

OCS Weekly Bulletin

September 9, 2008

Upcoming Events/Programs & Career-Related Articles

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About OCS

The Office of Career Services (OCS) serves as a bridge between students, alumni and employers. The staff helps students and alumni to shape and realize their career goals. We also provide counseling, workshops and resources on judicial clerkships, international opportunities and non-law alternatives.

OCS is open Monday through Friday from 8 a.m. to 5 p.m. The office is located on the first floor in Room 143 in the Law School's office building on Nathan Abbott Way.

Upcoming Events/Programs

IMAGINE THE POSSIBILITIES

A Discussion On Diversity In The Legal Profession

September 9, 2008 • Stanford University Law School

5:00 p.m. • Room 190

6:30 p.m. • Reception at the Stanford University Faculty Club

A distinguished panel of diverse lawyers will discuss how and why they chose their respective career paths, and their unique perspectives as minorities in their chosen fields.

Victoria Carradero, Assistant United States Attorney, Northern District of California
Professor Pratheepan "Deep" Gulasekaram, Santa Clara University School of Law
Alma Robinson, Executive Director, California Lawyers for the Arts
Rick Taketa, CEO and President, York Risk Management Services
Hilary Ware, Litigation Director, Google Inc.

Moderated by: Eugene Clark-Herrera, Associate, Orrick, Herrington & Sutcliffe LLP

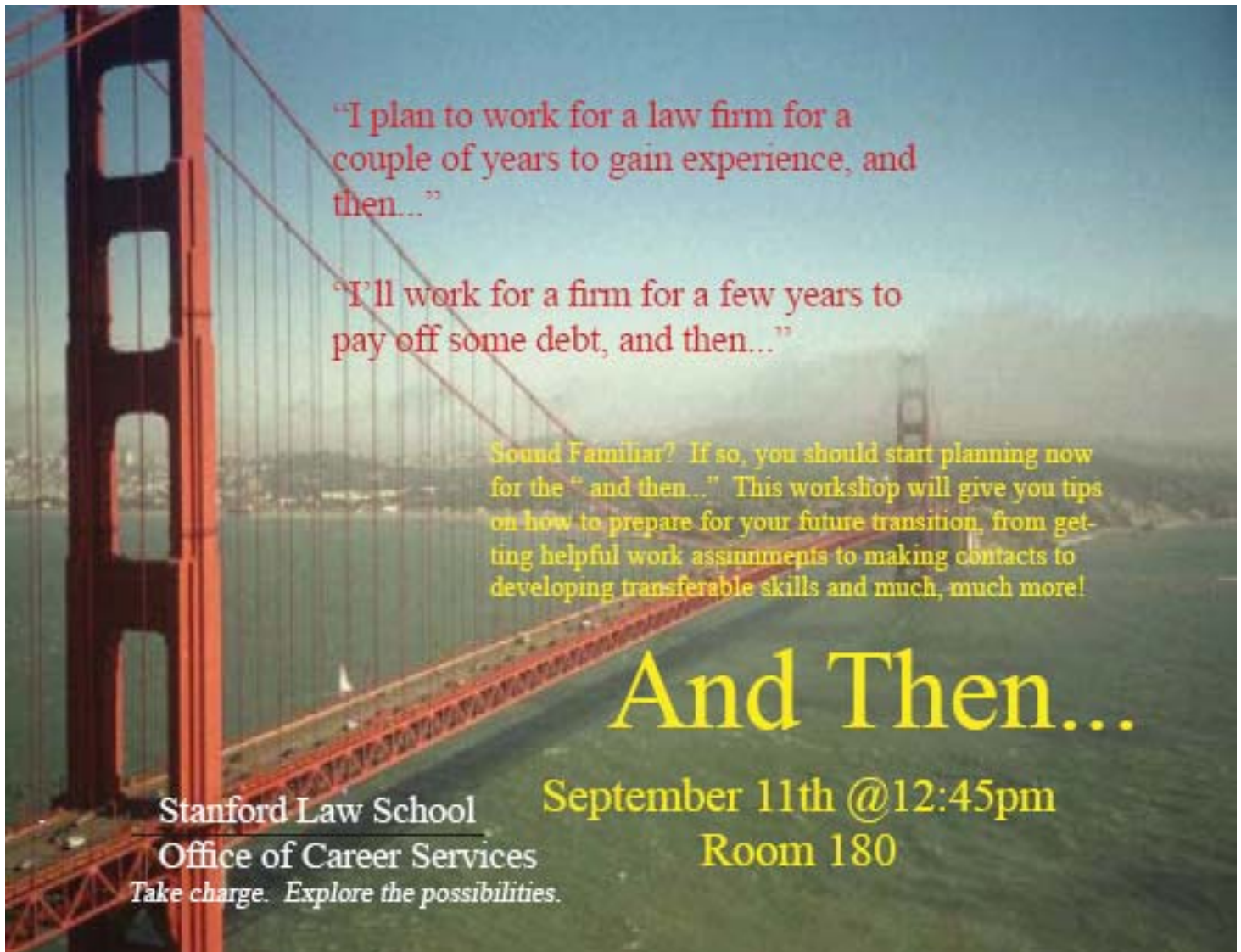
Co-sponsored by: Orrick and the Stanford Asian and Pacific Islander Law Students Association; Stanford Black Law Students Association; Stanford Latino Law Students Association; Stanford Outlaw; Stanford Women of Color Action Network; Women of Stanford Law

