

THE TIMES THEY HAVE A-CHANGED

By Jill Green

What legal employers want in new attorney hires has not changed much at all. The legal market has undergone drastic changes—iconic large firms disappeared and others consolidated, summer programs and new associate hires shrunk, e-discovery and technology forever changed document review, (John Markoff, *Armies of Expensive Lawyers, Replaced by Cheaper Software*, N.Y. TIMES, March 4, 2011, <http://www.nytimes.com/2011/03/05/science/05legal.html>) consumers began accessing legal information and forms online, and many states adopted rules to unbundle legal services to name a few. (Sarah Kellogg, *The Uncertain Future: Turbulence and Change in the Legal Profession*, DC BAR, April 2016, <https://www.dcbar.org/bar-resources/publications/washington-lawyer/articles/april-2016-uncertain-future.cfm>). Despite the changes in practice and the job market, the skills and qualities necessary for success remain the same. Solid research and writing, analytical reasoning and practical problem solving, effective communication and people skills, good organization, and a strong work ethic are now and have always been what legal employers want from recent graduates. (Study: *Soft skills critical for career success*, THE NATIONAL JURIST, June 7, 2016, <http://www.nationaljurist.com/content/study-soft-skills-critical-career-success>).





However new attorneys face an additional hurdle –legal employers would prefer to hire someone who has already received at least some training in their area or practice, as both cost-cutting pressures from clients as well as increased demands on experienced attorneys’ time make it difficult, if not impossible, to invest substantial amounts of time and money in training a new attorney. In addition, smaller firms want to hire new attorneys with basic business skills and an interest in the business of law, as their business models require that associates develop clients and generate revenue earlier in their careers than what was expected a decade ago.

Survey of Maryland Legal Employers

In 2015, the University of Baltimore School of Law (“UB Law”) conducted informal surveys of legal employers in Maryland, meeting with a range of legal employers, from big firms to solos, legal services non-profits to government agencies, in-house counsel and the judiciary. We conducted in person meetings with over 30 individuals including managing partners, senior associates, junior associates, training directors, trial judges, appellate judges, and magistrates. Our goal was to gather information from the field and use it to inform our curriculum and professional development programming at the law school. We sought input on the overall level of professional readiness of third year students and recent graduates (from all schools, not limited to UB Law graduates). We asked questions ranging from “How would you describe the ideal recent law school graduate?” to “What weaknesses do you see in recent hires?” to What are

your expectations for new attorneys writing skills, and analytical skills?”

Attorneys and judges, regardless of practice setting, expressed some common themes and concerns around the generational differences, which included both admiration for the dedication millennials bring to their education as well as concerns that they lack the initiative and professionalism necessary to excel in a legal work environment. As to the first point, many experienced attorneys expressed that the millennial candidates they hire are exceptionally well qualified academically. A common observation was that current students “do more in law school than in my day” such as “journal, moot court, externship, clinics, and work.” Some attorneys expressed that they themselves “did not have the grades or experience” that current graduates have, and as one attorney put it: “I was lucky to get my job, if I applied today, I would not be hired here.”

Ironically, although current law students have impressive resumes, survey feedback indicates that they often lack the professionalism, creativity, and good judgment that are so critical to success in legal positions. Many attorneys observed that millennials are skilled at following directions, but fail to demonstrate initiative. One attorney expressed a common sentiment well, “they only do exactly what you tell them, they don’t think outside the box” and while they are “very efficient researchers,” their work product “lack[s] depth” as “they don’t always see the big picture.” Attorneys and Judges attributed some of these challenges to new attorney’s reliance on social media and texting and related that often their work product displays “a lack of attention to detail” and their interpersonal style is “too infor-

mal” and, that over all, this generation “does not understand professionalism.”

Findings

The conclusions listed below are the result of the feedback collected, an analysis of the data and current scholarship in this area. Beginning with the most important attributes and skills legal employers want from new hires in comparison to what they are seeing in practice. This includes a look at generational differences and the impact that has on the legal work place. And lastly, we offer some advice to legal employers and aspiring lawyers on bridging the generation gap.

