A Roundtable Discussion: What Law Firms Expect From New Lawyers
Moderated by Nicholas Gaffney

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Graduation from law school today is often fraught with anxiety. Student loan debt is high, entry-level positions are hard to come by, and high salaries and frequent pay raises are no longer a given.

In short, law students need an increasingly sophisticated toolkit to succeed in today’s competitive legal market.

To help prepare the next generation of lawyers, we called on experts from both sides of the academic divide - law school v. law firm - to discuss what recent graduates really need to know to be successful in the professional world. Our participants contributed their comments through a conference call and via email.

Representing law schools, Donna Davis, Assistant Dean for Career Development for Case Western Reserve University School of Law; and Vicki Huebner, Assistant Dean for Law Career Services at Santa Clara University School of Law, weighed in on what law students need to know before joining a firm.

From the professional perspective, Vince McGuinness, managing partner at Cozen O'Connor; Richard Nelson and Raquel Sefton, partners at Sideman & Bancroft; and Deborah Tomczyk, shareholder at Reinhard Boerner Van Deuren; shared their opinions on what it takes to succeed after a young lawyer has made it through the doors of a firm.

PAST AND PRESENT
As with most professions, there are similarities and differences between the way the work was done in the past and how it is performed today. Technology stands as the biggest difference between generational trends when it comes to surviving as a young lawyer.

“I think there’s a seduction that we can find things [faster] by doing searches on the Internet,” said Raquel Sefton, head of Sideman & Bancroft’s Family Law Group. “But it really isn’t a substitute for showing up, having enthusiasm, and being engaged in the law and in the practice.”

Today, Generation Y is by far the most technologically adept group to join firms. According to Cozen O’Connor managing partner Vince McGuinness, they are not necessarily expected to have computer science degrees, but firms do assume that young lawyers have basic research skills and proficiency in
computer systems and programs. Part of training focuses on the special programs and technology used in the individual firm.

“Tech skills are critical in today’s practice,” said McGuinness. “Through firm committees, like our associates committee and [technology] committee, many Generation Y attorneys are educating firm management about new technologies and social media outlets that we are incorporating into our firm’s cadre of tech tools.”

Another generational difference is the increasingly sophisticated strategic career planning choices that today’s law students make before graduation, in light of the competitiveness of today’s market.

Sideman & Bancroft partner Richard Nelson said, “I think the challenge in law school is to position yourself to [join] a firm of your choice, if that’s your career path. I think that is extremely competitive now.”

“We see that in the young associates [or] the summer folks that are here,” Nelson continued. “There is a desire to succeed, which we all have, and [a] fear of the alternative, and I think the alternative is much more prevalent nowadays.”

That fear of the alternative puts more pressure on young lawyers to make their best effort. “That’s always been the key to success... those associates who try really hard, put out a polished product, show a desire to learn and be a good colleague,” said Nelson. “That was the success formula in the 1980s, and it’s a success formula today. It may just be harder to get the first spot.”

Another difference between earlier times and today is the level of professional development needed to succeed, even at the beginning stages of the profession.

“I think [professional development] is something that’s very different than even five or 10 years ago, when it was assumed that professionalism, the things that are necessary in the practice of law, would just be understood by a new attorney,” said Donna Davis, assistant dean for career development for Case Western Reserve University School of Law. “That’s not necessarily the case now.”

Although technological advancements have emerged, young lawyers today are still faced with challenges familiar to most of their predecessors.

“I think the things that are the same are enthusiasm and a desire to learn,” said Sefton. “Being able to ask questions and not be afraid to make sure that you understand what the assignment is, is the same as when I came out of law school in 1992 and [joined] a big law firm.”
OPPORTUNITIES BEFORE GRADUATION

Young lawyers may not have all (or even close to all) the answers to thrive in the professional world, but options are available to law students to prepare themselves.

“Young lawyers need experiences that bridge the transition from academics to real life practice,” McGuinness said.

