Nova Southeastern University

From the SelectedWorks of Jon M. Garon

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Connecting to Legal Education: Mapping and Navigating the Modern Legal Marketplace

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Connecting to Legal Education: Mapping and Navigating the Modern Legal Marketplace

Dean Jon M. Garon
Professor Debra Moss Curtis

First Presented February 29, 2016
Summary:
Map of the New Marketplace

- Law School Education today
  - More law schools with fewer applicants
  - Applicants with compressed LSAT scores, less racially diverse
  - Pressure from the Bar Exam onto Law Schools
  - New experiential and writing requirements in law school
  - Business and technology slowly being introduced

- Law Firm Economics today
  - Market showing slow recovery – 1-3% growth
  - Legal job market growing modestly at 10,000 new jobs annually
  - Firms focused on hiring new lawyers with both legal and marketplace skills

- Skills valued in new hires still somewhat different from the skill sets valued in new partners
  - Expanded ‘soft-skills’ critical to success of law firms
  - New partnership between law schools and bar needed to develop and teach the skills valued by modern law firms and their clients
Legal Education is Changing: Law Schools

- Currently 205 ABA fully or provisionally accredited law schools that grant J. D. degree

- Impact great in certain regions, such as here in Florida:
  1996: Six Law schools in Florida
  2016: Twelve Law schools in Florida
Legal Education is Changing: LSAT Takers

LSATs Administered

Four Largest Racial Groups Test Takers
Legal Education is Changing: ABA Longitudinal Applicant History

2016: 4 of every 5 applicants can enroll in at least one law school
Legal Education Changing: Elite Law Schools Shrinking

Applicants with LSAT 165-180:
In 2010: 12,177 applicants
In 2015: 6,667 applicants - a decline of 45%.

Elite Exodus
Fewer people are applying to top-ranked law schools

A Leaner Cream of the Crop
First-year enrollment at top-ranked law schools has ticked down since 2011

Source: The American Bar Association
Changes in LSAT Scores and Law School Enrollment 2010-2015
Legal Education is Changing: Economic changes since 2010

- Applications down 40%
- Enrollment down 25%
- Faculty reduced 13%
- Students receiving partial/full scholarships doubled
- 2014 full-time employment rate 86.7%
NALP 2012 Alumni satisfaction

2012 class – three year satisfaction data
- 48% Extremely satisfied
- 36% Somewhat satisfied
- 5% Neither satisfied or dissatisfied
- 8% Somewhat dissatisfied
- 3% Extremely dissatisfied

- 96% employed
  - 98% of those employed full-time, long-term
  - 81% Practicing law
  - 18% Other professional
  - 1% Other, non-prof.

2012 class – three year employment data
- 53% Private Practice
  - 27% firms 2-10
  - 21% firms 500+
- 18% Government
- 16% Business
- 8% Public Interest
- 2% Clerkships
- 2% Academic
- 2% Other
Legal Education is Changing: Where Tuition Dollars are Spent

Spending within Law Schools

- Faculty Salaries
- Staff Salaries
- Unfunded Scholarships
- Student Competitions
- Clinics
- Faculty Support
Legal Education is Changing: When Universities Take their Share

Spending within Law Schools

- Faculty Salaries
- Staff Salaries
- Unfunded Scholarship
- Student Competitions
- Clinics
- University
- Faculty support
- Student Competitions
Legal employment statistics:
Employment statistics 9 months after graduation (10 mo. for 2014)

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<tr>
<th>Category</th>
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<td>100</td>
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<tr>
<td>Not Employed, not seeking</td>
<td>553</td>
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<td>Not Employed but seeking</td>
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<td>JD Advantage</td>
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<tr>
<td>Bar Passage Req'd</td>
<td>27,928</td>
<td>66.3</td>
</tr>
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</table>
Legal Profession Changes: Employment statistics

No. Graduates Employed by Size of Firm (NALP)

- Solo
- Unknown Size
- 501+
- 251-500
- 101-250
- 51-100
- 26-50
- 11-25
- 2-10


- 2007: 6,461 sole, 6,479 unsize, 6,749 501+, 7,160 251-500, 7,570 101-250, 8,193 51-100, 8,087 26-50, 7,670 11-25, 7,492 2-10
- 2010: 3,750 sole, 3,750 unsize, 2,856 501+, 2,856 251-500, 2,856 101-250, 2,856 51-100, 2,856 26-50, 2,856 unknown size, 2,856 2-10
Legal Profession Changes: Bimodal Distribution Salaries

