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Evanich: "No one who graduates from law school knows anything about the practice of law. You need to learn the nuts and bolts."

by Maria Kantzavelos

Back to Class: Firms teach a fresh crop of new associates how to be a lawyer

Palmer: "Law students are expecting the law firm work environment to be a continuation of their legal education."

It took Joshua Vincent nine years to become a capital partner in Hinshaw & Culbertson, perhaps longer than most lawyers at the firm he joined straight out of law school in 1983.

"I was consistently not turning a profit. Despite being told the quality of my work was excellent, and I was winning cases, — I needed to tune in a little more to trying to establish myself as a positive contributor from a profitability standpoint," Vincent said. "At the capital partner level, you have to be able to do it all — do great work, bring in clients and be profitable in your own right."

Vincent's lesson learned is one of many that he shares with a freshman class of associates each fall during a course titled, "Things I Wish Someone Had Told Me When I was a New Associate." It is part of a four-day boot camp for new associates dubbed Hinshaw University.

"I want them to understand that even though it may be years, it is still possible to make it into the capital partnership ranks," said Vincent, who's in charge of Hinshaw's associate training programs. "We want associates to develop an owner's mentality early on in their career."

Like the training programs for new associates at many other large firms, Hinshaw U. has partners teaching courses on the law as a business, strategies for negotiating settlements and how to handle a case from start to finish. Firms have courses on everything from legal writing, trial advocacy, updates on industry trends and business development.

As the firms develop more formalized training, many have placed partners in the full-time role of professional development coordinators. The training methods they have implemented include structured mentoring programs, informal lessons from veteran lawyers, pro bono assignments or trial advocacy exercises. The aim of all of them — whether informal work-product reviews at smaller firms or the highly structured coursework at big firms — is to help new lawyers make the transition from law school to practice.

A look at a cross-section of these programs offers insight into lessons that any new lawyer could use to help get his or her career off on the right foot.

What the firms offer

"Across the board, law firms are spending more money than they have on lawyer training in the last five to 10 years," said James Leipold, executive director of the National Association for Law Placement. "Folks



Joshua Vincent, a partner at Hinshaw & Culbertson, is heavily involved in "Hinshaw University," a four-day boot camp to help the firm's new associates get off on the right foot.

have really made the connection between lawyer training and retention. That has been the driving force."

Many firms are recognizing through their training programs that lawyers just out of law school want to know what is expected of them to succeed.

"They're suddenly thrown into an environment they're unfamiliar with," said Helen Friedli, local managing partner in McDermott, Will & Emery. "They're very insecure if they don't know what's expected. That insecurity can affect their performance, their development. The paralysis that comes with anxiety, you want to take that away."

An example of a firm's effort to remove insecurity unfolded on a recent afternoon in a conference room at Jenner & Block, where professional development director Charlotte Wager set the ground rules for an associate-to-associate mentoring program.

The role of the mentor, Wager pointed out to a half dozen newly matched mentors and mentees, is to provide new lawyers with advice, support and insight into the culture of the firm.

Wager offered some possible topics to discuss: how to get work and how to turn down assignments, how to manage time, how to work with support staff and how to become an insider at the firm.

And if the mentoring relationship isn't working, Wager said, "There's a no-fault divorce rule; you can be re-assigned."

This sort of formalized mentoring program is just one way that many firms give new associates the information they need to succeed, while improving the quality of lawyers within the firm.

Richard Palmer, a partner in Wildman, Harrold, Allen &

Dixon who serves as director of associate development, said the approach to training has evolved since he started as a new lawyer at the firm in the mid-1980s.

"The training was not highly structured. It was more individualized, and the training centered more on work experiences instead of classrooms," Palmer said. "A partner would come in, give you a file and talk to you about the file and let you run with it. [He'd] say, 'Call me if you have any questions.'"

Today, Palmer said, prospective associates demand formalized training.

"As we've progressed from Baby Boomers to Gen X and Y, I think law students are expecting the law firm work environment to be a continuation of their legal education," Palmer said. "They want a firm-initiated structure."