Law schools and law firms must work together to present opportunities for recent graduates to be successful in the professional realm.

“I think the top 10 percent of the law school class will always continue to have many, many choices and will be successful wherever they end up,” said Deborah Tomczyk, shareholder at Reinhard Boerner Van Deuren. “But there’s 90 percent out there that have different [and lesser] opportunities.”

“There are definitely challenges,” added Tomczyk. “I think we, as a law educating community and as a bar, need to figure out how to make sure [there] are good opportunities going forward for people.”

Law schools are fine-tuning internal and external programs to help students better address these challenges. At Santa Clara University School of Law, clinical programs are gaining momentum to hone in on skills needed before entering the practice. Vicki Huebner, assistant dean at Santa Clara, said in the past two years, three new clinical programs have been launched, and curriculum has shifted to incorporate real practice with traditional doctrinal classes.

“(In one course), perhaps instead of just talking about contracts, you’re actually drafting a paragraph of the contract,” said Huebner. “Then the other thing we’ve seen is an explosion in the number of students [participating] in our externship program.”

Opinions varied in terms of clinical programs and externship programs posing the question: is it enough real experience?

“Should the [clinical programs] really be something that the law schools are doing or should that be work [done] by law firms?” asked Nelson.

“I do think that at Case, we have answered the call of many of our law firms when we started our experimental learning program,” replied Davis. The university’s Case Art Program involves four semesters of a series of courses for first- and second-year students. “Through those courses, only very dedicated lawyers with over a decade or more of experience are actually teaching those particular courses.”

“We like to think that the students that are going through this experiential learning program are more prepared than they would have been had we not instituted the program,” added Davis.
Externships presented more favorably from the attorneys at firms.

“We use externs here,” said Nelson. “We’re a relatively small firm, about 30 lawyers, but we have a big [intellectual property] practice, and we use externs from Hastings – they’re extraordinary. They’re integrated into our teams, and it gives us great access to a lot of enthusiasm and eagerness.”

Sefton added, “I’d like to believe that we’re actually showing them a bit of what life is like on the other side – getting them ready as they’re making decisions about what path they want to take for their career. I think the externship programs, both the judicial and law firm externships, are really valuable.”

**YOU’VE LANDED A PLACE AT A FIRM: NOW WHAT?**
Young attorneys can benefit from a reliable mentor who can help guide them through their law school career and their first few years of practice. Often called “shadow programs,” law offices and law schools are arranging mentor relationships with experienced attorneys.

“This week is our spring break, and I’ve been spending it running around Silicon Valley taking students to various shadow programs with our alumni,” said Huebner. “[This gives soon-to-be lawyers] a sense of what’s expected of them, [offers career advice], and [gives] a better understanding of how they are to present themselves, whether it’s in the office once they have the job or along that path of trying to access and actually attain the job.”

In addition to mentoring, it is important to offer opportunities for growth and expertise development.

“The firm has to be much more careful and purposeful in terms of hiring and making sure we can give those young associates interesting opportunities, but still do it in a way that makes economic sense for the firm,” said Sefton. “I think it’s a big challenge... If the firm's practice doesn't have those opportunities built into it, then I don’t think they should be bringing in junior lawyers.”

**DEVELOPING THE SOFT SKILLS**
From getting along with other lawyers and staff to developing a solid business development skill set, young lawyers entering the professional world are expected to be able to develop softer skills that are as important to success and legal know-how.

For example, face-to-face communication leaves a more lasting impression than technology-enabled discussion.

“The expertise that the young folks have in technology and social media really do give them a leg up and a whole different way to communicate to their peers,” said Tomczyk. “But nothing ever takes the place of a face-to-face meeting.”
Text simply does not illustrate verbal and body language, masking proof of mastered soft skills, such as personality traits, friendliness, and optimism. Intended meanings also may be misconstrued more easily in email and other online communications than face-to-face.