50% of reported salaries

Adjusted Mean = $77,382

Mean = $82,292

17% of reported salaries

© NALP, 2015
Legal Profession Changes: More Graduates in Low End of Earnings Pool

Adjusted Mean = $77,382

Mean = $82,292

Distribution of FT Entry Level Salaries
Class of 2007
(n = 23,337)
Legal Profession Changes: Inflation Adjusted Salary Changes

Salaries expressed in constant dollars have been adjusted for inflation using 1982-1984 as the base.
Legal Profession Changes: 
The Profession Will Not Like the Change

• “Our calling has passed from a learned profession of picked leaders to a heavily crowded business. ...”
• “When a learned profession, content with honorariums, was transformed into a business where specialized training was used to make fortunes, we inevitably and inescapably attracted a large class who have ever, and ever will turn where a golden harvest seems most promising.”

  • Alexander L. Schlosser, “Lawyers Must Eat” 29 (1933) (quoting New Jersey Bar President Ralph Lum at the New Jersey State Bar Association).
Legal Profession Changes: Changing Legal Service Models Abound

AVVO’s new fixed fee pricing opens nationwide in 18 states – as of January 2016
Legal Profession Changes:
Improve Revenue by Solving Training

- **Law firms revenue will grow by only 1-3%, below most firms’ cost increases**
  - Firms providing commodity legal services, will see increased price competition and reduced value
  - Firms offering value-added, business focused services will retain price resilience
  - Firms that have partners able to expand their consulting role will generate more revenue and build stronger partnerships

**Sources of law firm revenue over next fifteen years**
Legal Profession Changes: Small is also Big

- Other models will focus on socially curated legal forms
- State and Federal agencies are putting more practice rules, forms, and other self-help tools online to assist those needing access to justice without a paid lawyer
- Docracy provides documents created using Creative Commons licenses or offered for the public domain
- LawHelp helps people of low and moderate incomes find free legal aid programs in their communities, answers to questions about their legal rights and forms to help them with their legal problems
- MD Family Lawyer.com - the Maryland divorce law firm that provides online legal services for a fixed fee in Maryland uncontested divorce and other family law matters
- Others are working on automated document drafting software based on algorithms similar to those used for language translation
Legal Profession Changes:
Lawyers in the Information Age
Need 21\textsuperscript{st} Century Law Exposure

- **Law Practice Management**
  - With new rules on saying technologically current and able to protect confidentiality of client
  - Portals
  - Ethics for website content
- **Explicit learning outcomes**
  - manage lawyer collaboration
  - work environment issues,
  - firm operations, financings, and organizational health
- **Most attorneys are not litigators so less emphasis on litigation** courses and exercises that teach drafting only in this mode
- **Intellectual Property**
- **Privacy and Data Security**
- **International Law**
- **Commercial Law**
- Specialty course students involved in the development of legal technology
- **Interdisciplinary courses** emphasizing compliance and offering certifications
- **Ethics courses** beyond Professional Responsibility take on greater importance, since the rules tend to be litigation-directed
Legal Profession Changes: The Virtual Law Firm

- Law firms that are made up of a conglomeration of lawyers that use technology to collaborate online while working remotely and reducing costs
- Standardized portal for client interactions
- Automated document management, calendaring, conflicts checks, and client-side materials
- Many are home-based, though others network smaller offices or office shares
- Vastly reduced facilities overhead
Legal Profession Changes: The New Law Firm Ecology

- Big Law and medium sized law firms adopting many of the same strategies to compete
  - Most virtual law firms and many traditional firms now have a ‘free legal consultation’ and free advice client-face
  - Big Law relies on content management software to integrate office around globe
  - Outsourcing firms provide many of these services in cheaper locations in the same way as virtual law firms
- Most lawyers entering the profession will be operating through electronically-mediated portals, cloud computing services or other technological innovations as a central part of their practice
Legal Profession Changes: The Business of Lawyering is Business