People Skills

One theme in particular, dominated the conversations, the importance of “people skills,” also known as soft skills. These skills include the ability to deal with people effectively and politely, and to work civilly and collegially with colleagues, staff, and court personnel. The ability to build and maintain good relationships has been and will always be essential job skills in every industry. But soft skills are more than just being a team player and kind to co-workers. It also includes behaving professionally, contributing in a professional environment without the need for handholding or micromanagement from their employer, recognizing the emotional needs of others, solid communication skills, and a customer service mentality. Susan C. Wawrose, *What Do Legal Employers Want to See in New Graduates?: Using Focus Groups to Find Out*, 39 Ohio N. Univ. L. Rev. 505, 522 (2013) available at <http://law.onu.edu/sites/default/files/Wawrose%20>

(FINAL%20PDF%205-17).pdf. All key attributes identified by legal employers in Maryland and across the country.

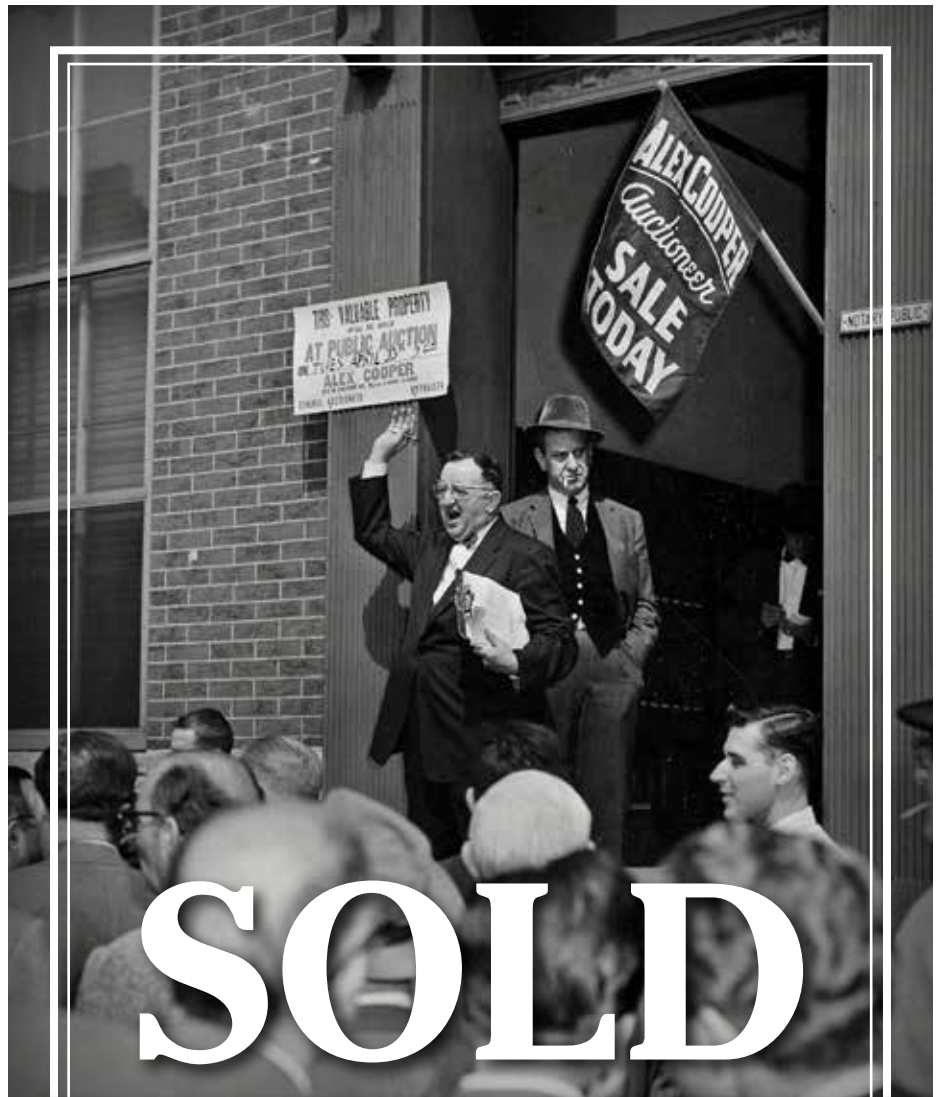
Experienced attorneys and judges were in universal agreement in the factors that are essential to new attorneys succeeding in their work place: being professional, a self-starter, and an effective communicator.

