

National Association for Law Placement

Bulletin

May 2021

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A UNITED PURSUIT: INCLUSION FOR ACTION

By Traci Mundy Jenkins

Welcome to a new NALP year. As 2021 unfolds, it is with cautious optimism that we move forward even though roadblocks remain in our path. For many, one welcome distraction from an often-discouraging reality is sports. Anyone who knows me well can attest that I am an avid sports fan. I was a competitive athlete growing up and there are certain teams and players which I fiercely support and defend, even when they aren't victorious.

One of my favorites is the University of Virginia Cavaliers men's basketball team. The 2018-2019 swing by the Cavs is a true example of resiliency and teamwork. For those not familiar with their incredible story, the team went from losing a first round game as a number one seed in the 2018 NCAA Tournament to emerging as the national

champions the very next year. That meant I went from cowering under covers to celebrating a year later in San Diego with NALP friends after the first day of our coaching workshop! How did the Cavs do it?

The team attributes its improbable accomplishment to staying connected through its theme of "United Pursuit." UVA's basketball program is built on five pillars: humility, passion, unity, servanthood, and thankfulness. Similar to the Cavs, NALP's ideology is guided by the core values of integrity, expertise, inclusivity, community, and adaptability. To fulfill

We must do this together — inclusion means everyone is important to the outcome.

our association's vision, we need to identify and remove internal and external barriers and take meaningful action. We must also do this together — inclusion means everyone is important to the outcome.

Using NALP's strategic plan as our game plan, the following groups represent the path of exploration and action for the upcoming year:

Enhancing the Member Experience Work Group

NALP's very existence depends on its members. Empowering you to effectively guide your law students and lawyers, while also focusing on your own professional development and well-being, is paramount. This group will examine the overall experience of members and identify any barriers to member engagement. It will explore the internal pipeline and new opportunities to support members professionally and personally.

Driving Inclusion in the Legal Industry Task Force

NALP is clearly a voice in the legal profession's dialogue about advancing the careers of students and lawyers. This task force will identify NALP's unique contributions to the industry which in turn exemplify NALP's commitment to supporting all, especially through DEI and well-being initiatives.

Revenue Streams Diversification Advisory Group

This group will consider NALP's primary revenue sources and determine whether they can be expanded. It will also examine how NALP's data and resources can be used to produce new revenue streams, consider the composition of the association's membership, and strategically explore growth and outreach initiatives.

Inclusion: Neurodiversity in the Legal Profession Task Force

This task force will examine the existing barriers and challenges to inclusion for neurodiverse law students and lawyers such as stigma, lack of understanding, and factors impacting the decision to disclose. It will

Continued on page 4

explore strategies related to recruiting and onboarding as well as highlight resources.

Knowledge Management and Resource Implementation Advisory Group

The advisory group will continue its important work of focusing on NALP's vast resources by transitioning to content curation. It will explore methods for identifying key resources and how they can be readily accessible.

Task Force on Supporting Gender Non-Binary Individuals in the Legal Profession

The critical work of this task force will continue during the upcoming year with additional programs and initiatives for working toward normalizing gender fluidity within NALP's membership.

Bringing It All Together Around Values

Each of these strategic groups represents an opportunity to ensure NALP's values are fully integrated into the internal fabric of the association and its valuable contributions to the legal profession. There is no better illustration of NALP's community and adaptability values

than remembering the activities during the past year. We will build on that momentum while maintaining our integrity, capitalizing on our expertise, and casting a spotlight on the importance of inclusivity.

As we embark on a new NALP year, I hope you enjoy this inaugural edition of the *NALP Bulletin+* with additional, robust content. We are excited to launch this new monthly digital resource for NALP members that combines the legacy *Bulletin* and *PD Quarterly* publications. The re-envisioned format will include all the regular features of the legacy *NALP Bulletin* brand that help you with your daily responsibilities, as well as longer-format articles focused on professional development and clearly identified as the *PDQ* features, along with the many useful pieces that keep us informed.

NALP has a bright future. I am excited to see where the collaborations between our school and employer members lead us. The ultimate way to preserve and promote our values is by taking action. Much like UVA's united pursuit, we will reach our goals together.+

Traci Mundy Jenkins (tmjenkins@venable.com) is Director of Career Development at Venable LLP.

NALP Sections & Interest Groups 2021–2022

Canadian Section

For members with a particular interest in Canadian legal education, Canadian law school career services, and issues surrounding legal employment and admission to the bar in a Canadian setting.

Diversity, Equity, and Inclusion Section

For members with a particular interest in advocating for diversity, equity, and inclusion in legal education and legal employment. Serves as a resource for all NALP members on matters of diversity, equity, and inclusion. Work Groups include the LGBTQ Work Group and a First Generation Work Group.

Experienced Professionals Section

Provides an opportunity for experienced NALP members to share with each other and to identify programming and resources helpful to experienced professionals.

International and Advanced Degree Advising and Recruiting Section

For law school professionals who support and advise domestic and international LLM students as well as students and alumni seeking international opportunities. Also for employer members who hire graduates with LLM degrees, who are involved in international recruiting, and who evaluate international experience for both international and domestic positions.

JD Career Advisors Section

For members who have an interest in or responsibility for career development of law students and alumni. Includes work groups on developing resources and conference programming on career development, and the CSO Employer Outreach Work Group.

Judicial Clerkship Section

For members who have responsibility for preparing law students for judicial clerkships or for managing the departure and return of associates who take judicial clerkships. This section is a clearing-house for information on judicial clerkships at all levels.

Law School Career Chief Officers Interest Group

For school members who serve as the head of the career services operation. Designed to facilitate information sharing and best practices, and to provide leadership and guidance to the association and its members about issues around industry change and evolution.

Law Student Professional Development Section

For members with an interest in the renewed efforts to educate law students about professional standards of behavior required for the practice of law.

Lawyer Professional Development Section

For members with an interest in or responsibility for a law firm or other legal employer's professional development programming.

Legal Employer Alumni Relations/Programs Section

For members who have an interest in or responsibility for alumni-related issues.

Legal Employer Chief Officers Interest Group

For legal employer members who hold a chief role of any sort, broadly defined. Designed to facilitate information sharing and best practices, and to provide leadership and guidance to the association and its members about issues around industry change and evolution.

Legal Master's Programs Interest Group

Designed to bring together those professionals who provide career services to graduate students in legal master's programs for non-lawyers (non LLM master's degree programs) — professionals who may or may not be staff members of the law school career development office. Provides opportunities for networking, resource sharing, and the development of best practices to support one another and to share with the rest of the NALP community.

Newer Professionals Section

For members who have been in the profession for four years or less, and who would like to build a resource network of similarly situated colleagues. This section will advise the organization on how best to serve its newest members.

Public Service Section

For members who share an interest in or responsibility for law school graduates whose career paths lead to public sector, public interest, and pro bono work. NALP's public sector and nonprofit members and those responsible for implementing or marketing a law school or law firm pro bono program are encouraged to join.

Recruiting Section

For members who have an interest in or responsibility for law school outreach, summer programs, lateral hiring, and lawyer recruiting. All law firm recruitment professionals are encouraged to take advantage of membership in this section.

Small/Solo CSO Section

For members working in career services offices with three or fewer career services professionals.

Well-Being Section

For NALP members who have an interest in or responsibility for the well-being of law students and lawyers. The well-being of our lawyers, law students and members continues to be of great importance and interest. The section will bring together those working in this space to facilitate collaboration and support and to share learning and best practices with one another and the rest of the NALP community.

FINDINGS ON FIRST-YEAR SALARIES FROM THE 2021 ASSOCIATE SALARY SURVEY

By Danielle A. Taylor

NALP's new *2021 Associate Salary Survey* report shows that the overall median first-year associate base salary as of January 1, 2021 was \$165,000, up \$10,000 (6.5%) from 2019, the year of the last biennial survey administration. However, salary improvements were not universal across firm sizes. Firms of 251-500 lawyers and those with more than 700 lawyers saw modest salary gains compared to 2019, with median first-year associate base salaries in each firm size increasing by \$10,000 to \$170,000 and \$190,000, respectively.

Larger increases were observed for firms of 51-100 lawyers where salaries grew by \$12,500 to \$127,500 and in firms of 101-250

lawyers, where salaries improved by \$15,000 to \$130,000. Median 2021 first-year associate salaries in firms of 501-700 lawyers declined by \$5,000 to \$155,000. This decrease from 2019 is not indicative of firms of 501-700 lawyers lowering their first-year salaries since 2019, instead it is because of differences in the composition of firms that fell into this firm size between the two years, due to both changes in the size of some firms as compared to 2019 and a different mix of participating firms. Lower salaries as compared to 2019 were also observed in the smallest firms of 50 or fewer lawyers. Law firms of more than 250 attorneys accounted for about 78% of all responses in 2021, compared to 70% in 2019. See Chart 1 to further explore these trends.

Chart 1: Median Associate First-Year Base Salaries (in \$/year) by Firm Size, 2015-2021



Year	Firm Size - Number of Lawyers						Overall
	50 or Fewer	51-100	101-250	251-500	501-700	701+	
2015	\$121,500	\$111,250	\$115,000	\$145,000	\$125,000	\$145,000	\$135,000
2017	90,000	115,000	113,500	150,000	160,000	155,000	135,000
2019	98,750	115,000	115,000	160,000	160,000	180,000	155,000
2021	85,000	127,500	130,000	170,000	155,000	190,000	165,000

Note: All figures are based on average salaries reported as of January 1 of the respective year. Source: NALP Associate Salary Survey, 2015-2021.

The largest law firms are not as similar to one another as they used to be.

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All of these offices indicated that COVID-19 salary reductions were no longer in place as of January 1, 2021.

It is important to note that because the respondent pool for the survey, both with respect to firm size and even within firm size, varies from year to year, use of the Associate Salary Survey data across different years to discern trends should be done with caution, as these reports do not contain salary scales for a set group of firms. Salary adjustments on the part of some large firms in recent years, law firm acquisitions and mergers which can result in firm size changes, and fluctuations in the distribution of respondents play a role in determining changes in median salaries within the report.

Despite the fact that nearly 63% of offices reported implementing salary reductions for associates in 2020 due to the impact of the COVID-19 pandemic, all of these offices indicated that salary reductions were no longer in place as of January 1, 2021, thus, ultimately having little to no impact on 2021 salaries.

