

NALP Best Practices Guide for Managing Law School Employment Outcomes

Preamble

The National Association for Law Placement (NALP) strongly encourages all law school members to establish and follow best practices in collecting, maintaining, and reporting law graduate employment data, using this document as a guide. This practice is essential to ensure the uniformity, transparency, reliability, and integrity of public information about law school employment outcomes. Using common methodologies and definitions across institutions to collect and report law graduate employment outcomes serves to provide valuable and comparable information to a variety of constituencies, including career services professionals, law faculty and law school administrators, law students, prospective students, law school alumni, and others.

Individual law schools are responsible for accurately reporting their own law graduate employment data in a variety of settings, including on their own websites, in their admission and promotional materials, and to a variety of outside organizations, including NALP.

Employment outcome information for law school students and graduates is generally obtained through law school surveys and other data collection methods. Obtaining information about the employment circumstances of graduating students is the shared responsibility of the law school community, but managing the process generally falls upon the Career Services Offices professionals charged with providing counseling and career development services to students and alumni.

The best practices set out below are designed as tools to help each law school meet its own educational and informational needs. These best practices have been developed at a time of rapid change in legal education and the legal employment marketplace, and are meant to be applied on a prospective basis, with some schools implementing them more rapidly than others. As this is the first

time that NALP has established these best practices, it is fully contemplated that these best practices will evolve and change over time in response to further changes in the industry and/or regulatory changes that may be adopted or imposed.

Introduction

This *Best Practices Guide* is divided into three main categories: collecting data, maintaining data, and using data. This information is provided to NALP members to serve as a *guide*, and it is up to each individual law school to determine which steps and methods are appropriate for its respective Career Services Office (CSO) and institution, taking into account available resources.

Some universal principles that should be considered when reviewing this *Guide* and instituting any suggested best practices are:

1. When collecting, maintaining, and using employment data, career services professionals should use their best professional judgment and should uphold the highest ethical standards.
2. CSOs should maintain ongoing contact with students and recent graduates. Contact with students and recent graduates, and collection, maintenance, and reporting of data, should not be just about collecting employment data. Instead, data should be collected in conjunction with counseling, sharing of information, and providing job postings, networking tips, and other relevant information pertinent to the job search process.
3. Schools should strive to report consistent information to the various data collection bodies when practicable.

4. Law schools should educate and encourage students as early as possible in law school to cooperate, communicate, and assist in the data collection process.
5. All applicable regulations and laws must be followed throughout the data collection, maintenance, and utilization processes.
6. The ultimate goal of the data collection process is to create and maintain an open and transparent system for providing employment information to all interested constituents, both inside and outside of the law school setting. When providing data, CSOs shall not selectively omit information.
7. Law schools should collect and report requested graduate employment data to NALP in order to allow NALP to generate national aggregate numbers and provide a wide variety of national benchmarks for each graduating class.

Collecting Data

There are many ways in which to collect employment data from law school students and recent graduates. Outlined below are steps to prepare for and engage in the data collection process as well as some examples of how to collect the data.

Confirm accurate class information. Early in the fall semester, work with your registrar's office to determine who will be members of that year's graduating class. Check back with your registrar's office throughout the year because members of that class can change as students' graduation dates shift. At some point after graduation, you will need to finalize the exact members of that year's graduating class.

Depending upon how many graduating classes a school has in one year, CSOs may have to engage in this process for each one of those graduating classes. Most law schools have a spring graduating class. However, if you also have a winter graduating class and/or summer graduating class, then those graduates will need to be ascertained per the above.

Reach out to students in their final year and survey them while they are still in school. In early fall, once you have an idea of who will be graduating, you should reach out to those students in a variety of ways in order to gauge what their needs will be during their last year. This is a great way to engage your graduating students, obtain an idea of what help they may need, and also potentially secure some employment status information.

Since it is often easier to communicate with law school students while they are still on campus, it is suggested that CSOs survey students once before they leave campus. What form that "survey" takes is up to the individual law school. It can be a formal, written survey, much like the NALP survey form. Alternatively, it can be much simpler in design, asking basic employment questions as well as post-graduate contact information, such as a permanent address and non-school related email address. Surveys can be administered via a system such as Symplicity, a hard copy questionnaire, or another electronic format. You can always follow up after graduation to obtain more complete data.

Working collaboratively with the Dean and other departments in the law school community, you may decide to condition certain services related to graduation upon completion of the survey. Some schools require graduating students to complete the survey prior to receiving their caps and gowns or exam numbers. Other schools use an incentive-based approach where every student who completes a survey prior to leaving campus is invited to an ice cream social or entered into a drawing for a prize. CSOs should make every attempt to document a non-law school email address for every graduate before graduation.