- The profession of lawyer has forever been entwined with the business of lawyering.
- To succeed, attorneys must provide services the client wants in a manner the client wants them.
  - Online
  - 24/7
  - Without jurisdictional boundaries
  - Extremely fast
- Clients understand the difference between offering valuable legal advice appropriate in novel situations from reselling repetitive tasks as fully expensed work
- Clients are increasingly unwilling to pay the full cost of work that will become a commodity; expecting lawyers to amortize the cost over multiple clients
Legal Profession Changes: Lawyers for the Information Age

1. Technologically savvy;  
2. Efficient and economical, particularly with regard to limiting overhead;  
3. Highly networked;  
4. Specialized;  
5. Unbundled purveyors of limited services;  
6. Scalable; and  
7. Profitable.

The best will also be:  
1. Socially responsible and civically engaged;  
2. Exemplifying work-life balance and cultural sensitivity; and  
3. Valued intermediaries providing highly personalized consultative advice.
Legal Education: Curriculum

- The first legal education was apprenticeship: Experiential
- Shift to Academic Law Learning and the Case Method
- Few Changes in a Hundred Years
  - Better Legal Research and Writing
  - Rise of Clinical Education—but being squeezed by pressures recently.

Current Pressures:
The Bar Exam, ABA Regulations, Expectations of Firms Hiring
Legal Education Curriculum: Expanded Clinical and Field Placement

- **Clinics** provide better integration of skills and knowledge
- **Field placements** – provide skills, knowledge and exposure to the management (mismanagement?) of practice. Reflective learning and feedback to differentiate good from bad and highlight the best practices
- **Simulation courses** – can better prepare students for the experience and/or be useful to reflect on the experience in a more reflective environment
- **Universal Service** (e.g. *pro bono*) – requirements can provide a non-credit hour alternative
- **Work experience** – can be made education through journaling and other reflective learning
Legal Education: Curriculum
Pressure of the Bar Exam

1. All bar exams are not created equal

2. The Bar exam is a poor predictor of practice/lawyering skills

3. The drop in overall scores is changing the law school curriculum away from those practice lawyer skills—experiential learning—and toward test preparation subjects.
Legal Education: Curriculum

Pressure of the Bar Exam

Why do law Schools care about the Bar Exam results?

Standard 316. BAR PASSAGE: A law school’s bar passage rate shall be sufficient:
(a) A law school shall maintain a rigorous program of legal education that prepares its students, upon graduation, for admission to the bar and for effective, ethical, and responsible participation as members of the legal profession. if the school) if it demonstrates that it meets any one of the following tests:
   (1) That for students who graduated from the law school within the five most recently completed calendar years:
      (i) 75 percent or more of these graduates who sat for the bar passed a bar examination; or
      (ii) in at least three of these calendar years, 75 percent of the students graduating in those years and sitting for the bar have passed a bar examination. OR
   (2) That in three or more of the five most recently completed calendar years, the school’s annual first-time bar passage rate in the jurisdictions reported by the school is no more than 15 points below the average first-time bar passage rates for graduates of ABA-approved law schools taking the bar examination in these same jurisdictions.

*A school shall be out of compliance with this Standard if it is unable to demonstrate that it meets the requirements of paragraph (a)(1) or (2).
1. All bar exams are not created equal

- 21 Jurisdictions adopting UBE consisting of MBE (200 MC questions); MEE (Essays); MPT (performance test) over two days
- Some of these add jurisdiction specific test additionally
- Others use MBE plus wide variety of jurisdiction based tests
Legal Education: Curriculum
Pressure of the Bar Exam

2. The Bar exam is a poor predictor of practice/lawyering skills

- Test broad memorization of many subjects
- Fact limited, forced choice analysis
- Ignores modern competencies
Legal Education: Curriculum Pressure of the Bar Exam

3. The drop in overall scores is changing the law school curriculum away from those practice lawyer skills—experiential learning—and toward test preparation subjects.