Law students ask about a firm's professional development opportunities during their job interviews. "That's how they shop for law firms," Palmer said.

Brette Bensinger, 27, a recent graduate of Chicago-Kent College of Law, said training was one of the things she wanted in a firm.

"I was looking for a firm that shows they have a strong interest in developing new lawyers," Bensinger said. She had never argued a case in front of a judge, written up an order or taken a deposition, she said. "Those tasks can be daunting."

From her first year at Georgetown University Law Center, Amanda Berndt was determined to land a job at a big law firm, largely because of the training opportunities, she said. She recently started at Wildman Harrold.

"They're willing to devote the first few weeks of your time here with, 'Sit down and learn,' instead of, 'Welcome — we

need you to do this, just get it done,' ” she said.

So far, she’s gone through some of the training sessions that familiarize new lawyers with the operations of the firm, as well as tips on time management, how to get work and various topics specific to litigation.

“Formal training is great, and they’ve done a lot of that. It’s been helpful,” Berndt said. “But it doesn’t really sink in until you’ve done it.”

At McDermott, Will & Emery, more than 200 attorneys worked more than 2,200 hours last year on the creation of a curriculum for substantive knowledge and professional development for lawyers at all levels, said Sharon Abrahams, the firm’s director of professional development.

“We’re telling them what they need to know, then we’re giving them the training that goes with it,” Abrahams said.

As part of the program, the firm provides a roadmap of identified skills and proficiencies that associates and partners can follow in their career development. It is meant to ensure that no one falls through the cracks, Friedli said.

But she stressed that the formalized approach supplements the apprentice model that continues from when she first joined the firm in the early 1980s.

“It’s kind of a luxury to be able to shadow a partner. In the 1980s, there was time for that, a flexibility that allowed for learning at the knee of the master,” Friedli said. “We’re still trying to emulate that today.”

Many of the larger firms believe it’s worth it to spend the time and money on associate training, knowing full well that many — if not most — of those associates will no longer be with the firm several years down the road.

“What would be worse is not spending anything on them and having them stay,” said Paula Holderman, professional development director at Winston & Strawn. “To some extent, every law firm relies on having some attrition. The key is to keep the



Lorna Propes



Richard Palmer

keepers — the people who will be a benefit to you as a firm.”

Law as business

As a new associate at Hinshaw & Culbertson, Bensinger is reminded of some advice she received last year when the firm’s summer associates and clerks visited with U.S. District Judge Wayne R. Andersen. “He said, ‘Make contacts now because you never know when a friend is going to turn around in a few years and become a client,’ ” Bensinger recalled.

That advice is enveloped in lessons at Hinshaw and many other firms, where classes on law as a business are one aspect of associate training.

Eva Wisnik, president of New York-based Wisnik Career Enterprises Inc., helps many Chicago firms teach attorneys strategies to develop and maintain business.

Her program offers tips on where and how to find clients, anywhere from attorneys in their own offices to friends or neighborhood groups.

“It’s not that we expect them to bring in business right away, but they do have relationships. Their own peers are very likely to be future clients,” Wisnik said. “Focus on how to stay in touch with contacts in a substantive way. How do you start thinking about what kinds of organizations you want to get involved in? How do you want to get yourself entrenched in that new business environment?”

Wisnik advises new attorneys to perform at least one task every day toward building professional relationships.

“It could be glancing at the business section of a newspaper, attending a professional association meeting, having breakfast with somebody you used to work with, e-mailing alumni,” Wisnik said. “You need to be thinking about other people — they will be the best source of future information, contacts and business.”

As a new lawyer, gaining a clear understanding of the business aspects of practice can be just as important as grasping legal aspects of the job.

“A lot of new lawyers don’t really have a grasp on what basis they’re going to be evaluated, how it is that the firm makes money and where the other ancillary things they’re asked to do fit into the business,” Vincent said.

That’s where primers on time sheets and billing come into play.

“The time sheet is a diary of the case. You have to write your time entries with that in mind. You have to show forward motion, not wheel-spinning,” Vincent said.