Obtaining student information after graduation. For those who have reported that they are unemployed or who have not reported anything, CSOs should follow up at least one more time subsequent to the survey conducted prior to graduation. The timing of the additional outreach will depend on the school and staffing, but should ensure enough time to make best attempts to locate those graduates who do not report, who report incomplete information, or who previously reported that they are still seeking employment, and to enter the data that is obtained. It is highly recommended that while fol-

lowing up, CSOs offer assistance to and have ongoing communication with those who are either unemployed and seeking or underemployed. For those graduates who are not responsive to the survey or other direct outreach, CSOs may try additional contacts by using a method described below.

Locating employment information for non-responsive graduates. Despite best efforts, there is always some portion of the class that will not respond to surveys, emails, or other attempted contacts. In those situations, schools can try one or more of the following methods commonly used to find non-responsive graduates.

■ Directly from Graduates

- Periodically text or email recent graduates again, directly or through social networking sites
- Request information on forms graduates complete to receive diplomas
- Attend bar admission ceremonies, or similar events, to connect with recent graduates and ask about their employment status
- Request bar cards that graduates complete if bar admission ceremony is held on campus

■ Indirectly from Graduates

- Monitor social networking sites, including Facebook and LinkedIn, for comments related to employment status
- View resumes uploaded on Symplicity or other resume collection sites

■ Third Party Provided Information

- Check state bar websites, which often list employer names
- Contact family members, parents, or spouses whose contact information may be on file with your admissions, registrar, or public affairs offices
- Send a list of unknown graduates to others in your law school — dean of students, faculty, alumni office, registrar — asking if they have any employment information

- Contact previous employers to see if a graduate is still working there, and if not, if they have any contact information for that graduate
- Receive information from classmates and/or friends
- Perform a Google or other internet data base search to see if they are listed on an employer's website

Take reasonable steps to confirm data. If employment data information is obtained by a source other than directly from the graduate, then CSOs should take reasonable steps to confirm that the information is accurate. CSOs should use their professional judgment and the highest ethical standards when determining usefulness and reliability of information and when reporting this data. All employment status data must be based upon a fact-based finding.

Document the source of information. It is important to collect and maintain data on the sources of information you use to gather your graduates' employment information. It is recommended that CSOs collect and maintain the following:

- The date the information was received
- The actual information that was received
- The source of the information, whether it came directly from the graduate, employer, family members, someone on campus, an internet site, or other source

A best practice would also be to maintain notes on each of the above every time additional employment related information is received. This way, the progression of what is learned, by whom, and from what source, is tracked for all information, including type of job, length of position, salary, etc. CSOs should also document attempts to find recent graduates, particularly when those efforts are not successful. There are many different documentation systems that can be used. They can vary from an electronic format, such as an Excel spreadsheet, to a hard copy format, such as a notebook that contains a survey or profile on each graduate. Whatever format is used, it is important to document each step taken and each piece of graduate employment information obtained.

It is also important to freeze data at important benchmarks required by various recipients of employment data, such as NALP and the ABA, so that the information can be recalled as of a specific date, if necessary. This is true even in the instance of a school continuing to gather additional information for different purposes after those benchmarks have passed.

Re surveying employed graduates. For recent graduates who have reported that they are employed or for whom this information is known from a reliable source, CSOs do not have to resurvey them to confirm that they are still employed. If, however, a graduate contacts the school or the CSO learns from a reliable source that the graduate's status has changed and that person is now unemployed, the CSO will need to resurvey them and/or report them as unemployed.

Document the time and resources involved in collecting data. CSOs may choose to document the amount of time and resources expended in collecting the necessary employment data. This information may be particularly useful for CSOs that are short-staffed as the data collection process can be time consuming and may take away resources from CSOs in assisting students and graduates in their career development needs.

Maintaining Data

CSOs will use different methods to maintain the data collected. Some will use hard copy surveys, others will rely on an employment tracking system, such as Symplicity, and still others will create their own database or spreadsheet. Whatever the method, CSOs should track the source of information, as mentioned above, in addition to tracking the data points requested by NALP and the ABA. It is important that the data, source of information, and process used to obtain the information be memorialized and be retrievable.

Maintain information on graduates who are unemployed and seeking and those who are unknowns. Schools should maintain some system by which they continue to identify and document attempts to locate those who are unknown or about whom they are missing information. CSOs should also maintain records for and con-

tinue to work with those who are both unemployed and underemployed. Schools should maintain the data, as well as the underlying progress notes, that they report to NALP and the ABA each year and should retain such information according to the individual school's document retention policies.

Using Data

While the ABA will likely be giving schools direction about what must be reported on their websites and marketing materials, schools may want to go further in self reporting detailed raw data regarding each of the NALP categories.