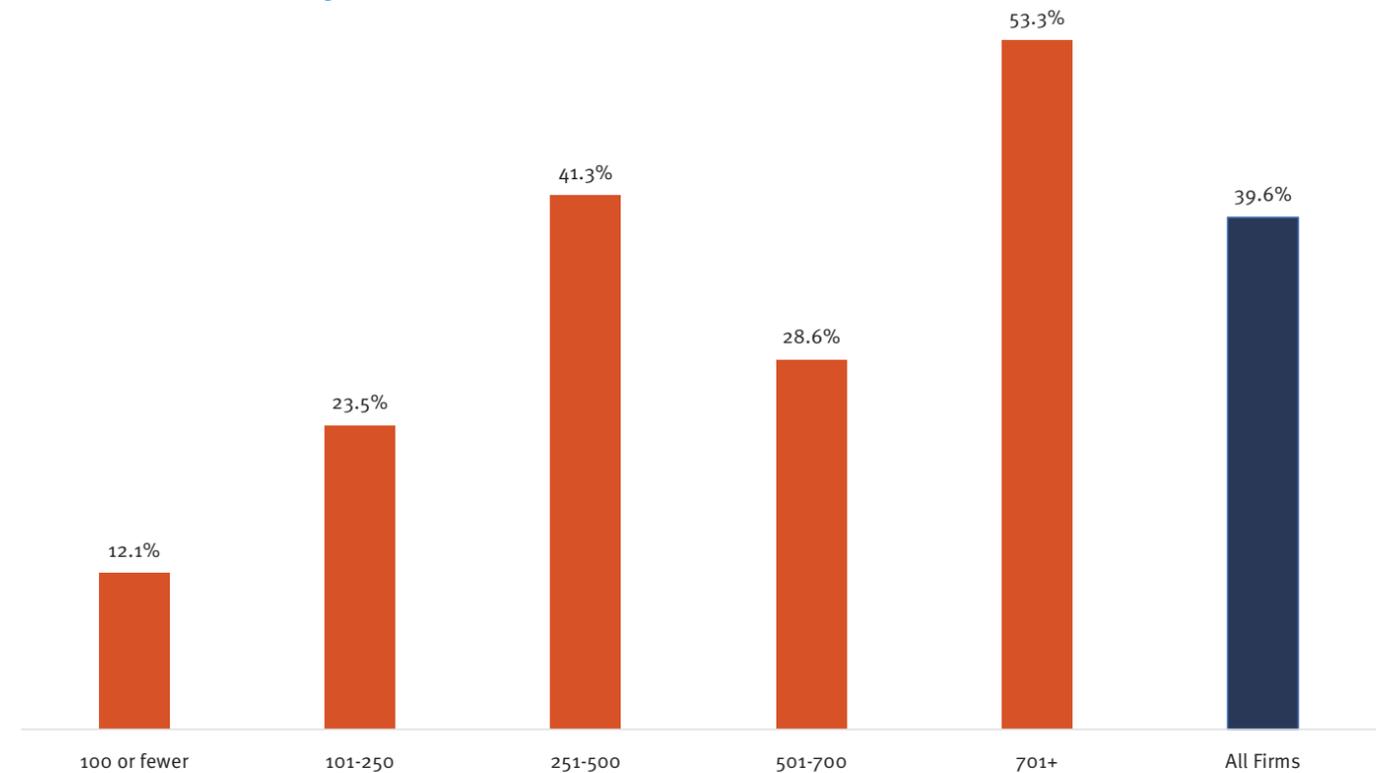
Although several firms announced \$190,000 salaries in 2018, there were still not enough offices reporting a \$190,000 salary to push the median up to that level in any of the firm sizes back in 2019. However, in 2021 the median first-year associate base salary in firms of more than 700 lawyers did finally

reach \$190,000, but the overall median salary was still shy of that amount by \$25,000. A \$190,000 salary was the modal, or most frequently occurring, first-year associate base salary reported, accounting for 39.6% of all salaries and 53.3% of salaries in firms of more than 700 lawyers. While it may seem unusual that an even larger percentage of salaries in the largest firms have not yet moved to \$190,000, the data suggest that as more law

firms have grown through acquisitions and mergers, the largest law firms are not as similar to one another as they used to be. In addition to elite global law firms, there are several firms with more than 700 lawyers that are made up of numerous smaller regional offices, many of which do not pay the new benchmark first-year salary of \$190,000, and, as a result, just a slim majority of large law firm starting salaries have reached the

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Chart 2: Percentage of Offices Reporting a First-Year Base Salary of \$190,000 by Firm Size



Note: Based on average salaries reported as of January 1, 2021.
Source: NALP 2021 Associate Salary Survey

Table 1: Distribution of Average Associate First-Year Salaries by Firm Size (in \$/year, as of January 1, 2021)

Average First-year Salary	Overall	% of Salaries Reported at Each Amount by Firm Size (# of lawyers)				
		100 or fewer	101-250	251-500	501-700	701+
Less than \$100,000	5.4%	33.3%	11.8%	0.0%	5.4%	0.0%
\$115,000	3.2	0.0	10.3	1.6	1.8	2.2
\$125,000	4.0	6.1	2.9	9.5	8.9	0.5
\$130,000	3.2	9.1	2.9	3.2	1.8	2.7
\$140,000	4.7	9.1	5.9	6.3	3.6	3.3
\$150,000	4.5	3.0	1.5	11.1	3.6	3.8
\$160,000	3.7	0.0	4.4	3.2	5.4	3.8
\$165,000	5.7	0.0	0.0	0.0	0.0	12.5
\$180,000	4.7	0.0	1.5	3.2	7.1	6.5
\$190,000	39.6	12.1	23.5	41.3	28.6	53.3

Note: The salaries included in this table are those that accounted for 3% or more of reported salaries. The overall column reports the percentage of all first-year salaries that were reported at each salary level. Salaries are then further broken out by the percentage of first-year salaries within each firm size.

Source: NALP 2021 Associate Salary Survey

Table 2: Distribution of Average Associate First-Year Salaries of \$190,000 by City (as of January 1, 2021)

City	% of \$190,000 First-year Salaries Accounted for by This City
New York City	15.6%
Washington, DC area	15.6
Los Angeles/Orange County	11.9
Dallas	7.5
San Francisco	7.5
Silicon Valley	6.3
Chicago	6.3
Houston	5.6
Boston	4.4
Austin	3.1
Charlotte	2.5
Philadelphia	1.3
Atlanta	1.3
Denver	1.3
Seattle area	1.3
Wilmington, DE	1.3
Total	92.5%

Note: In total, 160 offices reported \$190,000 as the average first-year associate salary. In addition to the cities listed, twelve additional offices across ten cities reported a \$190,000 average first-year salary, collectively accounting for 7.5% of all \$190,000 salaries.

Source: NALP 2021 Associate Salary Survey

Table 3: Percentage of Offices Reporting a \$190,000 Average Associate First-Year Salary in Selected Cities (as of January 1, 2021)

City	% of Offices Reporting a First-year Salary of \$190,000	# of Offices Reporting an Average First-year Salary
Silicon Valley	100.0%	10
San Francisco	85.7	14
Houston	81.8	11
New York City	80.6	31
Austin	71.4	7
Boston	70.0	10
Los Angeles/Orange County	67.9	28
Washington, DC area	67.6	37
Dallas	66.7	18
Chicago	52.6	19
Charlotte	44.4	9
Wilmington, DE	28.6	7
Seattle area	28.6	7
Philadelphia	25.0	8
Atlanta	22.2	9
Denver	22.2	9
Minneapolis	10.0	10
Miami/West Palm Beach area	9.1	11
Detroit area	0.0	8
Portland, OR	0.0	6
Raleigh/Durham area	0.0	7
St. Louis area	0.0	6

Note: The cities included in this table had at least six offices reporting an average first-year associate salary.

Source: *NALP 2021 Associate Salary Survey*

\$190,000 mark in 2021. See Chart 2 for more detailed information on the frequency of \$190,000 salaries by firm size.

As Table 1 shows, almost 40% of responding offices reported \$190,000 as the average associate first-year base salary in 2021. By firm size, firms of more than 700 lawyers were the only category in which the majority of responding offices reported a salary of \$190,000. Offices paying \$190,000 were also concentrated primarily within a few cities. As Table 2 illustrates, well over half (58.1%) of the offices reporting an average first-year salary of \$190,000 came from just five reporting areas: New York City, the Washington, DC area, Los Angeles/Orange County, Dallas, and San Francisco. More than one-quarter (25.7%) of the reported \$190,000 salaries came from the three largest California markets – Los Angeles/Orange County, San Francisco, and the Silicon Valley – and about 16% came from the three largest Texas markets of Dallas, Houston, and Austin.

When further exploring salary data by geographic market, the majority of offices in 10 cities or areas now have a \$190,000 starting salary. As Table 3 indicates, these cities or markets include the Silicon Valley, San

Francisco, Houston, New York City, Austin, Boston, Los Angeles/Orange County, the Washington, DC area, Dallas, and Chicago. However, many locations, including the Detroit area, Portland (OR), the Raleigh/Durham area, and the St. Louis area, still had zero offices reporting a \$190,000 first-year salary in 2021. Regionally, the highest median first-year associate base salaries reported were in the Northeast (\$175,000), followed by the South and West, both at \$170,000. The lowest salaries were in the Midwest (\$130,000).

The *2021 Associate Salary Survey* is now available in NALP's bookstore at www.nalp.org/bookstore.+



Danielle A. Taylor
(dtaylor@nalp.org) is
the NALP Director of
Research.



WHY AI IS ACTUALLY OUR BEST TOOL TO COMBAT BIAS IN LEGAL RECRUITING

By Matthew Spencer

In recent years, artificial intelligence has been the subject of some bad press. Elon Musk, founder of Tesla, SpaceX, The Boring Company, and co-founder and initial co-chairman of OpenAI, was quoted as saying that AI is “our biggest existential threat.” News outlets warn us against the racist robots that will inevitably make our jobs superfluous. Indeed, a decision as consequential as giving machines the capacity to learn should be examined with intense scrutiny, as many of these claims are based in the realities of its

present pitfalls. But when used responsibly and ethically, with appropriate oversight and systematic debiasing, AI can bring about an unmatched opportunity for positive momentum in our society.

In recruitment and hiring, this potential for rapid change is especially important to seize. Over the span of 11 years, according to [NALP’s data on diversity in the legal profession](#), the prevalence of Black women at the associate

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level has increased by just one-tenth of a percentage point. This stagnation in representation is the opposite of progress and is ripe for a new type of approach that leans on the power of AI, and subsequently removes the human biases standing in the way of change.

Implicit bias is a natural, human occurrence that takes deliberate and repeated efforts to mitigate. Investing in debiasing training, while important, is not a fully effective or holistic solution when trying to make equitable employment decisions. Fully eradicating biases that have been shaped beneath the surface is too great a task for training videos or instructor-led sessions to accomplish alone.

AI can provide the accelerant the industry needs by helping firms mitigate bias in the recruiting process and by unlocking insights that would otherwise be unknown to us, as it identifies our blind spots and patterns.

But how can AI do this accurately, confidently, and equitably?

AI Can Help Firms to Only Consider Relevant Information

Phenomena such as “like-me bias” often cause hiring decision-makers to draw assumptions about a candidate’s fit or potential based on perceived similarities between them. However, the majority of these surface-level traits do not result in high on-the-job performance and are insufficient shortcuts for determining suitability. Even if both you and the candidate attended the same law school, for example, the correlation between performance and law school selection may in fact not be a strong determination for success

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AI can bring about an unmatched opportunity for positive momentum in our society.

at your firm. Further, law associate hiring happens cyclically and often in a tight time crunch, causing hiring decisions to be made incredibly quickly, providing even more fertile ground for bias to materialize.

AI can be a solution to all of these questions. For example, Suited's AI models demonstrate that law school selection, on average, explains less than 1% of their future job perfor-

With the right data sets, AI can help firm decision-makers overcome bias.

mance, while law school GPA explains less than 4% — yet these are two of the most used criteria by law firms in hiring. Appropriately trained AI can demonstrate to hiring managers which traits or qualifications matter, and which simply don't. This type of technology can free the recruiting process from our covert prejudices, allowing candidates to be assessed based only on relevant factors that are determinative of a lawyer's success.

