Mae Projects a Happy Image. But as Its Debt Grows Bigger and Its Executives Get Richer, Should Taxpayers Start to Worry?" *The Washingtonian*, August 2002.)

Conferences

Legal Profession:

- 2/2-4/12, New Orleans, LA. *2012 Midyear Meeting*. ABA Law Practice Management Section, www.americanbar.org.
- 2/23-25/12, San Antonio, TX. *NALP Newer Professionals' Forum*. NALP, www.nalp.org.
- 3/29-31/12, Chicago, IL. *ABA TechShow 2012*. American Bar Association, www.americanbar.org.
- 4/18-21/12, Austin, TX. *2012 Annual Education Conference*. NALP, www.nalp.org.
- 5/3-5/12, Napa, CA. *2012 Spring Meeting*. ABA Law Practice Management Section, www.americanbar.org.
- 6/8/12, Atlanta, GA. *2012 Diversity & Inclusion Summit*. NALP, www.nalp.org.
- 7/12-14/12, Seattle, WA. *PDC Annual Conference*. Professional Development Consortium, www.pdclegal.org.
- 7/28-31/12, Denver, CO. *ACLEA's 48th Annual Meeting*. Association for Continuing Legal Education, www.aclea.org.

General Audience:

- 2/10-15/12, Atlanta, GA. 35th Annual *Training 2012 Conference & Expo*. *Training magazine*, www.trainingconference.com.
- 2/13/12, Atlanta, GA. *Training Leadership Summit*. *Training magazine*, www.trainingconference.com.
- 3/12-13/12, Las Vegas, NV. *Telling Ain't Training Conference*. American Society for Training & Development, www.tat.astd.org.
- 3/21-23/12, Orlando, FL. *Learning Solutions Conference & Expo*. The ELearning Guild, www.LearningSolutions12.com.
- 4/4-5/12, Atlanta, GA. *Learning Transfer Conference*. American Society for Training & Development, www.astd.org.
- 4/18-23/12, Toronto, ON. *THE Performance Improvement Conference 2012*. International Society for Performance Improvement, www.ispi.org/ac2012.
- 4/23-24/12, San Francisco, CA. *LearnNow Conference: Integrating Informal, Social, and Mobile into Your Learning Strategy*. American Society for Training & Development, www.astd.org.
- 5/6-9/12, Denver, CO. *ASTD 2012 International Conference & Exposition*. American Society for Training & Development, www.astd.org.
- 9/20-21/12, Atlanta, GA. *Telling Ain't Training Conference*. American Society for Training & Development, www.tat.astd.org.

Certificate & 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)
- Transforming Traditional L&D: Doing More with Less – for Government (1 day)

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. 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

Spring 2012 classes run from March 6-June 27.

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

Ithaca College Online Professional Certificate Programs, www.ithaca.edu/gps/professional_programs.

Two-week online sessions in:

- Performance Improvement Management
- Strategic Communication Management
- Sustainability Leadership

NALP/ALI-ABA Online Programs for PD

Professionals (archived video webcasts, available at www.ali-aba.org):

- Coaching Attorneys in Business Development
- Leadership in Practice: How Firms Can Help Partners Develop Leadership Skills
- Leaving Lockstep: Moving Toward Competency-Based Compensation
- LPM Update: Lessons Learned in Implementing Legal Project Management
- Meeting the Challenges of Lateral Integration
- Partners in Transition: Best Practices for Recruiting, Integrating, and Retaining Lateral Partners
- Professional Development 101-102
- Strategic Outplacement for Associates and Partners

Training Live+Online Certificate Programs.

www.TrainingLiveAndOnline.com. Upcoming online courses:

- 3/8/12ff. *Training Manager Certificate: Managing the Training Function for Bottom-Line Results.* (4 sessions)
- 3/8/12ff. *Story-Based Design Certificate: How to Engage and Inspire Your Learners.* (3 sessions)
- 3/15/12ff. *Instructional Design: Performance-Based and Results-Focused.* (4 sessions)
- 4/5/12ff. *E-Learning Design Certificate: Effective and Economical Design and Development.* (3 sessions)
- 4/11/12ff. *Designing E-Learning with Captivate Certificate.* (3 sessions)
- 4/17/12ff. *The Art and Science of Test Design and Delivery Clinic.* (2 sessions)
- 5/10/12ff. *Project Management for Learning Professionals: Reduce the Rework Certificate.* (4 sessions)
- 5/15/12ff. *Social Media for Trainers Certificate.* (3 sessions)
- 5/17/12ff. *Scenario-Based E-Learning Certificate.* (4 sessions)
- 6/4/12ff. *Performance Consulting Certificate: Smart Tools and Techniques for Making the Transition.* (4 sessions)
- 6/4/12ff. *Leading Effective Live Online Events Certificate.* (4 sessions)
- 6/5/12ff. *Training Coordinator Certificate: A Consulting Approach to Coordinating the Training Function.* (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/.

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.)

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 retitled *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.

Publications and other resources

The Winter 2012 issue of *MIT Sloan Management Review* reports the results of a study of the **global talent management** approaches of 18 top-performing international companies. The study revealed "six key principles" – each of which is explained and illustrated by examples from the companies studied – underlying these companies' TM effectiveness:

1. alignment with strategy
2. internal consistency
3. cultural embeddedness
4. management involvement
5. a balance of global and local needs
6. employer branding through differentiation

Two of the researchers' findings may be of particular interest to law firms:

"Accenture, the consulting and technology services firm, has a work-life balance program that was initially aimed at the career challenges faced by women, but it has since made it available to men as well; among other things, the program features flextime, job sharing, telecommuting and 'flybacks' for people working away from their home location. The program has allowed Accenture to significantly reduce its turnover rate among women while also increasing its number of female partners."

“Most companies in our sample have introduced global performance standards, supported by global leadership competency profiles and standardized performance appraisal tools and processes. Activities that are seen as less directly linked with the overall strategy of the corporation and/or where local institutional and cultural considerations are viewed as crucial (for example, training and compensation of local staff) continue to be more at the discretion of local management.”

Günter K. Stahl et al., “Six Principles of Effective Global Talent Management.”



The ABA will post online later this month the podcast and materials from its midyear meeting session on “**How to Conduct Free Legal Research Online.**” Watch for it on the website of the ABA Standing Committee on the Law Library of Congress:

www.americanbar.org/groups/public_services/law_library_congress.html



An article about **lawyers’ deskbooks** by Kevin Miles of Fulbright & Jaworski, “[Library on a Credenza: Annotated deskbooks as the new center of the private law library](#),” appeared in the December 2011 issue of *AALL Spectrum* (American Association of Law Librarians). It lists best practices for publishers of deskbooks, along with a recommendation of five practice-specific deskbooks for attorneys’ personal libraries that Miles considers outstanding:

- R. Franklin Balotti and Jesse A. Finkelstein, *Delaware law of corporations & business organizations*. Statutory deskbook. Aspen Publishers. ISBN 978-0-7355-9483-8.
- Joseph A. Ranney, *Deposition Objections*. James Publishing. ISBN 1-58012-140-3.
- National Association of Bond Lawyers, *Federal securities laws of municipal bonds deskbook*. LexisNexis. ISBN 1- 4224-4172-5.
- Michael Smith, *O’Connor’s Federal Rules Civil Trials*. Jones McClure. ISBN 1-59839-025-2.
- J. Thomas McCarthy, *Rights of publicity and privacy*. Thomson Reuters. No ISBN.