The firm trains new associates to use details and active voice in describing how they spend their time on a project, he said.

“As lawyers who bill by the hour, it’s important for clients to know something productive has taken place,” Vincent said. “If you just put

down an entry such as, 'legal research,' the client has no idea what you've researched."

New lawyers also learn some of the basic tools for managing a case from start to finish. "One thing they have no real concept of is the life of a case file," Vincent said. "Many associates come into a law firm and are comfortable with being asked to do bits and pieces of cases without ever seeing how it all comes together."

"One of the basic aspects of our training program is to teach them from case inception: Who do you talk to? What are you looking for? ... The goal is to move the ball forward, to bring the case to resolution."

Learning the corporate transaction

Firms recognize that law schools provide only the beginning of an education.

At Kirkland & Ellis, for example, associates receive year-round training through programs and lectures on topics related to specialized practice areas, as well as mock trials, deposition workshops and tutorials on issues like evidentiary tools.

Last year, new corporate associates spent more than 75 classroom hours in the Kirkland Institute of Corporate Practice, an in-house program offering lectures from senior partners on topics such as mergers, acquisitions, leveraged buyouts, public offerings and tax and accounting issues, said Kevin Evanich, a private equity lawyer who helps lead the lecture series.

"We view it as, you never leave law school. You are constantly learning here in an academic setting," Evanich said. "No one who graduates from law school knows anything about the practice of law. You need to learn the nuts and bolts that are relative to your clients' needs."

The firm also offers the Kirkland Institute of Restructuring Training, the Kirkland Institute of Insolvency Training and the Kirkland Institute of Tax Practice.

Wildman Harrold offers workshops on negotiation skills for new transactional lawyers. For litigators,

the workshops focus on advocacy and deposition skills.

"Law school is to teach them how to think analytically and to expose them to the various substantive areas of law. We give them the practical skills and tools to get the job done and to represent the clients."

Legal writing

Just a few weeks into their careers at Jenner & Block, dozens of new associates took notes as partner Jill Sugar Factor and associate Andrew Olejnik wrapped up a PowerPoint presentation on how to draft a contract.

The presenters gave an overview of the anatomy of a contract and

Anderson: "In law school, we study

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any sort of transactional document."

definitions of key terms used in most documents. They also reviewed drafting errors to avoid and went over some of the "buzz words" in contract negotiations.

"Drafting can be really fun — it really is an art," Factor told the new lawyers. "There are real career benefits to knowing this stuff and doing it well."

The contract drafting class was part of a series of workshops the firm puts on, said Howard Anderson, a new Jenner associate.

"In law school, we study contract law, but I've never had to draft any sort of transactional document," Anderson said. "Law school is very case driven and not practical and transactional driven."

Many partners in charge of associate training said new associates especially need to sharpen their legal writing skills.

"I love law schools and I'm glad they're here, but the one thing they

haven't mastered yet is teaching them how to write," Wildman Harrold's Palmer said. "Writing in law firms requires a different set of skills than writing for a law review."

Palmer said part of the legal writing training focuses on how to write a persuasive brief in court.

"You can't do that by coming out of law school and throwing every legalese you know into the first paragraph and trying to sound like a lawyer. You have to sound like a newspaper reporter, an English teacher — you have to tell a good story," Palmer said. The firm also offers tutorials in how to draft contracts.

"They need to learn how to write precisely, clearly, in plain English — so somebody can read the contract and realize what's happening," Palmer said.

Trying a case

"Some law schools have differing levels of trial advocacy programs, but it seems that it's not a big priority to teach practical litigation skills. It's really our job," Palmer said.

He shared some tips his firm relays to new associates during mock deposition exercises.

First, always remember to have the witness sworn in. And before the proceeding gets started, take control of the room.

"There's a particular way to seat people so that you have control of the witness," Palmer said.

Then start asking questions of 15 words or less that result in yes-or-no answers. "You need to have a foundation built in a deposition that you could use at trial," Palmer said.