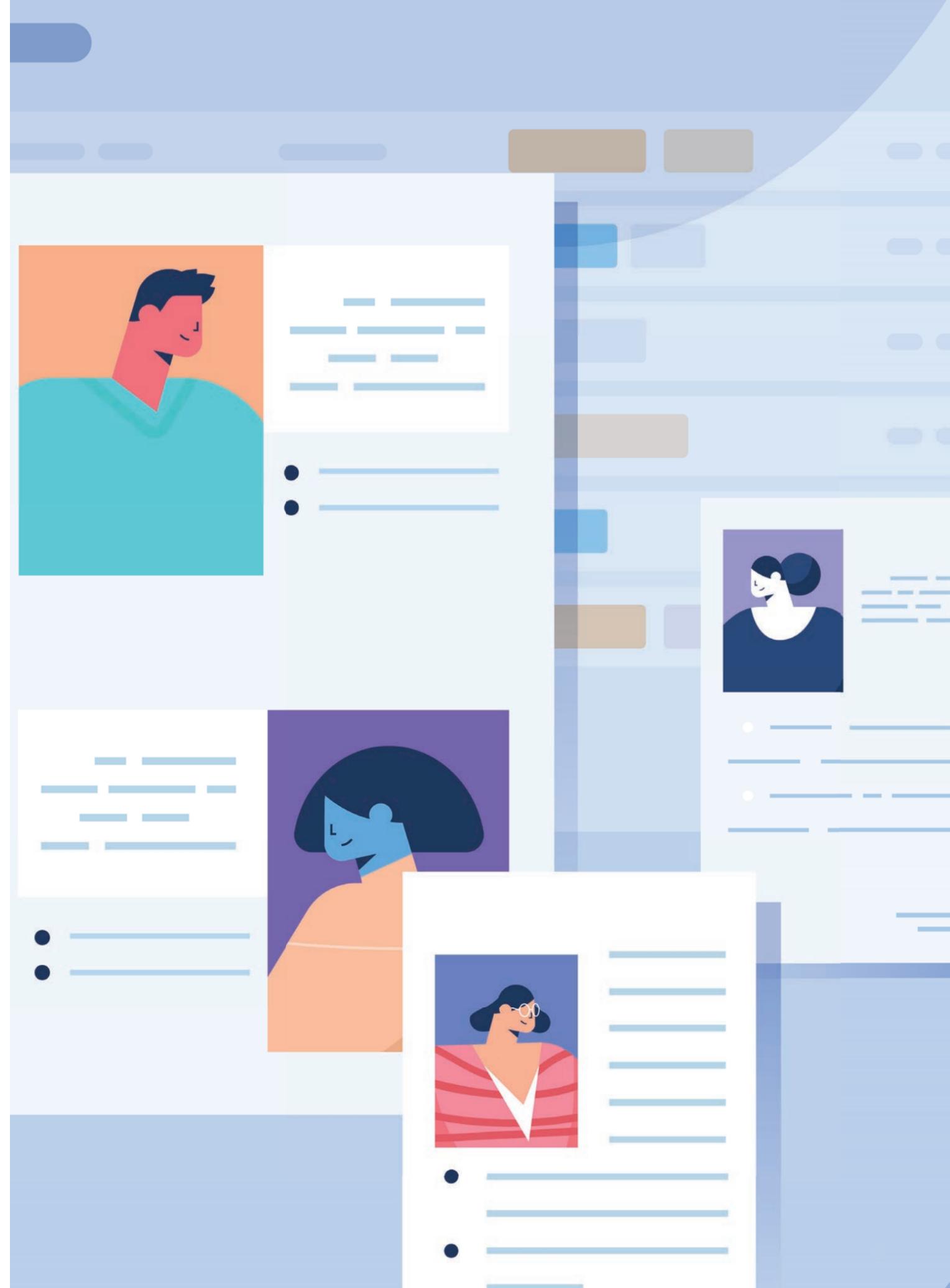
AI Can Open More Opportunities for More Candidates

AI does its best work when it's automating manual tasks. In recruiting, artificial intelligence makes it easy for recruiters to get a handle on the entire pipeline of candidates. Because AI is able to quickly assess a broader range of candidates across relevant characteristics, required experience, and suitability, it can instantly reveal to a recruiter who they should consider bringing further along into their process.

This automation allows for a greater number and a more diverse set of applicants to be considered for employment, which is a necessity when discussing diversity, equity, and inclusion (DEI) strategies in the legal profession. National statistics show that 13.4% of the U.S. population identify as Black or African American, but according to the ABA's 2020 Report on Law School demographics, [only 7.8%](#) of students who entered law school in 2020 identify as such.

If we dig into the data, we see that the [law schools ranked in the U.S. News top 25](#) admitted about 530 Black students, and if firms

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Investing in debiasing training, while important, is not a fully effective or holistic solution.

were to theoretically extend offers to all of these students, an unrealistic scenario as many choose to pursue careers in government, business, or non-profits, that would still only fill 9% [of the total 2L spots available](#) across the entire industry, according to NALP data — still nearly 4.5% shy of parity to the U.S. population. In order to address this significant underrepresentation, firms should consider supporting their recruiting efforts by systematically broadening the top of the funnel.

AI Can Help Us Understand Complex Human Beings and Unlock Their Potential

Combining the above two points, AI can educate firms on how to think about the complexity involved with evaluating humans for job suitability. Even better, it can help us understand how certain traits interact with one another to produce high-performing employees, a task that would be impossible for a human. While we often trust our

intuition when making judgment calls when evaluating people, a person in the interviewer seat is simply unable to accurately identify the desirable balance between traits like drive and humility — but AI can.

Better still, machine learning can help us identify traits in candidates who may not have been given a chance under “the old way” of recruiting. An algorithm can help you understand the potential in a person who



you may have otherwise ignored for extraneous or unintentionally prejudicial reasons, thereby creating a fairer recruiting system for everyone.

How to Avoid the Potential Pitfalls of AI

With the right data sets, AI can help firm decision-makers overcome bias. But how can you ensure your data or technology solution is absent of adverse impact? Ethical datasets require a few things: representation, volume, and highly relevant data points. Good practitioners of AI know to rigorously test both the inputs (models) and outputs (predictions) for bias by removing any traits that are either irrelevant to the job or that cause the AI to prefer one group over another.

AI can, if left unchecked, further perpetuate our harmful human biases, doing more damage to underrepresented groups who have been the subject of racial, gender, or disability biases for too long. The continued progress and positive momentum of this powerful technology will be dependent upon the commitment of an ethical collaborative of experts, ranging in disciplines from data

science, math, sociology, and industrial organizational psychology. Misuse of AI can perpetuate or even proliferate the exact problems we are trying to solve; however, misunderstanding it, and therefore choosing not to use it, eliminates the most powerful tool available to the industry.+



Matthew Spencer is the Co-Founder and CEO of Suited (www.wellsuited.com), an AI powered, assessment-driven recruiting network used by professional services firms to accurately, confidentially, and equitably discover and

place candidates from diverse demographics and backgrounds into competitive early-stage career opportunities. Matthew will be leading a panel on *Why A.I. is Actually Our Best Tool to Combat Bias in Legal Recruiting* at the 2021 Legal Recruiting Summit on June 29. Information is available at www.nalp.org/events.



VIRTUAL
**2021 LEGAL
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Visit www.nalp.org for details.

A high-angle photograph of a woman with long dark hair, wearing a light-colored sweater and dark pants, sitting on a chair and working on a silver laptop. She is looking at the screen. The background shows a wooden floor and a grey rug.

IT IS TIME TO ADVERTISE FULLY REMOTE OPPORTUNITIES

By Brittany M. Valente

Not surprisingly, fully remote jobs and internships are popping up more frequently than they did pre-pandemic. However, they are still few and far between. More often, jobseekers find positions that are openly advertised as remote, but the fine print indicates the position is remote only until it is safe to return to the office environment.

From the perspective of a hiring manager, I understand the desire to work with your colleagues in-person. But from the perspective of a jobseeker, seeing opportunities that are offered as temporarily remote can be disheartening, particularly for students seeking summer internships.

Law students and recent law graduates are equipped for remote work, and they all have experience working remotely. Employers should take advantage by offering fully remote internship opportunities. This could lead to multiple benefits — employers will have more applicants to choose from, they will become more aware of program needs, and they can build strong relationships with new hires.

Expanding the Applicant Pool

Offering fully remote opportunities drastically expands the applicant pool. This seems obvious, but it has a big impact on applicants

because they no longer need to consider relocation or commuting expenses. The ongoing pandemic makes it difficult for employees to travel to work safely. It is also psychologically difficult to apply for a position that will be offered in-person at an unspecified date, particularly if taking the position would require the applicant to relocate.

Not needing to relocate is a key factor for students seeking summer internships. Summer work experience is incredibly valuable for students. It is not unreasonable to assume that most students are unwilling or unable to apply for positions that may return

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Structuring a position for remote work is not going to work perfectly on the first try.

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to in-person work. Without a guarantee that a position will be offered fully remote or fully in-person, students may not want the risk of applying for the position, especially if the student would need to secure housing or additional funding to be able to work the internship.

As many of us have had to work remotely during the pandemic, we know that it is not impossible to transition a position from in-person to remote work successfully. And the pandemic has given many of us the experience to make it happen smoothly, and that starts with setting expectations early.

Setting Expectations for Required Technology

If you are offering a position for remote work (part-time or full-time), it's important to be upfront about what hardware and software that the employee is required to supply on their own. These expectations let applicants consider whether this is a position they can reasonably do.

When structuring a remote position, hiring managers should ask themselves these questions:

- Are you willing and able to supply the work devices (e.g., laptop, tablet, mobile devices, etc.) needed to effectively do the job?
- What software will the employee need to have?
- Will the employee be required to pay for any software, or will you provide paid software to the employee?

Asking these questions is beneficial for applicants as well as hiring managers and employers. Sometimes, as employers, it's easy to not fully consider what technologies new hires may need to start a new remote position.

Once you identify the software and hardware needed for a position, be sure to inform applicants at some point during the hiring process. This step is particularly important if you are asking employees to download software to their personal devices (rather than an employer-provided device) as some potential applicants may not feel comfortable

downloading the needed software. Moreover, providing a list of required technologies is helpful for setting expectations for applicants, and it can also be a great way to determine who among the applicants has experience with the required technologies.

For example, NALP's PSJD student data entry team was already using Google Suite to complete their daily tasks, but we needed to use different software to communicate remotely. We decided to use the free version of Zoom because it best suits our needs. Because we were asking students to download Zoom to their desktops, we indicated this requirement in our hiring announcement and discussed it with applicants during interviews.

Don't Be Afraid to Make Mistakes

Structuring a position for remote work is not going to work perfectly on the first try. This is true even for positions that rely on technology. In my role as PSJD Fellow, my work primarily takes place online, whether that involves updating PSJD.org, handling customer service issues, or managing the PSJD data entry team. And while the transition to working remotely for our team did happen overnight (courtesy of the pandemic), developing a functioning workflow did not. We had to test three different communication software programs before we found the one that works best for our needs.

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Flexibility and open lines of communication are key to working remotely. Our team uses Zoom chat for questions and timekeeping, and we schedule video calls for trainings and bi-weekly check-ins. Even though I onboard new students each semester, I do not feel that my ability to build meaningful relationships with the students has been compromised in the virtual setting. It helps that we leave room for growth, and we frequently ask our team for feedback to see where we can improve our processes.

New York Civil Liberties Union: A Success Story

To adjust to a virtual setting, the New York Civil Liberties Union (NYCLU) adapted their internship, externship, and fellowship programs to suit a remote work environment. Legal Director Stephanie Ball designed the remote program to incorporate everything NYCLU would typically do in person to provide a meaningful program for the students. Ball attributes the program's success to the overwhelming support of senior management and the full participation of all of NYCLU's departments. Senior management encouraged all departments to engage in the internship

and externship programs, which meant that no department was excluded. Students were invited to all department meetings, which created an inclusive environment and gave them a voice in the growth of the organization. Students were able to get a full overview of the organization and learn what it takes to run a productive non-profit.

With the enthusiastic engagement of the organization, Ball described two additional steps she took to develop a useful and appealing program for students. First, she developed a mentorship program, which matched each student with an NYCLU attorney. To be successful, each mentor needed to fully commit to building a relationship with their mentee because the virtual relationship would require more proactive check-ins and communication than an in-person relationship.

Second, Ball created social hours to foster relationships among the student workers. Social hours were not mandatory, but by the end of summer 2020, every student participated. After the first few social hour events, students were paired to sponsor their own events and NYCLU management supplied prizes for social hour games. Additionally,

Flexibility and open lines of communication are key to working remotely.