- Students concerned about passage, taking more courses directed to more and more obscure subjects
- Analysis of our own curriculum—to take courses in all bar subjects plus other ABA regulated requirements is 91/90 credits to graduate—with only bare minimum of experiential learning, no other modern competencies
Legal Education: Curriculum

Pressure of Additional ABA Regulations

- First Year Writing Requirement
- Upper Level Writing Requirement
- Only Six Credits of Experiential Learning (California Exception)
- Professional Responsibility Education

Result can be for law students following “bar prep” curriculum, as low as 7% of necessary graduation credits devoted to experiential learning

*Not enough room in curriculum to develop modern competencies
Legal Education Curriculum: Learning Outcomes

- Under ABA Regulations law schools are required to set learning outcomes for courses—in basic terms: What should a student know or be able to do at the end of the course, or program, or legal education?
- Additionally, law schools are required to show how they measure whether the outcomes are met.

*LAW SCHOOL LEARNING OUTCOMES SHOULD CHANGE. WHAT SHOULD THEY BE?*
Modern Competencies for Lawyers

- Law Schools—Partnering with the Practicing Bar, can set new learning outcomes for legal education: Modern Competencies=New Learning Outcomes
- Assessments can now be tied to these new learning outcomes
- High GPA Law Students would now be demonstrating excellence at these competencies, directly related to those needed in practice
Modern Competencies for Lawyers

1. Demonstrate a proficiency in substantive legal doctrine fundamental to this course.
2. Apply legal reasoning and analysis to solve problems in a logical and structured manner to issues covered in this course.
3. Communicate orally and/or in writing the legal reasoning and analysis regarding issues covered in this course.
4. Identify legal issues and research them thoroughly and efficiently.
5. Read critically all materials related to this course.
6. Appreciate the obligation to adhere to the values of the legal profession.
7. Demonstrate commitment and engagement in providing legal services (real or simulated).
8. Demonstrate creativity and innovation in the provision of legal services (real or simulated).
9. Use stress management techniques.
10. Develop entrepreneurship, networking, mentoring, and business development skills.
11. Demonstrate active listening, relationship development, and practical judgment in communications with clients, attorneys, and related parties.
12. Use technology to meet ethical duties of the legal profession.
Modern Competencies for Lawyers

13. Provide effective client counseling in providing legal services (real or simulated).
14. Negotiate effectively on behalf of clients (real or simulated).
15. Demonstrate cultural competency and the ability to see the world through the eyes of others.
16. Collaborate as an engaged team builder.
17. Demonstrate factual investigation, interviewing, and questioning skills.
18. Demonstrating interpersonal communications skills.
19. Demonstrate litigation skills.
20. Demonstrate skills used in non-litigation, dispute resolution forums.
21. Demonstrate effective organization and management of legal work.
22. Recognize and resolve ethical dilemmas.
23. Develop strategic planning techniques.
24. Demonstrate effective time management, project management, and organization management of work product, including one’s own work, the work of staff, and the work of colleagues.
25. Demonstrate quantitative literacy.
Law firm Hiring: Legal Employers Want Diverse Skill Sets

Although the States – through the bar examination – want more topics, the practice wants the expanded list of skills is important for law firms, demanded by their clients.

“[W]hen hiring legal professionals, employers are seeking broader talent and multidisciplinary skills that go beyond knowledge and application of the law.

“Law firms and corporate legal departments seek experienced legal professionals with business acumen and knowledge of technology.

“Employers seek legal professionals that have hard and soft business skills, along with knowledge of the technology that affects the legal industry.”

Special Counsel – Today’s legal job market
Lawyers in Business Require MBA Knowledge and Skills

Students should take HR, Org. Behavior and Leadership and some combination of other courses

- **Functional MBA**
  - Operations Management
  - Marketing
  - Financial Accounting
  - Managerial Accounting
  - Corporate Finance
  - Information Technology

- **Organizational and Leadership MBA**
  - Organizational Behavior and Leadership
  - Human Resources Management

- **Strategic and Tactical MBA**
  - Management Strategy
  - Macroeconomics
  - Quantitative Analysis (Statistics, Decision Analysis and Modeling)
  - Managerial Economics
Law Firm Hiring:
NALP Law Firm Summer Class Size

Average class sizes for all firms and firms of 700+
Law Firm Hiring: Many Firms are Investing in Associates

