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Working with Millennials in the Law

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You may feel confident that you understand everyone in your office, regardless of age. You believe that what drives you and creates a fulfilling workplace are probably the same things that drive others. And when it comes to younger attorneys, what is there to learn? Weren’t you young once yourself?

Despite the depth of our understanding, we may well be on the wrong track when we consider what young attorneys believe makes a superior workplace and meaningful work. This article explores a little of the research about the world Millennial attorneys inhabit—and the world they are likely to create.
Working with Millennials in the Law

Millennial Characteristics

According to research from 2007, college students used technology at much higher rates than did people from other generations: 97 percent owned a computer; 94 percent owned a cell phone; 92 percent reported multitasking while instant messaging; 76 percent used instant messaging; and 40 percent used television to get most of their news; another 34 percent used the Internet to get their news. They spent at least 3.5 hours a day online.¹

Despite being “plugged in,” they had close and frequent contact with their parents; they spoke with their parents an average of 1.5 times a day about a wide range of topics. Millennials (born between about 1983 and 2003) are more plentiful than the generation before them (Generation X); they tend to celebrate diversity, be optimistic, realistic, self-inventive, and collaborative, like to rewrite the rules, demand work/life balance and a great lifestyle, think institutions are irrelevant, assume the use of technology, and multitask well. They feel time pressured and are inventive about finding ways to save time while researching.

They were raised by “helicopter parents” who nurtured them, supported them, and gave them lots of direction and praise, and they grew up in an “all have won; all must have trophies” early educational environment. They perform best in a structured, supportive work environment with interactive relationships with superiors and peers, doing meaningful work that expresses their civic-mindedness. They prefer collaborative work to individual projects and will surprise you with the professional quality of their multimedia presentations.

When I first was asked to research the new generation of lawyers, I was not particularly fond of Millennials. Like most Baby Boomers or Generation Xers, I complained about my students surfing the Internet in class, not being prepared, not being ashamed when they weren’t prepared in class, needing too much direction on assignments, wanting “rubrics” for grading and assignments, not having sufficient work ethic, not having sufficient initiative to work on their own and independently, needing too much handholding, being whiny when they didn’t get immediate responses from me, not listening intently while I am lecturing (I was, after all, presenting dry, boring, talking-head stuff), multitasking, and not researching in the “true” legal research way (i.e., using the Internet instead of books), wanting the benefits of the profession without paying their dues, and not respecting authority, age or experience. Sound familiar?

But, as I’ve dug down into the research on Millennials and, in particular, on Millennial law students and lawyers, it occurred to me that:

1. My children are Millennials. They were born smack-dab in the middle of the generation: birth years 1982–1985 to 2000–2004. If I think Millennials have it “all wrong,” then I am condemning my offspring. This doesn’t sit well with me, because I (as a doting, overprotective Boomer/Gen X “helicopter parent”) tend to think my kids “walk on water.” I think they are special, amazingly talented, unique, gifted, and destined for greatness. Despite their differences, I don’t think one is better than the other and I subscribe to the “different gifts—all are winners, there are no losers” mentality.

2. Second, my students are Millennials. Despite our efforts to change them, to ban laptops in the classroom, to cut off Internet access in the classroom, and to lecture them into submission to our ways, they aren’t changing and they aren’t likely to change. Furthermore, as a professor, my effectiveness depends on being able to connect with, encourage, and inspire Millennials. So, a better approach is to change my attitude, adapt and overcome, and adjust.

3. Finally, the future of our society and world is in the hands of the Millennials. They will be in power when I am elderly and in need of nursing, medical and home care. I hope they will do a good job with their power! And the world is continuing to change, rapidly, despite my wishes that it would “laminate” itself into a stable, static state.
So, we’d better determine how to mentor them and develop their best qualities, rather than try to force them back into our molds—which don’t really fit the developing world order anyway.

**Millennials Head to Law School**

We can look at Millennials positively, or we can view them negatively. It’s up to us. But they’re here to stay, and we are more likely to wear ourselves out fighting change, progress and the future than we are to change them.

We first began to see Millennials in law school around 2007. I felt a distinct shift in my classrooms. In 2012, I wrote:

Around 2007, the first law students in the “Millennial” generation entered law school. This generation, according to generational experts Howe and Strauss, may not be content with existing institutions and methodologies. They may not be satisfied “paying their dues,” and instead may question the reason for traditional processes and rules, and seek innovation and technological savvy. (Citations included.)

Two researchers studied almost 500 years of history and concluded that generational influences display themselves in cycles of four generations each. The following characteristics of the most recent six generations are paraphrased from their work: (See chart below).

The Millennials, according to these researchers, resemble the Greatest (or G.I.) Generation, who came of age during a period of economic and social crisis and reached the peak of their power during a period of prosperity in the 1950s and 1960s; the Greatest Generation created gleaming suburbs and other modern improvements. If true, the Millennials thus may indeed be the generation that solves our current social and economic problems; if so, they will likely do it in ways we can not imagine, at present.

There are three messages I propose:

**First, the Millennials are great:** They’re here to stay, they aren’t likely to be easily changed, and who says that their ways are wrong? Maybe older lawyers’ values and tendencies are not always superior. Maybe the Millennials are on to something! Let’s embrace their differences, celebrate their strengths, and help them become the very best they can be, because they are going to be running the world when we’re retired. **What may help older lawyers is cultivating:** open-mindedness, vision for the future of the profession, and a focus on efficiency and efficacy.