NYCLU held a virtual graduation at the end of the 10-week summer internship program, and each summer intern was gifted an engraved copy of *Black's Law Dictionary*.

Ball credits the remote internship program with attracting a diverse class of summer interns. Prior to summer 2020, some students were required to relocate to New York City to participate in NYCLU's summer internship program. Although NYCLU offers a small stipend to all summer interns, it is usually not enough to cover the expenses of living in a big city for 10 weeks. The remote internship program cut down on expenses for some students and provided an opportunity for students who would not typically be financially able to participate in the internship program. The remote program even allowed for a student living in India to join the team!

Building on Remote Successes

As evidenced by the success of the PSJD data entry program and the New York Civil Liberties Union's student and fellow programs, fully remote positions are achievable. For PSJD, the program has been so advantageous that we anticipate the Project Assistant position will be fully remote for the foreseeable future. For NYCLU, Stephanie Ball envisions their internship and externship programs will be offered both as fully remote and in-person to allow more students from across the globe to contribute to the NYCLU's work.

As Ball related during our conversation, a remote program "does take extra work, but it's doable and can be very successful." I have no doubt other employers could experience these same successes if they are willing to try offering remote jobs and internships.+



Brittany M. Valente
(bvalente@nalp.org) is the 2019-2021 PSJD Fellow with NALP. Learn more at www.psjd.org.

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WHAT FIRMS WANT: THE USE OF COMPETENCY MODELS IN ASSOCIATE PD

By Melissa Berry, Kendra Brodin,
Laura Friedman, Jerry Organ, and
Debbie Shapiro



Over the past several years, professional identity formation has been a topic of interest among a growing number of legal employers and law schools. The core of professional identity formation is competence, and evaluations are the primary way law firms measure competence. Despite this increased interest, little has been published in the past decade about how firms prioritize and evaluate progress on the developmental expectations — or competencies, as they are often called — which law firms require of their associates.

As legal professionals, we find ourselves asking: which competencies matter the most to firms when they are evaluating associates? Are there different expectations for associates at different levels? How often do evaluations take place? How much do competencies play a part in compensation, promotion, and hiring decisions?

Both law firms and law schools are motivated to support the development of professionally competent lawyers. Additionally, law firms want insights into what other firms are prioritizing during evaluations in terms of the skill sets and abilities in their associates. Similarly, law schools seek a deeper understanding of the competencies that firms place value on beyond the initial hire so that they can prepare their students for future success.

For these reasons, in fall 2020, the Professional Identity Formation Work Group, a collaboration of the Lawyer Professional Development and Law Student Professional Development Sections and the Holloran Center for Ethical Leadership at the University of St. Thomas School of Law, launched a nationwide survey about associate competencies with the hope of shedding light on how law firms are using competency models and developmental expectations to measure the growth and progress of their associates. This article provides a summary of the findings. The full report can be read at www.nalp.org/associate_competency.

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Types of Competencies

The most common competencies — appearing in the competency models of over 90% of law firms that provided detailed information about their competency models — include those that can be grouped in three distinct categories:

- **Traditional Legal and Communication Skills:** Legal Analysis, Written Advocacy, Communicating Clearly, Legal Knowledge/Expertise, Judgment/Common Sense, and Oral Advocacy
- **Character Traits/Relationship Skills:** Responsibility/Reliability, Teamwork/Collaboration, Initiative, and Attention to Detail
- **Client-Focused Orientation:** Responsiveness to Client and Understand Client's Business Circumstance

Traditional Legal Skills and Communication Skills reflect the “bread and butter” of legal education and likely are competencies many legal professionals would expect to be emphasized broadly across law firms. On the other hand, the competencies related to Character Traits/Relationship Skills and Client-Focused Orientation — not traditionally focused on in legal education — were emphasized by firms in the study and that might be surprising to some.

Other important competencies, which appeared in 80% to 90% of the surveyed firms' competency models, include Leadership, Legal

Research, Problem Solving, and Respect for Others. Nine competencies appear in 50% to 70% of competency models: Listening, Integrity, Self-Direction, Project Management, Diligence, Trustworthiness, Confidentiality, Intellectual Curiosity, and Honesty. Many of these skills are also not emphasized in traditional law school training and law schools also might find the prominence of these skills in the study enlightening.

Twelve competencies appear in less than 50% of competency models: Business/Financial Knowledge, Cultural Competence, Perseverance, Analyzing Data, Loyalty, Self-Discipline, Emotional Intelligence/Empathy, Self-Awareness, Facility with Programs (Word, Excel, PowerPoint, etc.), Respecting Client Autonomy, Well-Being, and Social Media Expertise.

Grouping Related Competencies

Law firm competency models suggest that certain “groupings” of competencies are of greatest priority across law firms — particularly Technical Legal Skills/Knowledge and Communication Skills. A second tier of competency groupings also appears to be fairly important, but less of a priority — Work Ethic Traits, Character Traits, Relationship Skills, and Client Service Orientation. The final two groupings of competencies, Self-Development Traits and Technological Skills, are of lesser significance.



When related competencies are grouped together, law firms appear to highly prioritize two groups — Technical Legal Skills/Knowledge and Communication Skills — for which the average frequency across the competencies within each group is roughly 90%.

- **Technical Legal Skills/Knowledge (91% average):** Legal Analysis, Legal Knowledge/Expertise, Legal Research, Problem Solving
- **Communication Skills (90% average):** Communicate Clearly (sharing information), Written Advocacy, Oral Advocacy, Listening (receiving information)

This probably doesn't come as a great surprise as these two groupings encompass much of what legal education emphasizes.

Four other groupings — Work Ethic Traits, Character Traits, Relationship Skills, and Client Service Orientation — appear to be less prioritized or receive less emphasis among law firms, as the average frequency across the competencies within each group is between 60% and 80% for each of these groupings:

- **Work Ethic Traits (77% average):** Responsibility/Reliability, Initiative, Attention to Detail, Diligence, Perseverance
- **Character Traits (68% average):** Judgment/Common Sense, Integrity, Trustworthiness, Honesty

- **Relationship Skills (68% average):** Teamwork/Collaboration, Leadership, Respect for Others, Cultural Competence, Emotional Intelligence/Empathy
- **Client Service Orientation (63% average):** Responsiveness to Clients, Understand Client's Business/Circumstances, Confidentiality, Loyalty, Respecting Client Autonomy

Across these groupings it is worth noting that Work Ethic Traits on average carry greater significance than Character Traits and Relationship Skills, even though the latter two remain of significant importance, with each grouping on average being present in roughly two-thirds of the law firm competency models. Additionally, there may be some overlap here as concepts like Integrity, Trustworthiness, and Honesty might have strong correlations. For example, lawyers who demonstrate Integrity and Honesty are more likely to demonstrate Trustworthiness. Similarly, lawyers with Emotional Intelligence and Empathy may also demonstrate Cultural Competence.

The final two groupings — Self-Development Traits and Technological Skills — are the least prioritized, as the average frequency for these groupings of competencies is roughly 40%:

- **Self-Development Traits (42% average):** Self-Direction, Intellectual Curiosity, Self-Discipline, Self-Awareness, Well-Being

- Technological Skills (39% average): Project Management, Business/Financial Knowledge, Analyze Data, Facility with Various Programs (Word, Excel, PowerPoint, etc.), Social Media Expertise

Interestingly, Self-Development Traits and Technological Skills did not receive very much emphasis even though most successful lawyers tend to take initiative and ownership of their career development, relying on their capabilities in many of these competencies.

It is important to keep in mind that this survey reflects an analysis of what firms were prioritizing in fall 2020. The legal profession itself and the way firms practice and prioritize competencies are constantly changing. For example, while Social Media Expertise and Well-Being did not show up

in competency models with great frequency, it is possible they would not have shown up at all 10 years ago and might be of greater significance five or 10 years from now.



Competencies by Experience Level

Almost all firms (92%) that reported using competency models indicated that they use different competencies for different experience levels of associates. Nearly two-thirds of those

firms elaborated that they divide associates into two, three, or four levels, with three levels being most popular. More than half of the firms using three refer to the levels as junior-level, mid-level, and senior-level associates.

Of the firms using three levels, 25% indicated the number of years an associate spends in each level. Among these firms, 60% delineated the three levels as 1-2 years, 3-5 years, and 6+ years, while the remaining 40% defined their levels slightly differently as 1-3 years, 4-6 years, and 7+ years.

Of the two-thirds of firms that emphasize different competency models for different experience levels, nearly half explained that those expectations may change based on the associate level. Just over 25% emphasize the same competencies for each associate level, but have different expectations based on the level. Slightly fewer firms emphasize additional or different competencies as associates progress in experience. A few firms noted that the competencies may vary by, or be particular to, a practice group.

Distribution of Competency Models to Associates and Partners

Firms clearly communicate their developmental expectations of associates; all firms with competency models reported sharing those models with their associates and partners. Some firms use multiple distribution methods,

which explains why the percentages below add up to more than 100%.

Firms use three main methods to distribute their competency models to associates: posting them on the firm's intranet (79.2%), providing them during onboarding (70.8%), and sharing them during the performance review process (58.3%). Fewer firms distribute their competency models to associates through other methods (20.8%).

Firms use two of the same methods to distribute competency models to partners who evaluate associates: posting them on the firm's intranet (83.3%) and sharing them during the associate performance review process (68.8%). A smaller number of firms distribute their competency models to partners through other methods (20.8%).

Use of Competency Models in Performance Evaluations

Not surprisingly, competency models play a large role in performance evaluations. Two-thirds of firms (70.6%) evaluate associates on all of the competencies in the firm's competency model, while less than one-third of firms (29.4%) evaluate associates using a subset of competencies from their competency model.

Firms vary in the frequency with which they evaluate associates. One-third of firms evaluate associates once a year, and another third of

This survey demonstrates the need for associates to show progress on a wide array of competencies, not all of which are emphasized – or even taught – in many law schools.

firms evaluate associates twice each year. The remaining third of firms use other approaches. For example, some firms conduct annual evaluations coupled with real-time, ongoing feedback. Other firms conduct annual evaluations and mid-year reviews for junior-level associates, lateral hires, and those with performance concerns.

Based on our observations outside of this survey, there is a growing trend among law firms to provide more regular, consistent feedback to their associates. We anticipate that an increasing number of firms will begin to evaluate associates more often than annually. Some

firms may choose to evaluate associates twice a year, while other firms may implement a “real-time feedback” process to ensure that associates are receiving timely, relevant feedback on their performance. This will enable associates to grow and improve over time rather than waiting a full year for meaningful feedback.

Use of Competency Models Beyond Performance Evaluations

While firms primarily use competency models to evaluate associates, some firms also use competencies in the following ways:

- **Training and Professional Development:** Nearly two-thirds of firms (64%) use competency models to determine which training courses and programs to offer. Additionally, 8% of firms use competency models for other purposes, including planning career development programs, guiding goal setting for associates, and building mentoring programs.
- **Promotion:** Over half of firms (58%) use competency models to determine whether an associate should be promoted to the next level on the associate path, and 68% of firms use competency models to decide if an associate is ready for partnership.
- **Compensation:** Over one-third of firms (38%) use competency models when determining associate base salary.

Additionally, nearly one-third of firms (30%) consider competency models when determining associate bonuses.

- **Project-Based Feedback:** Roughly one-quarter of firms (26%) use competency models to give feedback on specific projects.

Fewer than half of firms directly tie competencies to their recruiting and hiring processes, with 43.1% of firms considering the firm’s competency model when hiring lateral associates, 39.2% considering the firm’s competency model when recruiting and hiring summer associates and entry-level associates, and only

It is critical that law firms align their developmental expectations with the true demands of the practice and the competencies that successful associates possess.