For more information or to RSVP, please contact Kristin Greene at kgreene@orrick.com

This program is open to all students.

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Upcoming Events/Programs



“I plan to work for a law firm for a couple of years to gain experience, and then...”

“I’ll work for a firm for a few years to pay off some debt, and then...”

Sound Familiar? If so, you should start planning now for the “and then...” This workshop will give you tips on how to prepare for your future transition, from getting helpful work assignments to making contacts to developing transferable skills and much, much more!

And Then...

Stanford Law School
Office of Career Services
Take charge. Explore the possibilities.

September 11th @12:45pm
Room 180

Open to 2Ls, 3Ls, and Advanced Degree students....

“I plan to work for a law firm for a couple of years to gain experience, and then...”

“I’ll work for a firm for a few years to pay off some debt, and then...”

Sound familiar? If so, you should start planning now for the “and then...”. This workshop will give you tips on how to prepare for your future transition, from getting helpful work assignments to making contacts to developing transferable skills and much, much more!

OCS Presents: “And Then...”

Thursday, September 11th at 12:45 in Room 180

Please RSVP through Symplicity as lunch will be provided.

Career-Related Articles

- **Just What Makes a Firm Friendly for Women and Working Mothers?**.....Pages 3-4

A sampling of law firms named to the second annual list of Best Law Firms for Women compiled by Working Mother magazine and Flex-Time Lawyers finds a willingness to tailor work schedules to accommodate attorneys with young families is the key to retaining top talent. “It is incredibly difficult to recruit and retain great people,” said Judith Itkin, partner in charge of lawyer resources at Hunton & Williams.

- **Communication skills are crucial to succeed**.....Pages 4-5

Law school essentially teaches future lawyers nothing about good communication skills. Here’s what junior lawyers need to know to excel.

- **Companies Tout Minority Firm List**..... Page 6

E.I. Du Pont de Nemours & Co. is once again pushing corporate America to use minority- and women-owned law firms, this time teaming with Royal Dutch Shell PLC and Wal-Mart to publish for the first time a list of such firms that the companies have used. The companies have sent a directory of the firms to about 100 in-house lawyers, and they’ve also launched a Web site. The companies’ experience with the firms adds credibility, said Hank Adorno Jr. of Adorno & Yoss, the largest U.S. minority-owned firm.

- **Bingham Rolls Out Pro Bono Program Allowing Two Associates to Dedicate One Year**.....Page 6

Bingham McCutchen is rolling out a new pro bono program for two associates to dedicate one year solely to pro bono work. “We hope that the fellowships will prove extremely beneficial to both the community and the associates chosen to participate,” said pro bono committee co-chairman and Boston partner Robert McDonnell.

- **GCs’ Pet Peeves**.....Pages 6-7

By canvassing some current and former GCs, Michael C. Ross has collected some pet peeves shared by general counsel about outside lawyers involving quality, service, cost and relationship issues. In-house attorneys may recognize these complaints, such as lack of responsiveness or “arrogant” attitudes. And outside counsel may learn some key tips. For one, don’t treat your client like Rodney Dangerfield.

Just What Makes a Firm Friendly for Women and Working Mothers?

National Law Journal

Peter Page / Staff reporter

August 14, 2008

A sampling of law firms named to the second annual list of Best Law Firms for Women compiled by Working Mother magazine and Flex-Time Lawyers finds a willingness to tailor work schedules to accommodate attorneys with young families is the key to retaining top talent.

The second annual survey found that, of the best law firms in the country for female attorneys, 98% host networking groups for female lawyers, 68% offer mentoring for senior female associates and 62% offer management training for women.