Some large firms use in-house mock trials, complete with all the fixings of a courtroom setting. At Kirkland & Ellis, for example, litigation associates try a mock case from voir dire to closing arguments before a live jury of non-lawyers. Senior litigation partners serve as judges, providing constructive criticism in a mock courtroom that has a state seal, judge's bench and a retractable jury box, said Linda Myers, a corporate partner who chairs the

firm's recruiting committee.

Pro bono projects are also a part of many new associates' training. At Hinshaw, some associates first research and brief a federal appeal in a criminal case under the supervision of an experienced appellate lawyer. Several months into their career, after they receive their bar exam results and become licensed to practice, the new lawyers argue the cases before the 7th Circuit Court of Appeals.

"For many of them, that is their first significant courtroom experience," Vincent said. "In terms of confidence building, it's huge."

In smaller firms

Having a formal system in place for training new lawyers can be a challenge at smaller firms. To some extent, many of the smaller firms benefit from the training associates get at the big firms.

Hiring associates just out of law school is not the norm at Pugh Jones Johnson & Quandt, for example. The firm of about 25 lawyers tends to hire second-, third- or fourth-year lawyers, said name partner Stephen Pugh.

"We don't get the brand new lawyers. We have to spend too much time training them," Pugh said. "By and large, your return is better on the second- or third-year associate. They're still young enough and still trainable, and with good experience, they can really be effective for us right away."

In the rare instances when the firm does hire an associate straight from law school, the transition is a matter of jumping right in, Pugh said.

"We keep some smaller cases so that our new associates can learn from having a direct experience in writing briefs and taking

depositions," Pugh said.

Lorna Propes of five-lawyer Propes & Kaveny said lawyers at the firm are encouraged to attend seminars presented by professional organizations like the Illinois Trial Lawyers Association and the National Institute for Trial Advocacy.

Actual training at her firm is need-based, rather than "training for its own sake," Propes said. "It's, 'We've got to do this — let me show you how.'"

"We hire an associate because we need a lawyer to practice law and hit the ground running and do actual work. At large firms, it's not the same need," Propes said. "We need to balance the need to have the actual work done with an understanding that somebody out of law school is entirely unprepared to do it."

The training approach at Propes & Kaveny seems to be working for Brian Monico, a 2004 graduate of Loyola University Chicago School of Law, who joined the firm in April. Veteran partners help him prepare for actual depositions or trials, then offer feedback on his performance.

"It's kind of trial by fire," Monico said. "The biggest asset is after I take a deposition, we sit down and talk about it. You can read how to take a deposition from now until next week, but it doesn't necessarily prepare you for all the curveballs you'll receive at depositions."

Just a few months into the job, Monico, 28, put on witnesses and conducted direct examinations in the high-profile trial involving the Ryan Harris police misconduct case.

"That's the nature of a small firm. When you come in, you have to do the work that is available. It can run the gamut," Propes said. "Naturally, it has

to be someone who is able to work hard, have talent and look at each opportunity as, 'Wow — I may not be ready for this, but I'm going to get ready for this.'"

Along with continuing legal education programs, new lawyers in firms without much formal training can take advantage of some other outside programs. One option is to connect with an experienced lawyer through the Illinois State Bar Association's voluntary mentoring program, which started in May 2004. So far, about 110 veteran lawyers have signed up to be mentors to more than 400 mentees, said ISBA President Robert K. Downs.

Pulling it together

As partner of associate development and recruiting, Lane Vanderslice of Mayer, Brown, Rowe & Maw meets every Monday with the firm's new crop of associates to go over the topics *du jour*, such as experiences with partners, dealing with conflict and workload management.

"The core of it is how to do this well and to understand that this is an incredibly challenging profession you're in," Vanderslice said.

During those Monday meetings, Vanderslice asks new lawyers to record in a notebook their responses to questions like, what's your biggest fear today? What have you learned today? What's your biggest mistake so far? What do you wish someone had told you a month ago?

"I can guarantee them in a year when they look back and see what they've learned, it's shocking," he said. "There are very few times in their lives where they'll learn as much as they will in the next 12 months."★