We need to, from a generational perspective, never lose sight of the ability to make those direct human-to-human connections,” said Davis. "It's so critical in the business community.”

“The students have gotten the message, loud and clear, that personal relationships are vitally important,” said Huebner. “I have never seen students so keyed into the idea that they need to be ... working both internally to develop themselves and get that ... substantive knowledge [needed] to [succeed] through law school, but also be externally [developing] relationships out in the legal profession.”

These soft skills can determine how high a young lawyer rises in the firm.

“I think the people that are genuinely good people rise,” said Nelson. “You can tell somebody who is a good colleague from somebody who's not, and you protect and promote those that are good, strong colleagues and those that aren't, probably don't have a place.”

Nelson's colleague, Sefton, added, “You can have somebody that's whip smart and really enthusiastic, but if they alienate their secretary or they can't work with a paralegal, they're not going to be successful in the firm. If they can't interact with the client, and especially in my practice, be empathetic and compassionate but still professional, they're not going to be a successful lawyer in our practice.”

Career planning also is encouraged within the firm after a junior attorney has been hired.

“[We] have a comprehensive professional development program in place that offers different skill training from entry level to mid-level to more experienced,” said McGuinness. "We survey lawyers for input about their needs and facilitate programs that are topical and interesting to our lawyers.”

THE ECONOMIC MODEL OF THE PRACTICE OF LAW
The increasing pushback from clients who do not want young attorneys on their cases has resulted in reductions in first-year associate hires by firms. Clients are more fee-sensitive: asking for budgets and alternative fee arrangements, and resist paying for junior lawyers.

Yet to develop legal skills, young attorney need to interact with clients.

“First-year associates are getting such a bad rap out there ... a lot of firms are trying not to hire first-years, and the summer programs are becoming smaller,” said Nelson.
“It's probably the biggest challenge for us, going forward, as a legal community,” said Tomczyk. “Unfortunately, the law firms ... have an obligation to figure out a way to make it work for everybody, but it does put additional pressures on the younger lawyers. I think we're going to continue to [fewer] of them used, at least in the traditional ways, and that means we're going to have to find ... different ways to get them involved in projects, and get them trained.”

“With legal budgets being what they are today, there is less tolerance from clients,” agreed Tomczyk. “Often, you'll see instructions from clients: only one person can attend this meeting, never double-up on going to hearings, things like that.”

When it comes to the actual business of law and the background of places juniors may work, this generation's young attorneys are interested.

“I [can't] remember any other time in my career as a law school assistant dean for career services [where students] were more thoughtful in the discussion [of the actual business behind law],” said Huebner. “The conversation has changed.”

Davis added, “I think they understand it more than they ever have. In the 17 years I've been in this field, I've seen a growing interest in the actual business of law.”

Although young lawyers aren't expected to completely understand the business side, basic business skills are expected, along with an eagerness to learn.

“As a family lawyer, there's a big part of my practice that is a financial transaction often involving businesses, private equities, RSUs - we have a very complex practice,” said Sefton. “So we do in-house training, and we look for opportunities for our attorneys to be trained through other forums about some of these things, because we don't expect them to know everything. But I think it gets back to the tried and true things that we look for, and that is a willingness to learn, a willingness to roll up their sleeves ... and really do the hard work of getting up to speed on some of these things. People are hiring us, because they have very complex legal problems. We can't expect associates to understand all of those, but we have to expect and hope that they will have enthusiasm and that they will work hard so they'll be able to come up that steep learning curve.”

Nelson added, “It's hard as an associate coming out, because they don't know the various businesses and companies we're working with. But if they keep their eyes open and ... ask questions, those questions should be encouraged both by the attorneys and the client. Then they learn, and it becomes much more enjoyable.”

