

Executive Summary

NALP Pulse Surveys on the Hybrid and Remote Legal Workplace

In September 2022, the NALP Future of the Legal Workplace Advisory Group designed two pulse surveys to capture a snapshot of the current work environment of legal employers and law schools across the United States and Canada. The goal of the surveys was to increase understanding of how legal employers and law schools are navigating this period of transition to new ways of working.

The surveys were completed by 64 law schools and 303 legal employers. In addition, Advisory Group members conducted over 25 interviews with people who completed the survey. Three major themes emerged.

1. Hybrid work is the dominant mode of working for legal employers and law schools. 98% of employers and 75% of law schools report currently working in a hybrid model.
2. The legal workplace is in a volatile period of change – members anticipate 24 months of re-settling on workplace issues such as office attendance mandates, the equitable application of hybrid policies, and skills and training gaps for newer lawyers.
3. Members expressed the need for resources and support for their own teams and for their organizations – the top area for skill development identified by both law schools and legal employers was building relationships in the hybrid world. In addition, change management, professionalism skills for students/new lawyers, and best practices for hybrid teams were expressed as training needs.

Data Highlights

From the Legal Employers survey

- 85% of members report that they have a firmwide hybrid working policy, rather than an office- or geographic-driven policy.

- 39% of members report that their hybrid policy is the same for lawyers and staff/business services professionals.
- Although three days per week was the most frequent response to the number of required in-office days, over half of the survey respondents report some variation (either no specific number of days or other variations based on role/function).
- 54% of members anticipate their 2023 summer associate program will be hybrid. 11% of members had not yet determined the format of their 2023 summer associate program.
- Compliance with hybrid working policies is greatest with students and staff/business services professionals, less so with lawyers and paralegals.

Members noted several challenges, including:

- Frustration in lack of commitment of lawyers to maintaining a presence on specific in-office days.
- Tension between staff/business services professionals complying with policy versus the flexibility afforded to legal practitioners.
- The impact of on-site requirements on the ability to recruit and retain talent.

From the Law School survey

- The survey revealed significant regional differences in hybrid workplace policies at law schools. In the Southeast region, 50% of law schools report 100% in-office policies for career services staff.
- For law schools outside of the Southeast region, 81% of members report hybrid working arrangements.
- Members also report a difference in hybrid work approaches by public versus private law schools. Public law schools report that they are three to four times more likely to be 100% in-person.
- Members report challenges in full acceptance of hybrid work in some law schools. Most often, career service professionals believe they can effectively service law student counseling and programming needs through both remote and on-site modalities.
- Career services professionals cited the need to better champion hybrid work models at law schools to retain talented staff. Members mentioned an increase in law school

professionals transitioning to legal employers to gain flexibility, whereas the work-life equation was previously a hallmark of law school benefits.

Overall, future predictions are murky at best from members, with many seeing a potential economic downturn as a considerable factor potentially impacting the leverage that employees currently hold with employers. NALP's Future of the Legal Workplace Advisory Group believes hybrid work is here to stay and the challenge will be to develop competencies and skills required in the new normal.

Selected Quotes from Survey Participants

Legal Employers

“We have seen several improvements in integration, collaboration, and well-being. Client service and productivity remain high. It remains to be seen how the new in-office experience in a hybrid model will shift our culture.”

“The acceptance of remote work as a fully functional way of working is a huge advancement. At the same time, we have attorneys who believe only certain activities (such as mentoring or knowledge sharing) can be done in person.”

“Partners are the most frequently absent from the office. Meanwhile, they remain the most concerned about the impacts of remote work on the office culture/mentorship/etc.”

“We're never going to find a one-size-fits-all approach to hybrid work and that's okay. What is important is ensuring that our client needs are being met and that we're being creative and open-minded about how to build and maintain relationships in the hybrid world, which is not going away any time soon.”

“The challenge is that while everyone agrees that some in person time is great for building bonds, everyone has also gotten really good at forging those virtually. In a city, it's also hard to argue that in person days make up for a long commute, especially at times where long hours are being put in. It might be different in a market where people had shorter commutes.”

“The biggest issue is the lack of in-person training/informal interaction for the junior associates with senior associates and partners. This lack of in-person contact/interaction has definitely created a learning gap for the junior associates.”

“Tension between the challenges and the opportunities that come from a mostly hybrid work environment is something we'll be dealing with for years to come within the legal industry. It's

not an existential crisis, but it will fundamentally impact how associates and firm leadership build and develop the next generation of attorneys.”

Law Schools

“I think our culture has shifted, but I would not say negatively or for the better. I think we're still trying to rebuild community from an entire academic year conducted virtually and two-thirds of a year in masks with some distancing. Fall 2022 is the first time since the pandemic began in which we have no masking, social distancing, or limits on group size.”

“While it is certainly understandable that with students attending class in person, there is an expectation that student-facing offices will be “open.” I think there has been a lack of appreciation from law school deans and university presidents that it is possible to fully staff an office and allow for some level of flexibility in work environment. I have had to fight for our current arrangement (1 day/week remote), and it has only deepened the frustrating divide between law school staff and faculty which in turn poses a challenge to building an inclusive work environment.”

“I think NALP law school members could use support in educating and persuading law school administration and faculty that we can successfully do our work in a hybrid format. Talent from school career services offices is very marketable to employer-side members and schools are going to have trouble retaining OCS staff if they don't adapt to a more flexible work environment. If OCS staff can get more pay and more flexibility going to work on the firm side, the other things that are motivating about working at a school (working with students, working in an educational environment, etc.) will no longer be enough to keep them in that setting.”

“I love the hybrid working model for so many reasons (avoid commuting two days/week, time for more focused work, ability to be present for my child getting home from school, and more). The biggest challenge is how hybrid/WFH is viewed by people who prefer working in the office all the time. A culture shift needs to happen and there's a strong pull to go back to status quo.”

“The pandemic showed us virtual OCIs and programming can work and offer many benefits. We are sticking with virtual OCIs which are less expensive and labor intensive to organize and has led to increased employer participation. We will be including more virtual programming and counselling options than we did pre-pandemic.”