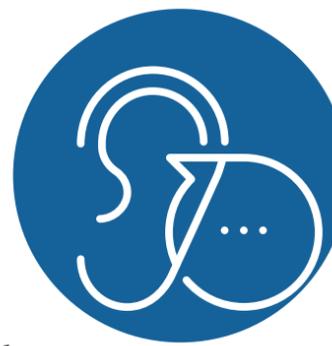
11.8% considering the firm’s competency model for lateral partner hiring. By contrast, 37.3% of firms indicate they do not use competency models in their recruiting and hiring process for lawyers at any level.

Notably, 15.7% of firm respondents did not know whether the firm referenced the firm’s competency model in recruiting and hiring. This could be because those filling out the survey were lawyer development professionals rather than recruiting professionals. Since those functions are often separated, especially in large law firms, the person who completed the survey may not have been familiar with the recruiting practices of the firm.

It is interesting to see how firms use — or don’t use — their competency models in other functions of their operations. If firms have clear competency models on which to evaluate their associates, there is great opportunity to weave those expectations throughout other areas, including program creation, promotion, compensation, and hiring. This would give associates predictability and consistency as they would know what is expected of them and what skills they should be developing.

Additionally, if firms were to use their competency models in multiple ways, the firm itself also would have greater alignment and consistency in developing programming and initiatives to teach particular competencies and subsequently to evaluate, compensate, and promote based on those competencies. Hiring

based on the firm’s competencies would further ensure that associates entering the firm already have a foundational skillset in, and understanding of, the competencies that the firm would expect of them.



Suggestions for Further Research and Exploration

Due to the dynamic nature of the legal profession and in light of the enlightening survey findings, we see at least three areas of potential future research.

First, given that this survey was limited to NALP’s membership, further research could be conducted to determine the extent to which competency models for other types of employers — county attorneys offices, offices of attorneys general, public defender offices, legal aid offices, small law firms, and in-house corporate legal departments — are comparable to those of the firms reflected in this survey.

Second, given that law school graduates should be prepared to meet the demands of the legal services market, research could be conducted to assess the extent to which law school learning outcomes align with the competencies most emphasized by firms in this survey.

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Third, while this survey touched briefly on the extent to which firms draw on their competency models in recruiting and hiring efforts, more research could be conducted about the extent to which recruiting and hiring practices are connected with competency models and about institutional challenges firms may face in doing so.

Conclusion

This survey provides a snapshot taken in fall 2020; it provides the best information about what firms were expecting of their associates at that moment in time. With the rapid pace of change in the legal profession, which has been accelerated by technological advances, the COVID-19 pandemic, and current national and world events, it would be helpful to re-survey firms in the coming years to see if they have reprioritized or added competencies to their competency models.

This survey demonstrates the need for associates to show progress on a wide array of competencies, not all of which are emphasized — or even taught — in many law schools. It is critical that law firms align their developmental expectations with the true demands of the practice and the competencies that successful associates possess. Likewise, law firms and law schools have an opportunity to collaborate and partner to prepare the newest members of the profession. +

*The survey, report, and this article were developed by the Professional Identity Formation Work Group, a collaboration of NALP's Lawyer Professional Development and Law Student Professional Development Sections in partnership with the Holloran Center for Ethical Leadership in the Professions of the University of St. Thomas School of Law and NALP staff and leadership. The authors are: Professional Identity Formation Work Group of the Lawyer Professional Development Section Co-Vice Chair **Melissa Berry** (Director of Professional Development & Diversity at Lane Powell PC) and Co-Vice Chair **Kendra Brodin** (Chief Attorney Development Officer at Taft Stettinius & Hollister LLP); Vice Chair of the Professional Identity Formation Work Group of the Law Student Professional Development Section **Laura Friedman** (Director of Professional Development and Career Counseling at Case Western Reserve University School of Law); **Jerry Organ** (Bakken Professor of Law and Co-Director of the Holloran Center for Ethical Leadership in the Professions at the University of St. Thomas School of Law); and Law Student Professional Development Section member **Debbie Shapiro** (Assistant Director of Career & Professional Development and Adjunct Professor at Mitchell Hamline School of Law).*



Melissa Berry



Kendra Brodin



Laura Friedman



Jerry Organ



Debbie Shapiro

METHODOLOGY

In November 2020, NALP invited its U.S. law firm members to complete the 2020 Survey of Law Firm Competency Expectations for Associate Development. The survey was open from the first week of November through the first week of December 2020. The survey inquired about:

- Whether law firms have competency models or developmental expectations for assessing the progress of their associates, and if so, whether the competency model is in writing;
- Whether and how those competency models are shared with associates and partners;
- What competencies are featured in the written competency models; and
- How competency models are used in performance evaluations, compensation, promotion, training, and recruiting.

The 2020 Report on the Survey of Law Firm Competency Expectations for Associate Development, published on NALP's website in May 2021, summarizes the survey results. In the report and this article, the phrase "competency model" is used to describe a set of competencies or developmental expectations law firms have for their associates. Of the 58 firms that responded to the Survey, 51 (nearly 90%) indicated they do have competency models, while seven (roughly 12%) indicated they do not have competency models. Of the 51 law firms with competency models, 48 have memorialized their models in writing.

CREATIVE SOLUTIONS FOR TRAINING ON A SHOESTRING BUDGET

By Stephanie Felder



The effects of the COVID-19 pandemic have rippled through training budgets. A reduction or freeze on spending was common among many organizations during this past year and a half. In the NALP Foundation's "Professional Development in a Pandemic" survey, more than half (54%) of the 86 law firm respondents reported that they had reduced their professional development budgets because of COVID-19. In the early months of lockdown, many firms delayed trainings to later in the year. As the fall surge carried into winter, firms then pushed their PD staff to accomplish all their programming before year-end in different delivery formats and without the original budget.

When limited budgets coincide with immense organizational and environmental issues, all professionals feel the strain and pressure. The legal industry faces additional challenges of helping our law students and lawyers heal from mental and physical health struggles while also confronting the racial injustice that our profession has not yet overcome.

It can seem overwhelming at times (it certainly has for me!), but I hope the following suggestions and ideas will help you on the journey. As we continue our important work in this new environment, it is possible to be both cost conscious and creative, while still designing programming that will resonate with your audience.

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Idea 1: Use the Resources You Already Have

“The greatest achievement of the human spirit is to live up to one’s opportunities and make the most of one’s resources.”

– Luc de Clapiers,
French writer and moralist

Many firms and schools already tap their best internal speakers routinely. There are several other ways to use internal resources so that you can save your budget. Rather than go straight to the one or two regular presenters within your organization, take some time to learn more about the expertise and knowledge of others.

Aside from lawyers or professors, use your internal staff. There is likely a CPA or MBA on staff for presentations on topics such as business, finances, accounting, or tax issues. The marketing team may also be able to put programs together on networking and using social media.

Look for highly innovative and creative colleagues who are willing to assist in program design, implementation, or evaluation. Individuals who design or build video games in their free time may be able to help embed gamification into your current offerings.

Leadership with expertise in solving complex problems or dispute resolution are great resources for management skills training.

Does your IT department have a certified project manager on staff? If so, this can be a source for teaching project management skills. Is there a data analyst who could help you refine your assessment practices or assist in the exploration of data that could enhance your understanding of skill gaps and needs of the organization? Every business has untapped resources that can be used. Uncovering the assortment of skills and knowledge within the institution will help you limit spending to the areas that are absent and most needed.



Idea 2: Find Low-Cost Speakers

External experts can come with hefty price tags. But there are ways to limit the cost of using outside consultants, while maintaining the quality of content that organizations expect. Use the vendors that your organization already works with regularly. If you have an established vendor for performance management software, they may be willing to offer free training on challenging topics related to delivering difficult feedback and can often throw in some software training as well.

Every business has untapped resources that can be used.

In addition, look for new or emerging vendors or consultants. They will often want to pilot new programs in exchange for feedback from participants at a reduced cost. Local businesses or clients may be willing to present to your firms or schools on topics such as customer service and industry trends. This deepens your relationships with the clients and offers a chance to hear directly from them about their expectations and challenges. Firms and schools have collaborated to create mutually beneficial relationships by sharing their expertise. Law

school professors can speak to lawyers on obscure areas of the law in exchange for lawyers presenting to students on the realities of practice post-graduation.

When you collaborate, both organizations can offer professional development opportunities they otherwise would be unable to afford. These kinds of partnerships take time and energy to identify and develop. Continually scanning the industry, market, and local

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businesses will help in spotting this type of symbiotic relationship. If one pairing does not work out, be patient and persistent in your efforts, and it will pay off in time.



Idea 3: Host Informal Gatherings

The most common manifestation of the use of informal gatherings as learning opportunities is the regular monthly lunch-and-learn. This is an effective way to deliver new information or discuss changes to regulations, research, or procedures. Over time, these can turn into simply an hour each month of talking over PowerPoint slides.

Creating a more informal setting will make a unique environment for learning. Unlike more formal lecture settings, smaller groups often feel more appropriate for sharing common knowledge or recommending a useful article. This can lead to more collaborative learning taking place in an unstructured setting. Small groups with common interests are a great way to expand knowledge and skills while also growing the camaraderie among participants. When teams regularly do this, the collaboration and camaraderie get embedded into their daily work.

Everyone should be invited to share something: a book they read that is relevant to their job, new insights into industry trends, or an interesting fact they learned that week. If

your lawyers need more structure, discussing a pre-identified topic or highlighting recent accomplishments can help encourage active discussions. Social groups can also be an environment for learning. Book clubs are fun way to foster the culture of continuous learning that we all want in our organizations.

Casual small group settings are also a way to connect organizations, especially for law firms and schools. Organize cross-firm/school meetings to allow lawyers in similar practice areas to share their thoughts on important skills and best practices to develop. Another common partnership is with business schools — but why stop there? IP lawyers may benefit from roundtables with engineers and labor and employment lawyers would love the chance to speak with HR professionals on changes in the law. Creating connections and sharing information is an easy way to embed learning into other activities.

Informal gatherings will only work if there are active discussions. Use original ways to facilitate and encourage dynamic conversations, especially while everyone is remote. Having an organization's leader host a roundtable to answer questions is a common approach for generating a dialogue, but employing the same training tactics used in the classroom (gamification, using case studies, and flipping the classroom) will work for these small groups as well.



Idea 4: Encourage Self-Directed Learning

“An essential aspect of maturing is developing the ability to take increasing responsibility for our own lives — to become increasingly self-directed.”

— Malcolm Knowles,
American adult educator

It has become increasingly more accepted to learn independently. This is evidenced by the exponential growth of the do-it-yourself culture of YouTube and onslaught of many new MOOCs (Mass Open Online Courses). Self-directed learning has long been available and used successfully. Local bar associations and industry groups give leadership opportunities to members. Other groups, such as Toastmasters, have helped organizations from various industries improve employee skills.

The challenge for most is that they have no clue where to begin. Provide the people you support with a framework to help them create their own individual learning goals and syllabus. Offer to help find the needed resources and stay with them on the path of learning until the goals are achieved. Once this process is laid out, it can be very easy to scale and replicate with others.

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When limited budgets coincide with immense organizational and environmental issues, all professionals feel the strain and pressure.

Even in organizations with strong learning cultures, self-directed learning is not for every situation or every person. Be sure to encourage, but not dictate, self-directed learning. Many learners need the more formal setting to learn so this is not a panacea solution.



Idea 5: Find Relevant Free Resources

Living in the information age has its benefits. One of these benefits is the wealth of free training materials, resources, and guides that can help create content or check a training need off the list with little cost or time investment. There is so much information online that researching free options is sometimes skipped

during the planning process. Finding reliable and relevant information on the web is not always an easy task but using readily available and free resources is a fundamental tactic to implement programming at a lower cost. Be sure to research the sources and review the credentials of authors before using their content. In addition, copyright restrictions may need consideration.