- NALP reports that spending on training and recruiting has not decreased
- Increasing emphasis on competency (merit) compensation instead of class compensation
  - Agreement on the definition of these measures will encourage associate behavior and improve predictability
  - Properly implemented, merit measure should help diversity (but since diversity has declined, the system not fully working)
- Training tied to compensation competencies should result in better productivity and success
Law Firm Hiring:
Law Firms Need to Refocus Hiring Criteria

Changes to hiring

- Reduce focus on School ranking and class ranking/GPA
- Focus on predefined set of competencies, including resilience, an ability to work in teams, empathy, and leadership (see Kilpatrick Townsend)
- Use structured behavioral panel interviews and structured client-focused writing assignments (Schiff Hardin working with Lawyer Metrics (now owned by Access Group) to improve hiring
  - Offers were more selective
  - Candidates accepted at a higher rate
  - Greater diversity achieved among those hired

“So we found the perfect candidate for the firm, but she has no law school debt. My partners don’t think we can trust her to stay.”
Law Firm Hiring: Important Aspects

“Legal professionals are increasingly expected to add more value as members of cross-functional teams, and expected to improve the performance of revenue, cost and profit centers.”

- Weak predictors of long-term success
  - Law school rank
  - Graduation GPA
- Better predictors of success
  - Leadership
  - Work ethic
  - Emotional intelligence
- Success factors correlate with retention, client effectiveness, and profitability
# Law Firm Hiring: Important Aspects

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<th>Rank</th>
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<tr>
<td>1</td>
<td>Integrity/honesty/trustworthiness</td>
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<td>2</td>
<td>Good judgment/common sense/problem solving</td>
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<td>3</td>
<td>Analytical skills: identifying legal issues from facts, applying the law, and drawing conclusions</td>
<td>4.37</td>
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<td>4</td>
<td>Initiative/ambition/drive/strong work ethic</td>
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<tr>
<td>5</td>
<td>Effective written/oral communication skills</td>
<td>4.33</td>
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<tr>
<td>6</td>
<td>Dedication to client service/responsiveness to clients</td>
<td>4.29</td>
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<td>7</td>
<td>Commitment to the firm/department/office, its goals, and its values</td>
<td>4.25</td>
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<td>8</td>
<td>Initiates and maintains strong work and team relationships</td>
<td>4.14</td>
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<td>9</td>
<td>Project management including high quality, efficiency, and timeliness</td>
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<td>10</td>
<td>Legal competency/expertise/knowledge of the law</td>
<td>3.87</td>
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Bridging the Gap: Requirements for Effective Training

- Leadership at top management and throughout
- No cheating – advancing associates outside the system undermines the system
  - Client development’s value must be part of the system from the outset
  - Use multiple mentors; do not have successful and unsuccessful mentors who ‘make or break’ associates
- Use learning outcomes and assessment
  - How to videos that go unwatched do little or nothing
  - Hold associates accountable for their training with tests and grades, not just annual compensation
Bridging the Gap: Essential elements of a program

- Successful program requires a good management team and top-to-bottom institutional support
- Program requires reinforcement with good mentoring
  - Use multiple mentors
  - Intentionally engage across race, gender, sexual preference
  - Assess the mentors
- Promote relationships
  - Internal, within the firm
  - External, with clients and trade associations, professional groups, etc.
  - Involvement with firm marketing staff
  - Provide associates the ability to provide input regarding the program and the mentors
- Training how to attract new business; how to convert interactions into clients
- Continue to develop key skills
  - Client communication (different from legal communication)
  - Oral skills and presentation skills
  - Project management and time management
  - Cultural proficiency and empathy
  - Team participation and collaboration
- Educate associates on the business of the firm
  - Understand all the departments
  - Understand the economics of the billable hours, the contingent clients, and the value-based or fixed cost projects
Bridging the Gap: Training-based ROI for New Hires

- Match salary with lower billable goals
- Develop a firm-wide lawyer competency scorecard/grade-sheet
- ‘Reimburse’ lower salaries through bonuses in years 4-7
- Require rotations so lawyers understand various departments and their own strengths
- Teach firm-specific pricing and strategy
- Use pro bono and other opportunities to engage junior lawyers directly with clients
- Train to improve the client-facing, effective lawyering skills
  - Gender and diversity inclusion
  - Client-focused solution strategies
- Train to use technology efficiently
- Adopt and implement lawyers outside activities goals and measures
Bridging the Gap: Training programs point towards success

- **Baker & McKenzie** put several hundred of its partners through a leadership development course at the Kellogg School at Northwestern University.