Self-Starters

Employers want proactive young lawyers who take initiative and “own the case;” more specifically, some suggested that new lawyers treat partners and other senior attorneys as if they were a client and should see themselves as an “owner” of each client matter. Attorneys should not just do part of an assignment, they should strive to see the big picture. Superlative junior attorneys are intellectually curious and engage in perspective taking. They ask themselves: What does the client really want? Are there other possible avenues to the same end? By adopting the perspective of the client, they gain an ability to meet the client’s objectives in creative ways. This includes paying careful attention to quality.

Attorneys also expressed that they do not want the new associates who have the “deer in the highlights” look – they need to be confident “go-getters.” They described the delicate balance of projecting confidence while not appearing arrogant. If you have an idea or read a case differently, express it respectfully and with authority. Employers encourage young associates to ask good questions to challenge assumptions and see it as a demonstration of interest and enthusiasm.

Employers seek associates who have direct experience in the particular area of law they are practicing.



to the highest bidder.
By one of the most trusted auctioneers.

Estate Sales, Commercial Real Estate,
Residential Real Estate, Business Liquidations,
Bankruptcies and Foreclosures,
Antique & Furniture Auctions

 **Alex Cooper** SINCE 1924
AUCTIONEERS INC

Contact Paul Cooper | paul@alexcooper.com
908 York Road, Towson, MD | 410-828-4838 | realestate.alexcooper.com



They highly value prior work experience and the maturity of law students who worked prior to attending law school. Whether it is a few years of professional experience or relevant work experience while in law school, employers want to hire professionals with a track record for showing up, working hard, and understand how to conduct themselves in a professional environment.

Mental flexibility is also identified by experienced attorneys as critical to success in the law. Flexibility is not to be mistaken for multitasking. Instead mental flexibility is the ability to adapt to changing situations and shift perspective and objectives accordingly. This calls for changing strategies, reprioritizing or reorganizing projects, and revising arguments — without getting flustered.

Effective Communicators

Employers value attorneys with strong and effective communication skills. For new attorneys, the majority of communication is in writing and the means by which they bring the most value. Surveyed employers stated that writing was generally on the decline. They complained about the lack of attention to detail and how poorly it reflects upon an associate when he or she hands in work that has grammatical or spelling errors. Legal employers have little tolerance for typographical errors which are viewed as inattentiveness. This lack of care raises doubts as to the entirety of a junior attorney's work, even if it was otherwise well written and demonstrated solid legal analysis. Attention to detail is often viewed as reflective of the associate's dedication to service, work ethic, and pride in his or her work.

Most employers felt that new attorneys are great with technology and researching (i.e., using Westlaw Next). Although there was some disagreement as to the ability of new attorneys to do in-depth research and go beyond "scraping the surface." Many attorneys expressed a desire for law clerks and associates to dig deeper in their research by finding the case law, reviewing the statute in question, and discovering broader legal support for the arguments they were making in their pleading and papers.

Universally, experienced attorneys voiced concerns that newer attorneys lack professionalism in their communications and described them as being too casual. They complained of emails that lack an appropriate greeting or salutation, using texting shorthand, or adding "inspirational" quotes to the signature line. Concerns about informality went beyond written com-

munication such as addressing judges by their first name.

Oral communication – demonstrating the ability to actively listen, asking good clarifying questions, and maintaining eye contact – were described as fundamental skills for success. Employers want good communicators who listen well, read non-verbal cues, and display empathy as they interact with clients, opposing counsel, judges, and juries alike. Effective oral communication helps create positive work environments, makes clients feel at ease, and persuades decision makers.

Professionals

Employers expressed that some new hires lacked initiative and had an overall sense of entitlement that interfered with their job performance. For example, new hires sometimes give the impression that they don't need to work hard, because they'll inevitably rise up to become a partner. (Wawrose, *supra* at 524). They described young attorneys as either unable to receive feedback/criticism or constantly seeking affirmation. And one of the most common refrains was that new attorneys are too informal and lack professionalism.

On the plus side, employers were impressed with law student and new attorney community engagement. New attorneys are more involved with extracurricular activities while in law school and after graduation, giving them diverse experiences and perspectives.

