

Associate training programs go from ad hoc to all-in

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Like most firm partners, Alexander Lee had heard grumbling from clients unhappy to be billed for work performed by first-year associates. So when the Paul Hastings tax partner set out to rethink associate training, he started there.

Lee spent several months talking to clients and called on colleagues to do the same, asking, as he puts it, “What’s going on? What are you saying when you say that first-years aren’t efficient? What is it, what are you seeing on the bill?”

Those conversations shaped the first-year lawyer training program that Paul Hastings launched last fall to polish new hires’ professional and practical skills. The 15-month curriculum includes a mini-MBA program for corporate attorneys, communication-skills training with the Chicago Improv, and an assortment of webinars on topics ranging from M&A 101 to how to dress for client meetings.

The landscape has changed when it comes to associate training, which once had a learn-as-you-go flavor. Increasingly, clients are unwilling to foot the bill for junior associates to draft their first contract or take their first deposition. And critics of legal education complain that law schools are doing a lousy job of teaching the practical skills new lawyers will need on the job. That’s left firms to step into the gap with training programs emphasizing business acumen, legal expertise, communication skills and client service.

“We no longer do random acts of training,” said Valerie Fitch, senior director of talent development for Pillsbury Winthrop Shaw Pittman, which in 2011 launched a task force for evaluating and improving professional development.

After industrywide layoffs in 2009 “everyone used the next couple of years to sit back and



JASON DOY

BACK TO BASICS: At Latham & Watkins, first-year associates begin with a four-day workshop and are encouraged to study how the firm has handled past matters. That gives them “the benefit of the substantive legal work product and experience of people who have gone before them,” said San Francisco partner Melanie Blunski.

think how they were doing a number of things, including talent development,” she said. Pillsbury’s task force established benchmarks and competencies for associates and tapped a partner in each practice section to focus on training.

All first-years attend a weekend conference that covers “global skills” such as writing and effective networking, and that also includes more substantive training for litigators and transactional lawyers. Last year, Pillsbury rolled out a new writing program for all litigators in their first three years. The program, known as “coachwrite,” pairs junior lawyers with partners who give feedback on written work, Fitch said.

According to law firm consultant Peter Zeughauer, part of the drive to launch more formalized training or enhance existing programs is optics. “Firms are having to prove that their associates can deliver value more than they used to,” he said.

TRAINING WHEELS

More valuable than any seminar, according to Zeughauer, is on-the-job training. But creating opportunities for new lawyers to gain hands-on experience without testing clients’ patience is a conundrum.

At Paul Hastings, first-year associates can log up to 150 hours for working on what the firm

calls “client readiness assignments”, such as attending trial, shadowing a deal partner, or observing a mediation. The firm writes off the time, but the associate can count it toward their billable-hour requirement.

Claire Hoffmann, a Paul Hastings employment law associate, has tapped her client readiness hours to sit in on client meetings and conference calls, which she said lets her see seasoned attorneys in action and provides “context” for the assignments she works on.

“All of it has just given me a much better idea of how my work as junior associate fits into the case and how to better tailor my work to be effective,” she said.

Similar programs are in place at many large law firms. First-years at Pillsbury and Fenwick & West also can bill about 150 hours for training activities. Fenwick’s associates can also bill unlimited hours to the firm’s “training account”, which is used at the discretion of partners. Since its inception four years ago, the number of hours billed to the training account has more than tripled, said Cheri Vaillancour, Fenwick’s chief professional development officer.

Latham’s initiatives give associates “the benefit of the substantive legal work product and experience of people who have gone before them.”

—MELANIE BLUNSCHI,
PARTNER

Orrick, Herrington & Sutcliffe takes a longer view of associate training. It offers 25 hours of billable-hour credit for training annually to associates through their ninth year. “The more experience you have, the more relevant the shadowing experience will be,” said Carolyn Bortner, lawyer development director for Orrick.

Wilson Sonsini Goodrich & Rosati allows its associates to bill training hours for their first five years on the job.

At Latham & Watkins, junior associates can receive billable-hour credit for creating reports on how the firm has handled specific matters that can be used as references. As-

sociates have researched and summarized the firm’s previous work on complex merger and financial agreements, as well as created a database of motions filed in securities cases, said Melanie Blunsch, a litigation partner and part of the firm’s training and career enhancement committee.

Launched two years ago, the initiative gives associates “the benefit of the substantive legal work product and experience of people who have gone before them,” she said.

Latham also runs what it calls “academies.” First-years across the firm begin their skills training with a four-day off-site program, and then run through the firm’s “core curriculum,” a series of 12 presentations. Academies also exist for summer associates, third- and fifth-year associates, new partners and senior women, and the firm is developing programs that target specific areas of practice, “such as M&A-specific trainings where our senior lawyers run a mock merger for junior lawyers,” Blunsch said.

Increasingly, firms are also interested in helping associates hone softer skills, such as networking, communication, teamwork and business development. Though first- and second-year lawyers aren’t expected to generate new business, those skills better position them to do so later.

“Even if they will not be generating clients, they will be interfacing with existing clients. We want them to be viewed as ‘value add’ by the clients,” said Lee, the Paul Hastings partner. “In addition, we want them to interact with their peers at the [company] and be viewed as professional advisers by those who may later move into more significant roles that involve choosing representation.”

About a third of Paul Hastings’ training sessions focus on soft skills, Lee said.

Last year, Latham’s Los Angeles office piloted a business-development program for junior associates, where partners played different types of clients, such as the too-close talker, and associates had to practice dealing with the situation.

New lawyers at Fenwick spend a week offsite at “Fenwick University,” where the focus is almost exclusively on soft skills. “We start teaching them substantive legal skills the week after,” Vaillancour said.

TRAINING FOR KEEPS

The recession forced firms to reconsider and intensify associate training, said Vicki Huebner, assistant dean of career services at Santa Clara University School of Law.

“Law firms saw the need to take this person, who was raw talent, and to help shape them so that they would be that more rounded professional earlier in their career,” she said. “The faster they can become a value add, the faster they can become a profit center and a revenue producer.”

A better trained lawyer can more quickly become a value to the firm and to clients. In addition, training programs can help attract and retain talent.

Sari Zimmerman, assistant dean for the office of career and professional development at UC-Hastings College of the Law, said students with multiple summer-associate position offers often consider a firm’s training and development program in their decision-making.

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“It shows that the firm is willing to invest and believes in potential,” she said. “The opportunity to get really structured, practical knowledge is really important.”

A standard industry estimate is that it costs \$250,000 to \$300,000 to train a new associate, according to Pillsbury’s Fitch.

Of course, there’s a better than even chance all that investment will one day walk out the door. To Fitch, that’s one of the best arguments for producing top-notch lawyers.

“Someday you may be in-house,” she said, “and we want you to go away feeling really good about your time here.”

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