“It is incredibly difficult to recruit and retain great people,” said Judith Itkin, partner in charge of lawyer resources at Hunton & Williams, who works from the Richmond, Va.-based firm’s New York office. Hunton has instituted a Pathways to Success program for attorneys who must work part-time or from home for extended periods to accommodate family. “We focus on relationships that support people who telecommute or work reduced schedules. It is important to keep people connected because once you’ve lost connection, the chance of getting them back into the work place is reduced,” Itkin said.

Partners at other firms on the list said they rarely had unique programs, but they do have a sincere commitment to implementing policies common at many large firms.

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Career-Related Articles

Just What Makes a Firm Friendly for Women and Working Mothers?

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Carey Dunne, a managing partner at Davis Polk & Wardwell in New York, said the firm named its first women partners in the 1970s and has nurtured appreciation for the choices lawyers make to balance work and home.

“What makes it work best is our culture of respect for each other. You don’t want to be in a place where there is a policy in place that allows part-time work but [where] people are whispering in the meeting room when someone leaves at four to pick up their kids,” he said. “Putting aside what is the right thing, 50% of new lawyers are women and the reality is people have families. If we can’t develop and retain them, we will fail.”

Carol Evans, chief executive officer of Working Mother Media, said the 100-hour work weeks that are needed to climb in a major firm are increasingly untenable, not-

ing that 78% of associates leave law firms by their fifth year.

“Today, with nearly half of law school graduates women, law firms will have to make a fundamental shift in their policies regarding partnership in order to remain competitive,” she said. “We hope that by recognizing the pioneering firms that have already moved the needle, a paradigm shift will follow.”

“I’ve been here, off and on, for 11 years so I have a good vantage point,” said Angela R. Elbert, a partner at Neal, Gerber & Eisenberg in Chicago, specializing in insurance coverage. The firm, which made the list, is 16th among law firms nationally in the number of female equity partners, and one-third of its practice areas are chaired or co-chaired by women, Elbert said. “The firm’s commitment to opportunity for female lawyers has just gotten

stronger and more noticeable.”

Jessica Forbes, a partner in the corporate practice at New York-based Fried, Frank, Harris, Shriver & Jacobson, said firms that don’t support women who take time out will have little appeal for the growing numbers of women entering the law. She worked part-time for four years following the births of her two children and made partner when she returned full-time.

“The burden typically falls heavier on mom in the early years,” she said. “It is extremely important that firms be flexible or they will lose a lot of talent.”

Communication skills are crucial to succeed

National Law Journal

Steven C. Bennett / Special to NLJ.com

August 25, 2008

Law is a service profession. Good service depends on good communication. Good communication must be relevant, focused and timely.

Yet, law school essentially teaches future lawyers nothing about good communication skills. There are courses in legal writing and advocacy, but little about the day-to-day practice of law.

Freshly-minted lawyers, as a result, often have poor communication skills. Such under-developed skills can, in practice, be as harmful to a budding career as lapses in judgment or even downright incompetence.

Let’s review some key aspects of good communication that junior lawyers should begin to develop in their first days of practice. These skills are enduring. No matter the area of practice, type of position (government, in-house or law firm), and no matter the size of institution with which the lawyer associates, good communication skills will always serve a lawyer well.

Ask questions

The most basic form of communication, designed to maximize exchange of relevant information, is the question. Yet, many bright, motivated junior lawyers, accustomed to asking questions in law school, suddenly are struck dumb during their first days in practice. Perhaps they assume that the partner or other senior lawyer must know all the relevant facts and issues that the junior lawyer should possess to understand an assignment. Perhaps they fear that asking questions may reveal their ignorance or somehow constitute an annoyance. All these attitudes and assumptions are invalid. You can never ask too many questions, and there really are no “dumb” questions.

Remember:

- You must ask questions to make sure you fully understand an assignment (including when it’s due, the preferred

format, and a rough estimate of how much effort you should put into the assignment – “once over” or “no-stone-untuned”).

- When obstacles arise during a project (and they inevitably will) you must formulate your best suggested solution, and then ask questions to make sure that your solution is approved.

- When you think you’re done with the assignment, you must confirm that fact, and ask questions to see whether there’s anything else you can do to help.

Check in regularly

Busy senior lawyers prioritize their days. Client calls, court appointments and the like generally have top priority. Research, writing and consultation with other senior lawyers comes next. Last on the list may be checking up on junior lawyers. Many senior lawyers hand out assignments, and assume that they will be done, on time and in good form, unless they

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Career-Related Articles

Communication skills are crucial to succeed

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hear to the contrary. This “see-no-evil” supervisory approach means that junior lawyers must regularly “check in” with senior lawyers, to report their progress and to discuss any problems.