Millennials (defined as those born between 1981 and 1997) do possess these critical skills and more, but their outlook and personal style, including self-expression and dress, differs from their Gen X and baby boomer bosses. Dan Schwabel, "Millennials vs. Baby

Boomers: Who Would You Rather Hire?" *TIME*, March 29, 2012. As a law school dean and educator responsible for the professional development of law students and the receiver of ongoing employer and supervisor feedback, I offer a few tips below for legal employers on hiring and retaining millennial lawyers.

How to Hire, Work with, and Retain Millennials

It has been said that the millennials are more likely to quit a position that does not feel like a good fit, than adapt to the employer's expectations long-term. As they are the next generation of lawyers, and expensive to recruit and train, here are some strategies for both retaining the best millennial talent, and helping promising candidates fulfill their potential in your work place.

Coach and Cheer

If senior leaders want to maximize millennial talent, they will need to adapt to the millennial need for frequent feedback. (Lauren Stiller Rikleen, *Connecting with millennials for a stronger, productive workplace*, Your ABA e-news for members, June 2014, <http://www.americanbar.org/publications/youraba/2014/june-2014/managing-millennials.html>). It is beneficial for employers to set out clear expectations and preferences for assignments. For example, it is very helpful to let new hires know how they should contact you with questions. (Wawrose, *supra* at 531).

In an attempt to harmonize the workplace, supervisors should provide highly structured projects that provide details and guidance on how to complete the projects. New attorneys work better and experience less

pressure when they are provided with deadlines and timelines. Supervisors should not only regularly monitor the progress, but also provide prompt feedback and praise.

There is a three-part format that supervisors should implement when providing feedback to millennials: (1) provide positive comments about some aspect of the work product; (2) explain aspects that need further work; and (3) end with praise. It is important to end with praise because millennials require assurance more often than previous generations. (Wawrose, *supra* at 531).

Collaborate

New attorneys prefer to work in a collaborative environment where the work is interconnected overall, but with parts that also require independent work. They want to feel that they are contributing and that their work is valued. One way in which supervisors can satisfy this desire to be "a part of the team" is by allowing new attorneys to present their work in staff meetings. Another effective method is meeting with the junior attorney regularly, which makes the office feel more "collegial and connected." While this approach may seem unorthodox to senior attorneys, the approach has been validated by an in-depth study by Google, highly dependent on millennial talent, on how to build the most successful teams. (Charles Duhigg, *What Google Learned From Its Quest to Build the Perfect Team*, N.Y. TIMES, Feb. 25, 2016, http://www.nytimes.com/2016/02/28/magazine/what-google-learned-from-its-quest-to-build-the-perfect-team.html?_r=0). Essentially, new attorneys want to work in a climate characterized by interpersonal trust and mutual respect in which people are comfortable being

themselves. They want to be able to contribute and have their ideas valued, even if they are not adopted. This will also help develop an attitude of case ownership and being proactive.

Mentor

New attorneys look to their supervisors to serve as role models. Unlike the Boomers, who often learned in a “sink or swim atmosphere,” millennials seek out a more personal and caring work environment. Supervisors can meet these needs, by sharing personal stories and insights about their career paths, and offering mentorship. (Susan K. McClellan, *Externships for Millennial Generation Law Students: Bridging the Generation Gap*, 15 Clinical L. Rev. 255 (2009)).

Be Flexible

While it is obviously important to hire someone that is hardworking, it is not so obvious to hire someone that has a healthy approach to life and work. Millennials are generally known for being able to strike this balance more effectively than previous generations, a positive characteristic and essential for reducing stress. They value their work and want to do it well but equally important are activities, outside of work, that they find enjoyable and worthwhile. Offering some schedule flexibility will help you retain millennial talent. (Susan K. McClellan, *Externships for Millennial Generation Law Students: Bridging the Generation Gap*, 15 Clinical L. Rev. 255 (2009)).

Be open to the ways millennials communicate and meet them where they are. Without question, young attorneys prefer email and text and have what it seems is a fear of speaking on the telephone. When I suggest that students call an employer, they react as though I have suggested they walk through fire. Encourage and help

them realize how wonderful in-person communication can be and do not be offended that they texted or emailed when you would have phoned.

How to Succeed as a Millennial in a GenX/Baby Boomer World

Millennials, you are our future and according to many, you are changing the way we do business. But the legal profession moves at a slow pace, change does not come easy. Moreover, while some things are changing, the decision makers and supervisors you work with and for have not changed so much. I offer you some tips to help you navigate the workplace more nimbly. (To my current or former students, sorry if you’ve heard this before!)