Most courts are now offering training on the various digital platforms being used for virtual hearings. The federal government offers training on non-profit organizational operation, OSHA standards, and more. Many legal aid offices offer training for specific types of pro bono practice. State lawyer assistance programs will frequently offer to present training on

well-being or substance abuse for free as well. Finding relevant case law to discuss is another effective way to offer training on risk management or ethics in practice.

For topics that are not substantive (such as time management, presentation skills, and business development), podcasts, videos, and books are chock full of material, statistics, and research. Finding that piece of compelling data or applicable story does not have to take program planners an inordinate amount of time and money.

NALP colleagues are another incredible source for free resources. It is often surprising how much our fellow members will share. Use NALPconnect to ask for ideas, information, and best practices for curating free resources.

learning outcomes from any program — but even more so when the speed of change in the legal industry is only increasing. Take the time needed to define and measure the objectives and outcomes overall and within each program. It is essential to be able to clearly point to desired and resulting outcomes based on the overall business strategy.

Budgets are never endless and, eventually, even the most well-funded organization needs new ideas and fresh perspectives. Creative solutions are out there, so be imaginative and determined when planning. It is always easier to pay someone else to do it, but the true value of our profession comes out of unique and tailored content that engages the learner in new and innovative ways. +



Turning Your Ideas Into Reality

“Money is only a tool. It will take you wherever you wish, but it will not replace you as the driver.”

– Ayn Rand, Russian-American writer and philosopher

To spend a limited budget wisely, focus on meeting the needs and goals of the organization. It is likely that these have shifted dramatically over the past year and will continue to shift as we slowly emerge to a new “new” normal and begin the return to post-pandemic life. It is always critical to define and measure



Stephanie Felder
(sfelder@mcguirewoods.com) is Director of Attorney Training and Development for McGuireWoods LLP and a member of the PDQ Advisory Group.

WHAT TO SAY AND DO WHEN A LAW STUDENT EXPERIENCES DISCRIMINATION IN A NON-PROFIT ORGANIZATION

By Jody Stein

Working with a public interest organization offers law students an excellent opportunity to serve their community while building important legal skills. However, race discrimination and sexual harassment occur in all workplaces — even public interest organizations supporting underserved populations. As career advisors, we should know how to respond when a student comes to us with issues of discriminatory behavior at a non-profit organization.

When your student first comes to you with concerns about discriminatory conduct in an internship, communicate clearly to them that you are not a confidential resource. You

may need to share certain details with the appropriate law school administrators. If the student reveals incidents of sexual misconduct, you should notify your school's Title IX coordinator, as your institution may have obligations under that statute. You can reassure your student that beyond your reporting obligations, you will keep what they share with you as confidential as possible.

Encourage the student to share specific incidents of discriminatory conduct if they are comfortable doing so and document the information shared with you in written notes. Try to stay neutral in your response but do listen and convey your support and understanding.

Communicate clearly to them that you are not a confidential resource.

Find out whether anyone at the non-profit organization or your institution is aware of the conduct. You should advise the student to save any written examples of the conduct discussed and any communications about it. The student should also write down all of the discriminatory incidents and any reports made about the conduct with as much detail as possible for their own personal records.

Title VII of the Civil Rights Act may not offer protection from discrimination based on race or sex in the workplace to volunteers or unpaid student interns. Some states, such as California, have anti-discrimination statutes that extend workplace discrimination protections to unpaid interns and volunteers. Let your student know that they may have legal rights under these anti-discrimination

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The student should not be penalized for bringing the complaint forward.

statutes; they may be entitled to file a charge of discrimination with a state or local agency enforcing those laws. If applicable, the student may also have the right to file a police report for sexual assault or stalking.

It's important to provide resources so your student has the necessary emotional support to address any impact from discriminatory conduct. If your school offers mental health counseling services, then share that information with your student. Alternatively, supply contact information for local and national organizations supporting individuals experiencing sexual harassment and discriminatory conduct.

For students receiving externship credit, check your institution's externship agreement for policies regarding discriminatory conduct,

and follow any guidance it provides. Law schools across California that are part of the Bay Area Consortium on Externships and the Greater Los Angeles Consortium on Externships collaborated in a decision to include policies against discrimination and harassment in their respective agreements with externship employers.

Many non-profit organizations may maintain internal written policies outlining the complaint process for individuals experiencing discrimination and harassment. If the student does not have access to those policies, the career services office should reach out to the



organization on the student's behalf. If the student wishes to pursue the complaint process, then the student should follow the steps outlined in the organization's policy.

Offer your support to the student as they move through the organization's investigative process, including discussing any issues and being an ally. Workplace investigations are often a difficult and emotional process, so observing the investigative process will help support your student. It may not seem to happen quickly, but the student should feel that the organization is taking the complaint seriously. The appropriateness of the action taken in response to the student's complaint may affect your institution's future relationship with this employer.

If the student is returning to work at the organization, check in to address any concerns. Discuss and facilitate reasonable steps the organization and the student can take so that the student feels safe. If the environment is such that the student is unwilling to return, then work with the student to determine other available options. The student should not be penalized for bringing the complaint forward.

Whatever choices the student ultimately makes, our first responsibility as career advisors is to support the student. Support your students in making a healthy choice, encourage them to advocate for themselves in individually appropriate ways, and convey to them unequivocally that discrimination based on sex and race is unacceptable in any workplace. +



Jody Stein, Esq. (jstein@swlaw.edu) is Assistant Director of Career Services at Southwestern Law School in Los Angeles, counseling students in all aspects of their professional development. She is

also an employment attorney who collaborates with organizations to build respectful workplaces through investigations into claims of misconduct and anti-bias training. This article was submitted on behalf of the Public Service Section.

PREPARING STUDENTS FOR VIRTUAL OCI

By Sunita S. Iyer

Now that we are more than a year into the COVID-19 pandemic, many of us have some experience with virtual on-campus interviews (OCI). Employers and students alike have appreciated virtual interviews for the benefits they offer, which include ease of scheduling, a speedier recruitment process, lower costs, and better utilization of the interviewer's time.

Virtual OCI may be here to stay. Putting together lessons learned from this past year, how can career services offices best prepare students for what may become the new normal? There is much that students can do to successfully navigate a full day of virtual interviews and distinguish themselves even through a screen.

Knowing the Technology

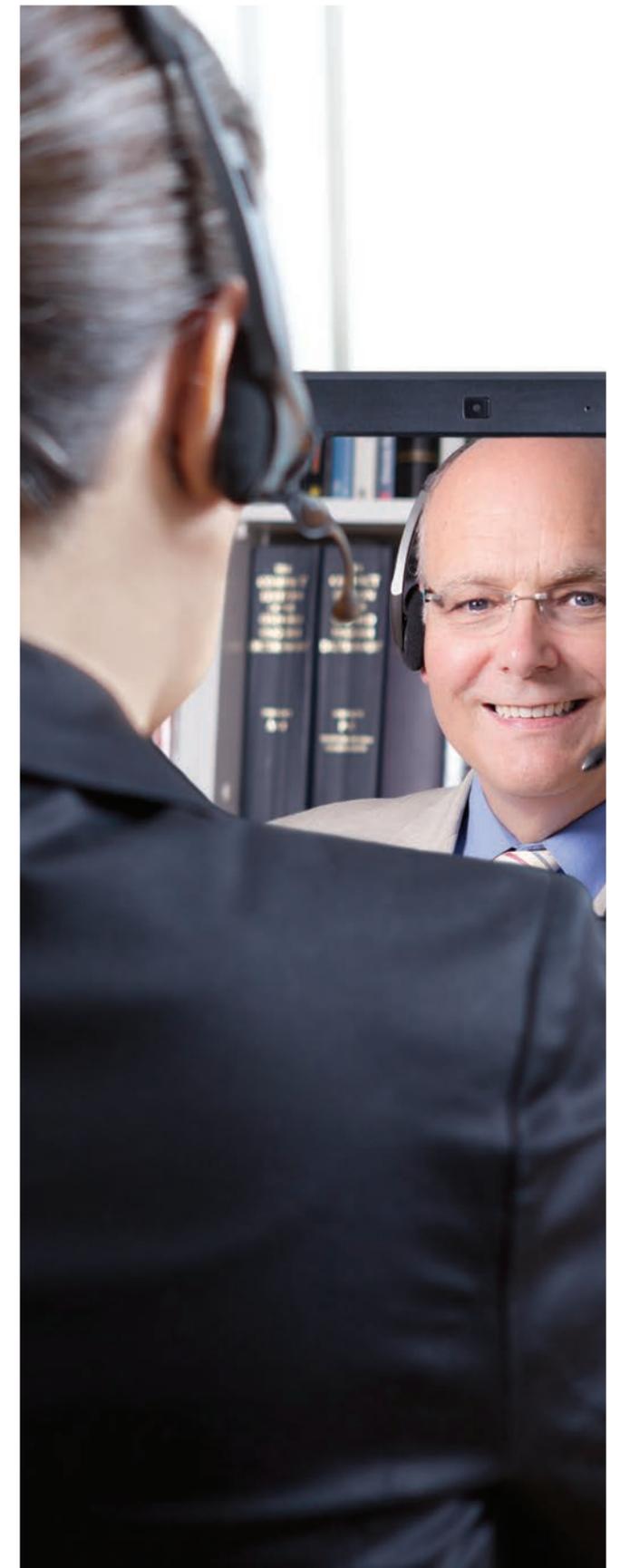
Many video interview platforms have become popular this past year, including FloRecruit, HireVue, Microsoft Teams, and Zoom. To reduce technical

issues on interview day, interviewers and students should be comfortable on the chosen platform beforehand. Simple instructions, and the ability to test the audio/visual technology in advance, help ensure interview day success. The student's web browser should be up to date and the interview location should have a strong wi-fi connection. If the platform offers the feature, students should upload application materials before interview day, as interviewers may change at the last minute and this will provide easy access during interviews. This option is also especially useful if students have additional grades or an updated resume to share.

Preparing for Interviews

Virtual interviews involve the same level of preparation by students as in-person interviews. The interview format does not change the importance of this aspect. Students

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should research the employer, practice area, and the people who will conduct the interview since interviews are about finding common

Virtual OCI may be here to stay.

ground with the lawyer or lawyers doing the interview, the team, and the potential employer firm or organization. Questions for interviewers should be based on research and demonstrate curiosity and enthusiasm. This additionally prepares students to lead the conversation if an interviewer begins with, “What questions do you have for me?” Students should know their resume very well and be prepared to talk about grades as well as any gaps in their resume.

Students should prepare a strong elevator pitch in response to the conversation starter, “Tell me about yourself.” Practicing for interviews is critical to boosting confidence and performance. This includes conducting mock interviews with a career advisor or a friend

and practicing interview questions in front of a mirror. To become comfortable with the video format, students can record themselves answering interview questions on Zoom or on their phone. This is especially helpful to being critically aware of body language and any nervous habits that may detract from the content of the interview.

Networking With Contacts

Preparing for interviews also involves networking with personal and professional contacts to be as informed as possible about prospective employers and practice areas. New opportunities for virtual networking have emerged in many virtual OCI programs through events hosted by interviewing employers such as virtual receptions, hospitality suites, lunches, or happy hours. While more time on screen is not appealing to anyone, students should not consider such events to be optional. These are all additional opportunities to learn more about the firm, meet interviewers, and make a great impression.

Students should arrive prepared to meet as many people as possible and ask them about

their projects and professional day-to-day activities. All touchpoints around virtual OCI should be treated as part of the interview process. Dressing and behaving professionally is expected, but it is just as important to remember to smile and be natural. Making such contact ahead of time can make an interview even easier. This is an opportunity to stand out as a candidate. Students have greatly benefitted from the ability to talk with practitioners outside of the formal interview and learn about firm culture.