Consider:

- Even if the assignment is going well from your perspective, the senior lawyer may have new information, or new directions, that will affect the assignment. Check in regularly, to find out whether circumstances have changed.
- Check in sessions can be great opportunities for you to integrate yourself into a practice team. A report on your progress may lead to a longer discussion on strategy for the matter, giving you a sense of the “big picture,” and helping you learn how such projects get done.
- Even the briefest of check in messages (an email or voice-mail summarizing your progress) gives the senior lawyer confidence that you are on track, and an opportunity to correct any missteps in your approach.

Vet drafts

Many junior lawyers harbor tremendous anxiety about their writing abilities, which can produce a “you can’t see it ‘til it’s done” attitude. Worse, some junior lawyers send out materials (to senior lawyers and even to clients) without soliciting input from their immediate supervisors. The result may be grave disappointment or embarrassment.

Notice:

- The point here is not to foist all responsibility for your written work on to your supervisor. Do your best work, always. Do not turn in a “rough draft,” if you know it requires revision, and you know you have the time to revise it.
- Outlines and rough drafts, however, can

be an essential part of good communication. By providing them to your supervisor (early, to give a reasonable opportunity for review) you may communicate (quite cogently) your thoughts about the matter, and open a dialogue with your supervisor on the merits of your approach (versus any alternatives the supervisor may have in mind).

- Failure to share drafts and outlines can produce communications errors that may undercut your hard work. For example, a misspelling of a client’s name, or failure to use the proper title, while trivial in the scheme of things, can irritate your audience in ways that prevent a fair assessment of your effort. Quick review by a supervisor can eliminate these and other communication errors.

Respond promptly

Many clients and senior lawyers wait until the last minute to ask junior lawyers for help. As a result, when they ask, they generally need (and expect) a prompt reply. Even when the matter is not urgent, moreover, a prompt reply is a sign of respect, generally well appreciated. Yet, many junior lawyers can fall into mental traps about such communications.

Observe:

- A prompt, incomplete response beats a complete, tardy response virtually every time. Reply promptly even if your answer is “I’m not done yet” or “I can’t talk in detail right now.” Clients and senior lawyers understand that you may be busy. They do not understand when you go missing for extended periods.
- Anticipate your absences. Tell clients and senior lawyers when you will not be available. Put an “away from office” message on your voice-mail and email. Remind your secretary to tell people you are out.

Make sure to reply as promptly as you can after you again become available.

- Use the regular “check in” system to avoid emergency, last-minute calls from clients and senior lawyers. Ask (frequently) about their expected future needs. Suggest steps that could be taken now (or soon) to advance the project (rather than waiting to perform the same steps later, at the last minute).

Good communication will serve you well, throughout your career. Develop and hone good communication skills, just as diligently as you develop substantive skills in your chosen area of practice.

*The author is a partner in the New York City offices of Jones Day, and a member of the firm’s Training Committee. His publications include *The Path to Partnership: A Guide For Junior Associates* (Praeger 2004). The views expressed are solely those of the author, and should not be attributed to the author’s firm or its clients.*

Career-Related Articles

Companies Tout Minority Firm List

Lynne Marek

The National Law Journal

September 03, 2008

E.I. Du Pont de Nemours & Co. is once again pushing corporate America to use minority- and women-owned law firms, this time teaming with Royal Dutch Shell PLC and Wal-Mart Stores Inc. to publish for the first time a list of such firms that the companies have used in the past.

The companies sent out a directory of the firms to about 100 in-house lawyers, including all members of the Chief Litigation Counsel Association, said Andrew Schaeffer, who is DuPont's managing counsel of operations and partnering in Wilmington, Del.

In April, they also launched a Web site, www.minorityandwomenlawfirms.com, with help from Sara Lee Corp. and General Motors Corp., that lists the firms by state with contact information. "Our experience is a lot of companies don't know where to begin," Schaeffer said.

Judges, juries and public officials are

becoming more diverse, so companies benefit from using firms that offer a diverse set of lawyers who can identify with these decision-makers, said Tom Sager, DuPont's general counsel.

DuPont also sent the directories to its 50 primary law firms, encouraging them to consider working with the minority- and women-owned firms and to share the information with colleagues. DuPont largely paid for publication of the 300 directories and the creation of the Web site.

EXPERIENCE ADDS CREDIBILITY

The new listings, which have the names of firms in 31 states, build on directories provided by the National Minority Law Group and the National Association of Minority and Women Owned Law Firms. The difference with the DuPont, Wal-Mart and Shell listing is that the companies' experience with the firms adds

credibility, said Hank Adorno Jr., who is chief executive officer of Adorno & Yoss, the largest U.S. minority-owned firm with 270 lawyers and 15 offices.