Respect the Hierarchy

The legal world is not flat. “Partners” are owners of their law firm, and they were elected to partner because of their talent, hard work, and ability to bring in clients. Those that came before you worked very hard to get there, and still work very hard, and they expect you to do the same. Deference is a sign of respect and very important to establishing good working relationships and finding mentors.

Seek Feedback

Let your supervisors know you want feedback and can handle feedback (there’s no crying in baseball). Find the balance between taking your own initiative by making independent judgments and asking clarifying questions. With a difficult assignment, one employer recommended, “[t]ry to figure it out and then let me fill in the gaps...there’s a difference between clerks and associates that want to learn versus [those that] want to be taught.” (Wawrose, *supra* at 526).

Spellcheck

Do this a lot. Do it more than once and then print out your document, read it out loud and triple check it. By caring about the extensive details of a work product, you’re showing your employer that you care about the work product – that you’re invested in the outcome. This also includes providing a thorough answer in an assignment, including weaknesses you see in the position and possible ways to overcome those weaknesses. (Wawrose, *supra* at 539).

Dress Professionally

Express your personal sense of style on your own time. Your professional appearance matters, and like it or not, it impacts how you are perceived by attorneys, judges, and clients. Look like a lawyer – dress neatly and conservatively.

Email Etiquette

Do not start your email with, “Hey...” This relates back to the hierarchy and behaving professionally. Refrain from relying on email, go ask questions in person (especially about client matters!), make sure your emails are as perfectly written as your briefs. Use formal salutations. If a partner leaves you a voice mail, call back, do not email.

Own Your Career

You need to know what you want and where you want to be in 5 years and again in 10 years. This might change over time, and that’s okay! But remember to have goals in mind and proactively seek opportunities to develop professionally by gaining the relevant skills and experience. Take on challenges and do not be afraid to step out of your comfort zone.

Seek Mentors

In the legal profession it is critical to be trained and nurtured by an experienced, successful, well respected lawyer who can advise, assist and help you grow professionally. How do you develop relationships with experienced attorneys? Show up eager and enthusiastic. Demonstrate your curiosity to know more about the case and ask what you can do to help. Be genuine and thoughtful, respect their time and make the relationship mutually beneficial.

Be a Team Player

Don't just focus on your self-interest, but reflect on what others around you might need and how you can help. This includes stepping up to help without being asked. As a new hire, you should be "willing to jump in to help". If you have time but see

that someone has just gotten inundated with work, offer to take something off their plate. Demonstrate your willingness to be a part of the team working toward the collective goal rather than focusing only on your work.

Work Hard

Finally, when it comes to work ethic, employers want new hires without a sense of "false confidence," or who are, perhaps, motivated by their own inexperience to work harder. (Wawrose, *supra* at 524). Do not leave the office before your supervising attorneys. If they are staying late, ask if they need help before you consider leaving. Realize that you may have to work longer and harder during the time you are acquiring your skills. A senior attorney may tell you that a certain project may only take

two hours, but work on it as long as it takes to get it right.

Every generation complains about the next generation. New lawyers have always had to learn on job, learn from mistakes, and learn from the old timers taking them to school and telling them how it was in their day. This generation of new lawyers is no different—they too will rise up and become amazing attorneys, mediators, and judges. But they don't know what they don't know. It is our obligation, as more seasoned attorneys, to teach, serve as role models and mentors providing feedback, opportunities, and encouragement.

Ms. Green is the Assistant Dean for Law Career Development and Adjunct Professor at the University of Baltimore School of Law. She may be reached at dgreen@ubalt.edu.

landaulaw.com

We Solve Problems.



With over 30 years' experience we provide a broad depth of knowledge in all family law matters. In our centrally located office in Greenspring Valley, we advocate for you with efficiency and a real "get it done" attitude.

All Family Law Matters
Litigation • Appeals • Mediation
Neutral Case Evaluation
Collaborative Law

The Law Offices of Julie Ellen Landau

1925 Old Valley Road • Suite 2 • Stevenson, MD 21153
P.O. Box 219 • 410.625.1100 • FX410.625.2174