- **Wilmer Cutler Pickering Hale and Dorr** is designing a program in collaboration with the Harvard Business School to address the professional and personal needs of lawyers at various transition points in their careers.

- **Alston & Bird** has instituted an impressive firm-wide development philosophy that includes administrative staff and encourages mentoring at all levels of the firm.

- **Reed Smith** has created an elaborate program dubbed the "Reed Smith University" to provide professional development courses in five areas—legal skills, leadership, technology, business development and professional support—teamimg with the Wharton School at the University of Pennsylvania for the leadership segment.

- **King & Spalding** operates the "King & Spalding University" that includes a focus on training for transition moments—e.g., a "senior associate academy."

List from BCG Attorney Search

- **Drinker Biddle & Reath LLP** bill associate hours for the first three months of their time at the firm. Paid first-year salaries, the associates to spend time in an intensive boot camp prior to being billed out.

- **Latham & Watkins LLP** distinguishes its training program by building separate curricula for attorneys at different experience levels, setting up separate training "academies" for first-, third- and fifth-year associates, as well as for new counsel and new partners.

- **Dorsey & Whitney LLP**'s training program brings in the clients themselves. Including clients in training events exposes the associates directly to clients, allowing them to get information straight from the horse’s mouth and builds relationships with the clients.

- **BTI Consulting Group Inc.**, focuses on helping associates understand their clients’ businesses.

List from Law360, Kat Greene
Frost Brown Todd LLC “FBT” - This is a long term investment in the future of our firm, our lawyers’ and our clients’ futures. In 2014, we will pay market-competitive salaries in each of our cities.

- **Reduced Billable Hour Goal/Addition of Training Goal** (800 hour training requirement and a substantially reduced billable hour commitment -- only 1200 hours). Relieving partners of the pressure to make sure all of the time spent by first-year associates is billable to clients allows for more meaningful “live” training and skill development opportunities and more hands-on involvement with clients. Associates “shadow” lawyers to depositions, client meetings, trials, etc., and have more “guest chair time” in the offices of experienced lawyers.

- **Knowledge Coach.** Each associate is assigned a “Knowledge Coach.” The coaches spend the year finding hundreds of hours of opportunities for the associate to learn how to practice law by observing the coach and other attorneys in the firm in trial, deposition, on client calls, closing transactions and drafting. The coach ensures that observation opportunities are meaningful and that the associate is given the opportunity to be in a courtroom, on a deal or able to observe a skilled lawyer.

- **Secrets of Success.** We conduct an intensive business skills training program that focuses on the core skills and strategies of successful businesspeople. We provide specific training including speakers from outside the firm that are able to focus in on these core work strategies that have defined our most successful attorneys. Additionally, all first-year associates receive focused skills training through our mini-MBA program and National Institute of Trial Advocacy Fact Investigation workshop.

- **Placement Opportunities with Clients and Non-Profit Organizations.** We identify opportunities for our associates to spend several weeks with clients in our markets engaging them in the aspects of their individual business. We also identify opportunities for our associates to aide in non-profit organizations enabling them to understand and get a better grasp on the surrounding community.

- **Billable time.** Traditional billable tasks continue to provide some of the training and value to the client. First-year associates can assist on projects and learn their craft through research, writing and other meaningful assignments in which clients find valuable.
Bridging the Gap: Large Law Firms Have a New Role to Fill

Partner with nearby law schools

- Demand that students be prepared with **All Skills Required of Partners** (not just those of junior associates)
- Provide access to Pricing and Strategy Professionals
- Promote use of new efficiency tools in law schools so associates are exposed and prepared

“I’ll show you how to attract and retain new clients, if you can show me how to find what I sent to them from this computer.”
Bridging the Gap: Changes in Training Should Derive from Pricing and Strategy Approach to Lawyering

- Pricing and Strategy is an emerging legal sub-discipline that has not yet formalized
  - It is already redefining the relationship between clients and the firm
  - Goals should be explained to law schools in advance, so candidates can be prepared prior to joining firm
  - Summer associates and junior associates should be prepared to learn these skills
- Strategic pricing matters to client relations
  - While junior lawyers do not set budgets, they must adhere to them