Schools should begin to use raw numbers rather than relying solely on percentages, particularly as there are several different formulas in the market from various sources such as NALP, the ABA, and *US News*. CSOs should work with the Dean, faculty, and others in the school to present employment information to current and prospective students in a format that promotes an understanding of the current state of the legal employment market. Schools can use both NALP's aggregate national data and data from the school to convey this information.

Employment data to be published. Subject to any regulatory requirements, at a minimum, law schools should list the number of graduates who fall into the following categories:

- Employed
- Unemployed and seeking
- Unemployed and not seeking
- Not employed — start date deferred
- Pursuing a graduate degree full-time
- Unknown/no data available

As to those graduates who are employed, law schools should also break down how many graduates fall into each of the following categories:

- Private practice
- Government
- Business & industry
- Public interest
- Academia
- Judicial clerkships

Within the above categories, law schools should also publish how many graduates were working full-time and part-time, as well as how many of those graduates were in long-term positions versus short-term positions.

Lastly, law schools should also break down the number of graduates who are employed and who fall into the following categories:

- Bar passage required
- Juris Doctor degree presents an advantage
- Professional position (job requires professional skills or training)
- Non-professional position
- Job type unknown

Overall, law schools should make a best effort to obtain as much information as possible about all graduates' employment status. However, it is likely that for many graduates, only some parts of the above information will be obtained. A suggested format for employment reporting is provided as Appendix A.

Reporting starting salaries. If an individual school chooses to publish salary data, then the underlying number of salaries reported and used to support that data should also be published. However, if there are fewer than five reported salaries for any employment category, schools are urged not to report any salary statistics in that category in order to protect graduates' privacy. Additionally, law schools should consider providing national salary statistics, as provided by NALP, because that data can provide a more comprehensive picture of graduates' starting salaries.

Educate law school faculty and administration about employment data. Career services professionals should

make reasonable efforts, in conjunction with and upon consultation with the Dean, to educate the faculty and other administrators regarding law school employment data. In conducting this education effort, it may be helpful for CSOs to prepare and share an employment fact sheet that contains employment data that the career services professionals have deemed accurate and appropriate for use. CSOs could also conduct interdepartmental meetings, including other student services departments, to discuss current employment issues at their law schools and trends in the national legal recruiting arena. Communications professionals, in conjunction with CSOs, should assist any law school spokesperson with a response or presentation to any media outlet regarding employment data.

Conduct internal review of employment data. CSOs should work with the Dean to determine who is best suited to conduct a complete review of all publicly available employment data distributed by the law school. This should include not only information on the CSO website, but information available through all other components of the law school, including but not limited to other law school offices, such as: Admissions, Communications/Public Affairs, Student Affairs, Dean's Office, Financial Aid, and Alumni/Institutional Advancement. All employment data published by any arm of the law school should be reviewed by the CSO before it is used.

Law school funded positions. Subject to any regulatory requirements, law schools should publish how many positions and which type of positions are being funded directly by the law school and/or parent institution. Further, law schools are invited to explain the various types of law school funded positions, for example, whether they are long-term fellowships or short-term positions.



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Appendix A

Employment Status	NUMBER		FULL-TIME		PART-TIME	
	Number Reported	% of Reported	Number Permanent	Number Temporary	Number Permanent	Number Temporary
Total Reported = 0						
Employed — Bar Passage Req'd	0	%	0	0	0	0
Employed — JD Advantage	0	%	0	0	0	0
Employed — Other Professional	0	%	0	0	0	0
Employed — Other Non-professional	0	%	0	0	0	0
Employed — Job Type Unknown	0	%	0	0	0	0
Pursuing Graduate Degree FT	0	%				
Unemployed: Not Seeking Job	0	%				
Unemployed: Seeking Job	0	%				
Employment Status Unknown	0	%				
Total Graduates	0	100%				

Employment Type	Number Reported	FULL-TIME		PART-TIME	
		Permanent	Temporary	Permanent	Temporary
Law Firms	0	0	0	0	0
Solo	0	0	0	0	0
2 – 10	0	0	0	0	0
11 – 25	0	0	0	0	0
26 – 50	0	0	0	0	0
51 – 100	0	0	0	0	0
101 – 250	0	0	0	0	0
251 – 500	0	0	0	0	0
501+	0	0	0	0	0
Size Unknown	0	0	0	0	0
Business & Industry	0	0	0	0	0
Government	0	0	0	0	0
Public Interest (incl. Public Defender)	0	0	0	0	0
Judicial Clerkships	0	0	0	0	0
Federal	0	0	0	0	0
State & Local	0	0	0	0	0
Academia	0	0	0	0	0
Employer Type Unknown	0	0	0	0	0
Total employed	0	0	0	0	0