Virtual Interview Day Advice for Students

After thorough preparation, interview day is the time for students to connect with interviewers and show them why they are such a great candidate. While everyone is becoming accustomed to on-screen meetings, a full day of potentially back-to-back interviews poses new challenges and requires some additional considerations. Virtual interviews involve extra efforts in bringing a sense of energy and making the best impression. Here are

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some tips for students to navigate a full day of interviews:

- Keep the interview platform help desk number easily accessible.
- Find a quiet space with good lighting and a professional or plain background. Check the lighting in the room over the course of the day.
- Turn off phone and computer notifications.
- Consider wearing earbuds or headphones to reduce background noise and computer speaker feedback.
- Always look at the camera, not yourself. Consider not having your image on the screen to distract you.
- Speak slowly and make eye contact. If there is more than one interviewer, give equal attention to everyone and find ways to engage with each interviewer by name since it is difficult to see where you are looking on screen.
- Do not look at your phone. If you look down during the interview, it might seem as though you are looking at your phone.
- Roommates, family, or pets should be kept away from the interview space. If some distraction occurs, stay focused on your interview. Employers are primarily concerned with what you have to say.
- If an interview runs over time and you have another interview immediately afterward, stay calm and finish your interview. The next interviewer will understand.
- Don't let a bad interview impact the rest of your interviews. Students have gotten offers from firms where they thought an interview went poorly.
- If you have back-to-back interviews, keep drinks and snacks available.
- Consider creating bullet points for each interview relating your experience to the position that you can quickly glance at before that interview.
- Use breaks to recharge mentally and physically by stretching or getting some fresh air, if possible.
- Do not forget to smile and let your personality shine through the screen. This takes more effort in a virtual environment.

- Dress professionally and stay professional at all times.
- Treat the interviews as conversations. The interviewers want to meet you!
- Take notes so that you can be better prepared to ask questions.
- Take the pressure off and remember that OCI is just one pathway to employment. There are plenty of other ways to find your job!

Post-Interview Correspondence

Students should follow up with everyone they meet through the entire virtual OCI process, including interviewers and any other professionals at receptions, hospitality suites, etc. A personalized thank-you note within 24 hours indicating interest and something specific from the interview can go a long way toward making a great impression. Callback decisions are often made shortly after virtual screening interviews.

The Future of OCI

As we start to turn a corner in this pandemic, the future of in-person interviews remains unclear. While many appreciate the evaluative

benefits of face-to-face meetings, employers find that virtual screening interviews can be as effective as in-person interviews. Some firms are going the extra step and even making callback interviews virtual as well as finding creative ways to convey firm culture through virtual dinners and virtual law firm tours. Are first-round virtual interviews here to stay? Most likely, some hybrid form of OCI combining in-person and virtual interviews will likely emerge from the most unusual 2020-2021 OCI season. +



Sunita S. Iyer (ss2593@georgetown.edu) is the Associate Director in the Office of Graduate Careers at Georgetown University Law Center. In this role, she provides career counseling, conducts career-related

programming, and administers the annual Taxation Interview Program (TIP) for Taxation LL.M students. Sunita received her B.A. from Smith College and J.D. from Georgetown University Law Center.

THE IMPORTANCE OF ALUMNI RELATIONS TO LAW FIRM LEADERSHIP

By Michael A. Gerstenzang and Elizabeth Claps

In a year that has kept us separated from each other in so many ways due to the COVID-19 pandemic, we are appreciating the many positive benefits of a foundationally strong alumni relations program for associates, clients, and firm leadership. This article examines how alumni programs can assist firm leadership, increase innovation, improve the firm-client relationship, and make your alumni relations program an integrated, important part of your law firm's culture.

A strong alumni relations program can be an asset for any law firm, and engaged alumni are incredibly helpful to firm leadership. As firms continue to grapple with diversity, equity, and inclusion (DEI) efforts, alumni provide honest feedback about their experiences

at the firm, and can often speak more candidly than current employees, providing specific and actionable suggestions for improvement. Their experiences outside the firm also allow them to share ideas and bring innovations back into the firm.

Committing to a robust alumni relations program requires your firm to define success as more than spending an entire career at one firm. The intensive training, experience on complex matters, exposure to significant clients, and the support of a network of relationships that associates receive work to make them strong lawyers and create a foundation for future success — wherever their path may lead.

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Engaged alumni are incredibly helpful to firm leadership.

These shared experiences can connect your law firm with alumni across years, practices, and geographies. At Cleary, it is layered through a career services program and reinforced by our lawyers and professional staff at all levels. Alumni who have never worked with or met current associates regularly share

their time and advise on career development. This “pay it forward” ethos is a testament to the firm’s culture and commitment to its alumni, friends, and clients.

Members of a strong alumni network come to rely on the benefits of staying connected: You can help facilitate introductions so alumni can meet their peers and connect with each other as a resource. Alumni bring insights back to their institutions, while the firm learns about trends and concerns in the legal profession.

Senior lawyers can also show their commitment to your alumni network’s success by reliably attending events, sustaining their relationships, and communicating frequently with your alumni relations team about developments.

The benefits of staying connected can strengthen your firm. Continuing to work together after moving from outside to in-house only deepens and strengthens the firm-client relationship. Additionally, your alumni provide a global network of resources, referrals, and expertise — and, in some cases, you can help alumni find their own new career opportunities within your network.

New Voices and Perspectives

Because alumni are a creative and thoughtful audience, you should often ask for their perspectives when you consider making changes or starting new initiatives. Bringing new voices into the conversation allows for insights that you hadn’t considered, and the expanded worldview lets them act as a test group to identify potential blind spots. Alumni feedback can be incredibly helpful in refining training and development opportunities for

your associates since they understand the firm culture.

In an increasingly competitive world, a strong alumni relations program can be a differentiator that creates mutual benefits for your current lawyers, alumni, friends, clients, and firm leaders. People notice when a firm makes a long-term investment in them, and it makes them more likely to feel invested in the firm’s ongoing success. +

Michael A. Gerstenzang (mgerstenzang@cgsh.com) is Managing Partner and **Elizabeth Claps** (eclaps@cgsh.com) is Director of Alumni Relations and Career Services at Cleary Gottlieb Steen & Hamilton LLP. This article was submitted on behalf of the Legal Employer Alumni Relations/Programs Section.



Michael A.
Gerstenzang



Elizabeth Claps

ADDRESSING EMPLOYERS' CITATION SYSTEMS CONFUSION

By Maria Comas and Jan Levine

Legal citation practices have been developed so that lawyers and judges can find cited authorities in a law library or a database, and as a shorthand method of demonstrating the importance and relevance of cited authorities. In most law school first-year legal research and writing courses, the faculty teach legal citation for practitioners because the students are learning legal citation in the context of drafting legal memoranda and appellate briefs, not law journal articles.

There are two citation books in common use in U.S. law schools. The traditional source is the *Bluebook* (*A Uniform System of Citation*), which was prepared by the students at the *Harvard Law Review* primarily for use with the

preparation of law review articles using footnotes, and it has a separate smaller section for practitioner document formatting. Since 2000, however, the *ALWD Guide to Legal Citation*, which has been written by legal writing professors under the auspices of the Association of Legal Writing Directors and Wolters Kluwer Law & Business, has been adopted by many legal research and writing programs at U.S. law schools. The *ALWD Guide* focuses on the types of documents practitioners prepare, and it integrates “Academic Formatting” (used for law journal articles) within the appropriate citation rules.

(Note: The author of the *ALWD Guide* has prepared charts of “Rule Correlations” going

from the Sixth Edition of the *ALWD Guide* to the *Bluebook* and vice-versa, for use at work and to help students who are completing a law review tryout or working on a law review article. These charts and other materials are available online at the ALWD website at www.alwd.org/publications/citation-manual.)

Many legal writing professors believe the *ALWD Guide* is the best citation guide for teaching students, and that the student-drafted *Bluebook* is much more difficult to use and contains far fewer explanations and examples

than the *ALWD Guide*. Career Services Office staff should be aware that there are absolutely no resulting citation format differences based upon whether a writer uses the current edition of the *ALWD Guide* or the current edition of the *Bluebook*, although the rule numbers from each source leading to those results will differ. The quality of citations produced by a summer law clerk are based upon how well the student learned citation in the first-year of law school, not upon which tool the professor used to teach that student.



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“Bluebooking” is a generic term, just like saying “Xerox this” for making a photocopy or referring to a small bandage as a “Band-Aid” regardless of the manufacturer’s name for the product.

When students are at work in a summer clerkship, they may be asked to “Bluebook” a document. We should remember, and remind employers, that “Bluebooking” is a generic term, just like saying “Xerox this” for making a photocopy or referring to a small bandage as a “Band-Aid” regardless of the manufacturer’s name for the product.

All it means is that students have been asked to review the citations within the document for proper format and for accuracy and veracity. Most lawyers and judges rely on their fading memories of the now-ancient citation book that they used when they were first-year students or members of a law journal, typically going back many decades (and several now-obsolete editions).

Legal writing faculty teaching from the *ALWD Guide* do explain this to their students, but sometimes students are not in the best position to explain that citations in a document will look the same regardless of the book from which the

students were taught. Faculty using the *ALWD Guide* believe that their students are better able to produce quality citations than students taught using the *Bluebook* because of the superior nature of the *Guide* as a tool for teaching, and they would not have adopted the *Guide* if students were disadvantaged in the quality of citations they can produce.

We all should remember, too, that many state courts have their own unique and idiosyncratic citation rules, that local practice can differ from official court rules, and each lawyer and law office is likely to have idiosyncratic expectations for citations. (The sources for official state law citation rules are all compiled in Appendix 2 of the Sixth Edition of the *ALWD Guide*. The *Bluebook* does not offer such assistance.) Because of this complicated

environment in which they will be working, law students need to understand formal legal citation rules and principles in general, but also must consult local rules and practices for the specific requirements for proper legal citation. Some law schools teach local rules and practice in their first-year legal writing programs, but many do not. +

Maria Comas (comas@duq.edu) is Director, Career Services and *Jan Levine* (levinej@duq.edu) is Professor and Director, Legal Research & Writing Program at the Duquesne University School of Law. This article was submitted on behalf of the Small & Solo CSO Section.