**Second, there are new steps to take:** There are some very concrete things we can do and change in ourselves to mentor Millennials more effectively. There are several seminal articles on the topic. Their message is: **We cannot simply train Millennial lawyers the way we were trained; they are actually different than**
Third, the Millennials need to be prepared for their big job: Millennials have a chance to be the generation that fixes the ills of current society and the world, such as: the environment; distrust of government, courts and large business; financial difficulties in government; insufficient collaboration and connection between people and in communities; insufficient natural resources (energy, water, etc.); need for improved public education and public health care; obesity; stress-related illnesses; workaholism; need for stronger parenting and families; unemployment; overcrowded prisons; and more. They have a huge task ahead of them, and we need to prepare them as best we can for this job.

What Can We Change?
Provide directions and structure and certainty for assignments; provide samples of work.

Explain what to expect, reduce uncertainty and do not assign meaningless tasks; do not assign too much (is overwhelming, makes them feel incompetent) or too little (makes them feel like you’re wasting their time, which is tight already).

Realize they are time-pressured, they value work/life balance, and they want time for leisure and friends and family; make work “fun.”

Explain when just-in-time learning will work and when it will backfire, so they are prepared.

Encourage collaborative, team projects in groups, particularly in diverse groups.

Celebrate diversity.

Encourage their input and presentation in group settings—conduct weekly staffing of cases, perhaps.

Treat them like peers, don’t insist on respect for authority or tradition, but adopt a “parent-like” role, because they often have great, close relationships with parents.

Get ready for them to “ask why,” buck tradition, and propose better ways to do things, like using the Internet to accomplish tasks.

Be transparent, real and honest about what’s really going on.

Use technology, multimedia and multitasking to accomplish the above goals.

We cannot simply train Millennial lawyers the way we were trained; they are actually different than previous generations.
Encourage collaborative, team projects in groups, particularly in diverse groups. In classes, I assign students to work in teams on projects every semester.

Encourage their input and presentation in group settings; use weekly staffing of cases. I ask students to make public presentations in class along with written products, in groups. They do an amazing job both individually and in groups with these presentations, and they enjoy listening to each other. They like to present their research and ideas and have said they feel they are “in their zone” when doing this in meetings with colleagues, peers and supervisors on externships.

Treat them like peers; don’t insist on respect for authority or tradition, but try to fit into a “parent-like” role with them. This may prove effective because many of them have great, close relationships with parents.

Get ready for them to “ask why,” buck tradition, and propose better ways to do things, like using Internet resources. I have asked them for feedback and input on various assignments and policies and incorporated their suggestions into my supervising. Be prepared for them to come up with better ideas than you for ways to accomplish tasks and projects.

Use technology, multimedia, and multitasking to accomplish the above goals. I have incorporated current events and technology into my teaching, using Youtube videos, movie clips, Google searches, Internet sources, sound bites, Powerpoint slides, an online learning environment, in-class group exercises, in-class polling questions, podcast recordings of my classes for their listening after class, frequent emails to my class of slides, handouts, Internet sites, blogs, assignments, and so forth. I’m reachable by email and text to my cell phone and frequently respond over the weekends. I try to avoid hard copies and prefer a teaching platform that allows students to chat, raise hands, vote, like or not like, and participate offsite (via distance learning) or onsite. Expecting the students to be multitasking during class and surfing the net, I ask them to Google things in class to keep them engaged. I try to break up long lecture segments with exercises; videos are particularly effective.

Be transparent, real and honest about what’s really going on. I have tried to treat my Millennial students as peers and ask them how they would solve various problems or asked for their input. I have modeled transparency and decision-making—using personal stories to help them remember things and to model foibles and situations I’ve navigated through.

Realize they are time-pressured, they value work/life balance, and they want time for leisure and friends and family. Explain when just-in-time learning will work and when it will backfire, so they are prepared. I don’t take their joking, casualness or unpreparedness personally. I praise what they do well, which is often, and I don’t mind that they aren’t reading for class sometimes, because I acknowledge that sometimes the reading is superfluous and boring and that if they can garner the knowledge and skills otherwise, through just-in-time learning (meaning, just before the information is needed) or knowledge acquisition, that may be a rational choice. They are being efficient and they are time pressured enough as it is. They prize efficiency, and so should I. I am focused on the ultimate goal: preparing them for the bar exam and for law practice, rather than insisting that they “do it my way” or the way we did it “30 years ago” just because that’s what I am used to.
Celebrate diversity. Be aware that our Millennial colleagues may not view the world as we do, and be prepared to try and see it through their eyes. I’m not sure if my efforts are working or not, but I’m thoroughly enjoying my classes and hope my students are, too.

One final note: The lawyer personality research tells us that lawyers aren’t likely to be good hand-holders. Our interpersonal emotional intelligence quotient is likely to be lower than the norm, for example. Thus, it might be surprising if we resist the above ideas and find that employing these suggestions feels awkward and uncomfortable. However, other research on lawyer well-being tells us that lawyers, old and new, need meaningful work—we all need intrinsic values and satisfaction to be integrated into our work to have optimal well-being and fulfillment. This could be a rallying point for lawyers of all ages—and a way for older lawyers to connect to the civic-mindedness, fun-loving nature, and collaborative values of the Millennials.

As the legal profession continues to change, the Millennials are particularly well poised to change the world for the better. It’s our job to prepare them to do it well.

endnotes

5. Daicoff, supra note 2.