- Increasingly, law firms professional development as a value proposition is that a successful professional development program:
  - enhances the quality of a firm's work by insuring uniform standards of professional care;
  - enhances the quality of the firm as an organization by improving the quality of its client development and service delivery capabilities and by strengthening a common set of cultural norms; and
  - enhances the quality of a firm's lawyers (both associates and partners) by improving their effectiveness as team members, supervisors and mentors.
Conclusion: The New Marketplace

- **Large law firms have new demands**
  - Hiring has returned
  - Revenues will grow more from gaining market share than from new markets
  - Expanded ‘soft-skills’ critical to success of law firms to attract and retain business

- **Law school education trying to achieve multiple goals under multiple pressures**
  - New partnership between law schools and firms needed to develop and teach the skills valued by modern law firms and their clients
  - More law schools with few applicants
  - Applicants with compressed LSAT scores, less racially diverse
  - Pressure from the Bar Exam onto Law Schools
  - New experiential and writing requirements in law school
  - Business and technology slowly being introduced

- **Schools and firms need a new bridge to meet the need**
  - Partnerships on soft-skills
  - Partnerships on pro bono and clinical education
Thank you

Connecting to Legal Education: Mapping and Navigating the Modern Legal Marketplace

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Illustrations
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Reference Materials
Bibliography and Slide-by-Slide References

- Stephanie B. Goldberg, Merit-Based Compensation as an Alternative to Lockstep: Firms Test the Waters, 18 PERSPECTIVES, Winter 2010.
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Bibliography and Slide-by-Slide References


- ALEXANDER L. SCHLOSSER, “LAWYERS MUST EAT” (1933) (quoting New Jersey Bar President Ralph Lum at the New Jersey State Bar Association).


- TODAY’S LEGAL JOB MARKET, SPECIAL COUNSEL (2015), https://dl.dropboxusercontent.com/content_link/ZHWc6EU95dxDive9cnYVOPBaGq42xAaUP2XUX74dOhSOklLjrscuulxRYoMOJho/file.

- Stephanie Francis Ward, 10,000 jobs were added to the legal sector in 2015, stats show, ABA JOURNAL (Jan. 8, 2016), http://www.abajournal.com/news/article/10000_jobs_were_added_to_the_legal_sector_in_2015_stats_show.


Bibliography and Slide-by-Slide References

Slide 2:

Slide 3:

Slide 4:

Slide 5:

Slide 6:
Slide 7: 
Erica Moser, National Commission of Bar Examiners, ABA Dean’s Annual Meeting presentation (2016), Percentage of change of enrollment as function of lowest law school quartile.

Slide 8:  

Slide 9: 

Slide 10: 
Jon Garon, approximation of law school budget allocations.

Slide 11: 
Jon Garon, approximation of law school budget allocations.
Bibliography and Slide-by-Slide References

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Slide 16:

Slide 17:
ALEXANDER L. SCHLOSSER, “LAWYERS MUST EAT” 29 (1933) (quoting New Jersey Bar President Ralph Lum at the New Jersey State Bar Association).
Bibliography and Slide-by-Slide References

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Slide 19:
Jon Garon, approximation of law firm revenue sources.

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Bibliography and Slide-by-Slide References

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Slide 41:

Slide 42:
Stephanie B. Goldberg, Merit-Based Compensation as an Alternative to Lockstep: Firms Test the Waters, 18 PERSPECTIVES, Winter 2010, at 7.

Slide 43:

Slide 44:
Bibliography and Slide-by-Slide References

Slide 45:

Slide 46:

Slide 47:

Slide 48:
Stephanie B. Goldberg, Merit-Based Compensation as an Alternative to Lockstep: Firms Test the Waters, 18 PERSPECTIVES, Winter 2010, at 4, 7; TODAY’S LEGAL JOB MARKET, SPECIAL COUNSEL 3, 5 (2015), https://dl.dropboxusercontent.com/content_link/ZHWc6EU95dxD1ve9cnYVOPBaGq42xAaUP2UX74dOhSOkJvscuu1xRYoMOjho/file.

Slide 49:
Bibliography and Slide-by-Slide References

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