“The business piece of it does have to come,” noted Tomczyk. “But I think there is some tolerance for that being developed over time.”
DEVELOPING RELATIONSHIPS WITH CLIENTS
After three years of law school and passing the bar exam, many young lawyers are ready to jump into practice. An essential component of law is building and developing relationships.

“We recognize this can take time until a young lawyer feels comfortable in this role,” said McGuinness. “As a result, we engage our young lawyers immediately in this process,” he added. “Senior lawyers involve young lawyers on client pitches and presentations, assign substantive projects that regularly require client contact, and participate in business development training programs. Business development skills come in many different shapes and sizes, and exposing young lawyers to a variety of opportunities refines and develops these skills.”

"We have mostly corporate clients, and I hearken back to my days as a young associate at Pillsbury," Nelson said. “I had wonderful litigation partners who I worked with and who seemed unafraid, whether they should have been or not, to give me face time with a client. I learned so much from them and those experiences, and I try to do that with the associates that we have here.”

Some clients, more than others, are willing to help young lawyers get their experience by encouraging participation on their account.

“One [of our clients], a technology company in Palo Alto, has expressed a desire to mentor and work with our very youngest associates,” said Nelson. “We have an extraordinary first-year associate who we're bringing to client meetings and taking a real role in these things. That’s a testament to him, to our group, and to our clients.”

TECHNOLOGY: THE PAIN AND THE GAIN
Young lawyers also need to be wary of the potential liability that comes with new technological advancements, for example posting advice to social media sites, such as Facebook and LinkedIn.

“You want to be sure [young attorneys] are mindful of the ethical implications of communications advice that is being provided. It [could] potentially come back as a concern later in your career,” said Tomczyk. “That, I think, is something unique and new that social media has brought us.”

On the other hand, technologically savvy juniors also have built-in advantages.

“I think that's a place where young lawyers have an advantage,” commented Sefton. “They know some of the better technological access points to get information in ways that maybe some of the older lawyers do not.”

FINAL ADVICE
The discussion ended with one last request: advice the assistant deans give recent graduates to prepare them for the professional world and advice the attorneys wish they had starting out.
“The practice of law is actually a lot of fun, but sometimes it can be a lost kind of thing, the trees instead of the entire forest for students. I tell them to take a moment, savor the moment, enjoy this time in law school. The beginning of their career is really the time to see it as a grand adventure that they’re embarking on.” -Vicki Huebner

“Many of my students have short - and long-term goals. One of the pearls of wisdom I give each year when they're graduating is when they start to practice, identify the attorney who has already accomplished the goal they hope to accomplish, whether that's in five or 10 years. Then, they should develop their practice area and pattern it after someone who's already been successful in that area.” - Donna Davis

“Enjoy the great profession that you are a part, and approach each assignment and engagement with the zeal and gusto you know will make you a superior advocate.” -Vince McGuinness

“Be flexible. Be a problem solver. Realize people are coming to you and looking to your expertise, because you have the ability to help them solve problems. We really need to understand our clients’ problems and be present and engaged in them. That, I think, will go a long way for young lawyers to be successful.” -Raquel Sefton

“Never try to fake it. If you don’t know the answer to something, it’s okay to say, ‘I don’t know. I'll need to get back to you on that.’ Just as lawyers, we tend to do a lot of talking, and it’s much more important to be listening. That's something I try to remind myself repeatedly.” -Deborah Tomczyk

“For all the good things you do, they’ll be remembered and noted by your colleagues and by your clients. For that one really bad thing you did that you regretted - that is going to stay with you for the rest of your career. So you always have to be on top of your game. You always need to do everything with your best effort, looking to put out a polished product at all times. Even if a partner says that you can give a rough draft, don't believe her. Those 'Wow' moments don't come all that often. But when they do present themselves, then, as a young associate, my recommendation is to grab it and to make it yours." -Richard Nelson
Moderator

Nicholas Gaffney, a lawyer and former journalist, directs the San Francisco office of Infinite Public Relation.

About the participants

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