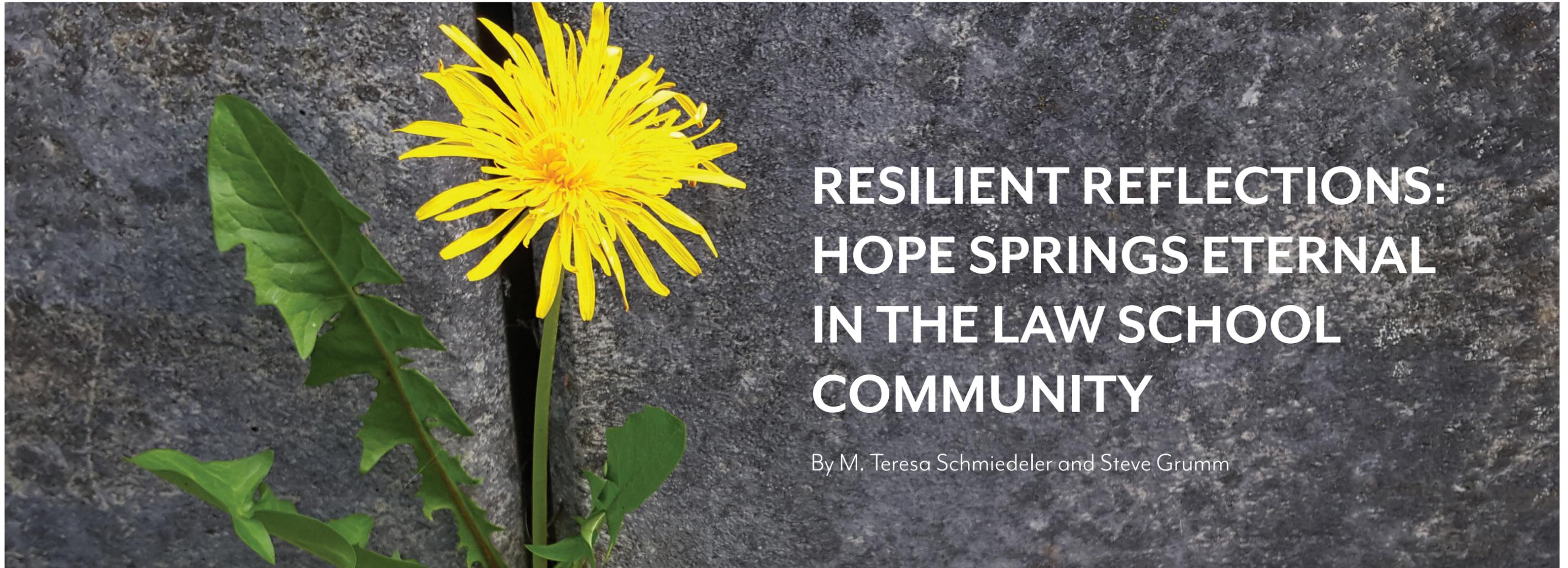


Maria Comas



Jan Levine





RESILIENT REFLECTIONS: HOPE SPRINGS ETERNAL IN THE LAW SCHOOL COMMUNITY

By M. Teresa Schmiedeler and Steve Grumm

This time of year, spring, is a time of hope and new beginnings. Many of us have a desire to reconnect with family and friends. We must all try our best to be mindful and intentional in finding ways to connect and nurture relationships. And let's be honest, videocalls on Zoom and other platforms are okay, but not really enough of a way for us humans to bond and build meaningful relationships. Why do we write reflections about community, resilience, and

law school? Writing these things down and documenting examples of resilience will hopefully lead to finding ways to best address compassion fatigue and ways to help foster resilience in the law school community.

Saul Slowik, a Class of 2022 law student at the University of Maryland Francis King Carey School of Law, kindly shared some of his insights over the past year since the start of the COVID-19 pandemic.

"I have experienced what I would describe as compassion fatigue," Slowik said. "The lack of empathy from our political leadership for nine months (and longer) also wore me down significantly. It was exhausting watching our government turn what should have been a straightforward response to a pandemic into a situation where preventable deaths were occurring daily. I also feel that elements of our

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political leadership attempted to capitalize on the pandemic to suppress minority rights and continue to do so in the background. Resilience, at least to me, is the ability to handle life and work stressors and be able to either bounce back from the concurrent fatigue or recover from the effects of the fatigue.”

Resilience is the ability to handle life and work stressors and be able to either bounce back from the concurrent fatigue or recover from the effects of the fatigue.

In the beginning of the pandemic, we all had a sense that we are all in this together and believed in a shared sense of purpose. Our terminology “uncertain times” and “unprecedented times” might have given us some way to control the narrative. But to be honest, this pandemic threw all of us for a loop!

What key lessons did we learn in this challenging year? Do we believe building resilience remains the sole responsibility of the individual or do we, as a community, have a responsibility to help others? Maybe this experience for some of us is just a stark reminder that life will always be chaotic and messy, community and relationships matter, and perfection is overrated. Be kind, be patient, and as Coretta Scott King said, “the greatness of a community is most accurately measured by the compassionate actions of its members.”

We must acknowledge how the pandemic has changed all of our lives. This past year has clearly exposed so many inequities in our society. And from a personal perspective, many of us have experienced personal loss and grief. And for some of us, the global pandemic might bring back sad memories of lost loved ones to AIDS and suicide. Time still marches on and in the law school community, it takes

a village to keep our students in a positive state of mind.

In hindsight, our reflections shared last spring (see “Fostering Resilience in the Law School Community,” *NALP Bulletin*, March 2020) encouraged and embraced life as a journey and an appreciation that nobody fails or succeeds alone. The transition from law student to lawyer is not always so easy and conversations in the early days of law school about “finding your community” encourage students to build a supportive network. As most resilient mentors in our lives know, failure and loss do not represent the last chapter in your life story. The past year is already in the history books, so muscle up a sense of humor, lean on others for support, and try your best to move forward together with compassion, perseverance, and wisdom. “You go on doing the best you can,” notes Cheryl Stayer. Resilience is that simple, we do believe, and we leave you with this quote from a November 2014 *NALP Bulletin* article by Jennifer Powell that sums up resilience.

“What is resilience? Simply put, it is the ability to bounce back. Resilience is the process of adapting well in the face of adversity and significant source of stress.” +

M. Teresa Schmiedeler, JD (tschmiedeler@law.umaryland.edu) is Director of Public Service Programs & Outreach at the University of Maryland Francis King Carey School of Law. **Steve Grumm, Esq.** (sgrumm@lawestmi.org) is Director of Community Engagement, Legal Aid of Western Michigan. This article was submitted on behalf of the NALP Lawyer and Law Student Well-Being Interest Group.



M. Teresa Schmiedeler



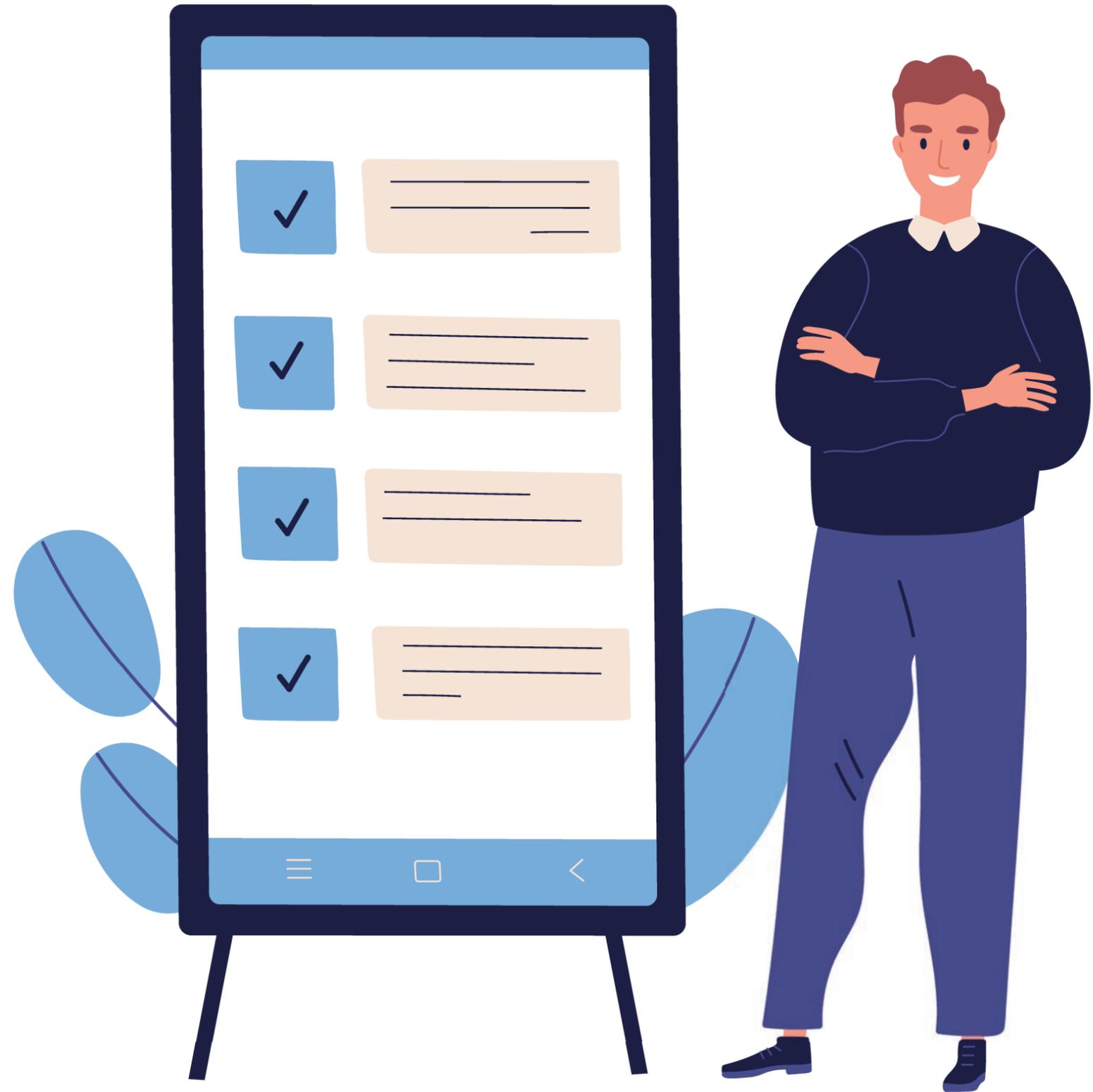
Steve Grumm

TIPS FOR CREATING A SUCCESSFUL VIRTUAL SUMMER PROGRAM

By Caitlin Raybourn

In the virtual world, planning a purposeful summer program that maximizes results is more important than ever. The summer season is one of the most exciting and busy times in a legal recruiting professional's year. Coordinating your law firm's summer program is a great way to make meaningful connections with your firm's incoming talent pipeline and build your recruiting skills as an assignment coordinator, event planner, and so much more!

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Taking care of yourself throughout the program allows you to take care of your summers to the fullest extent.

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If this is your first year coordinating a summer program, here are some helpful tips to ease you into the process:

TIP 1: Do Your Research, Both Internally and Externally

What has worked at your firm in the past? What hasn't? Look for new trends in the legal industry and don't be afraid to try new things (i.e., educational programs or social events). Most importantly, what do your summer associates want to see in their summer experience with your firm? Refer to feedback received during previous summer programs and reflect on what to keep, and what to rework.



TIP 2: Connect With Vendors

This is especially true if you are planning a virtual program — shop around for vendors and build relationships with them. Think of ways you can leverage the vendors that you already use in-office for virtual programs, swag, or meal experiences.

TIP 3: Keep Yourself Organized

Identify which method of organization works for you and stick to it! Color-code, use your calendar blocks, make lists, etc. You will thank yourself later once things get busy.

TIP 4: Take Time Each Week to Connect With Your Team and With Your Summer Associates

Keeping the lines of communication open is especially important in a virtual environment. Set calendar reminders to call your summer associates and check in with them throughout the program, at least weekly if not more often.

TIP 5: Take Time for Yourself

The summer program is a high-energy time for legal professionals. Once you log off or leave the office for the evening, take some time to unwind so you can tackle the next day fresh. Whether that is by getting in a quick workout, playing video games, cooking a nice dinner, or applying a facial cleaning mask, taking care of yourself throughout the program allows you to take care of your summers to the fullest extent. This is especially true for those who are coordinating virtual programs — meetings on Zoom and other videoconferencing platforms can be just as tiring as a full day of in-person meetings!



TIP 6: Take Notes and Have Fun!

Although a successful summer program takes a lot of hard work for you and your team, it is still one of the most rewarding parts of the recruiting cycle. Enjoy the benefits of your efforts, but don't forget to take notes throughout the summer and solicit feedback so you can streamline next year's program. +



Caitlin Raybourn
(CRaybourn@KelleyDrye.com) is the HR & Legal Recruiting Administrator in Kelley Drye & Warren's Washington, DC office. She currently serves as the vice-chair of the Knowledge

Management working group in NALP's Newer Professionals Section. Newcomer's Corner is a column of the Newer Professionals Section.

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