"They have identified firms that they are vouching for," Adorno said.

The companies hired Crosby Marketing Communications to set up the Web site and gave the firms the option to update their information on the site if they pay an annual fee, which will be up to \$100 annually, for hosting of the site.

While some of the law firms said they haven't received any client referrals through the listings yet, they welcome any promotion and hope it will not only bring new clients, but perhaps expand business with existing clients.

"It can drive business if they're serious about it," said Hans Massaquoi Jr., an attorney at the minority-owned Lewis & Munday in Detroit.

Bingham Rolls Out Pro Bono Program Allowing Two Associates to Dedicate One Year

Sheri Qualters / Staff reporter

August 13, 2008

Bingham McCutchen is rolling out a new pro bono program for two associates to dedicate one year solely to pro bono work.

The firm said the Pro Bono Fellowship Program will enable associates with a strong interest in public interest work to pursue that passion while remaining with

the firm.

"We hope that the fellowships will prove extremely beneficial to both the community and the associates chosen to participate," said pro bono committee co-chairman and Boston partner Robert McDonnell.

The fellowship is available to associ-

ates across the firm. The selected lawyers will work at Bingham's offices and be paid by the firm while dedicating 100% of their time to a variety of pro bono matters.

GCs' Pet Peeves

Michael C. Ross/GC California Magazine

August 13, 2008

It has been three years since I wrote a column about some of the pet peeves shared by general counsel and it is time -- perhaps past time -- for a sequel. By canvassing some current and former GCs, I have collected some new issues. This is not to suggest that the prior list of peeves has gone away but only that in-house attorneys are raising additional quality,

service, cost and relationship issues.

QUALITY AND SERVICE

A common complaint is that outside lawyers simply fail to follow instructions. A good example is the company that develops an effective and efficient strategy for defending recurring litigation. In-house

counsel explains to each local counsel the strategy, which significantly limits discovery and usually leads to early summary judgment. Frequently, local counsel ignores the plan and embarks on costlier and riskier defenses.

Obviously, timeliness is important to clients. Even though corporate counsel knows the schedule for disseminating

Career-Related Articles

GCs' Pet Peeves

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board materials in advance of meetings, they often wait until the last minute to suggest additional agenda items that could have been proposed much earlier. Outside litigators know the deadlines for filing motions and other papers but wait until the day before they are due to submit them to in-house counsel -- and then get frustrated that in-house counsel cannot drop everything else they're doing in order to approve the filing.

It should be safe to assume that, given the high hourly rates being charged, the client will get solid legal advice. All too frequently, decisions made after what should have been thorough consideration by outside specialists have to be changed because some specialist was not consulted. A law firm will have contracts or leases drafted in an office in one state, only to have to send them for substantive revision to their lawyers in the state where they were originally intended to be used. As cases near trial, outside counsel's estimate of the downside increases without there being any new information to justify the increase.

A column on relations with outside counsel would be incomplete without mention of responsiveness. One in-house attorney reports that one of her outside lawyers used to return calls and leave messages after hours, on weekends or at other times when she was unlikely to be available. That outside lawyer has since been replaced.

COST ISSUES

Containment of outside legal costs continues to be one of the top priorities of in-house counsel. By now, outside counsel must know that legal departments are under a great deal of pressure to reduce costs. Yet many outside attorneys seem to be completely insensitive to the problem.

Numerous complaints relate to budgets. Even if in-house counsel are successful in getting outside counsel to create a realistic budget (which can be a frustrating

endeavor), many outside attorneys ignore it. They do not track costs incurred against the budget, rarely consider it when making tactical decisions and fail to report over-ages in a timely manner.

Staffing can be either efficient or excessive. Many firms overstaff matters, fail to leverage their attorneys' expertise to the advantage of their clients or both. In many cases, in-house attorneys learn of staffing decisions and changes only after reviewing the bill.

Managing matters to prompt resolution, as circumstances allow, often translates directly into reduced total costs. Nonetheless, many outside attorneys are too busy to push matters along and are quite content to let them drag on, thereby increasing total costs.

In-house lawyers continue to raise lots of complaints about billing. "Take it or leave it" billing (including fees for busted deals), whether the bill is based on hours and rates or some other method, is not well-received, to say the least. Indeed, law firms may find that a "take it or leave it bill" is the last one the client pays.

My favorite billing story comes from a former general counsel (now on the board of directors of a public company) who tells of his experience as a new GC. He was invited by the billing attorney at one of his outside firms to meet some of the partners at the firm, which did a significant volume of work for the company. This GC turned down an invitation to have the meeting at a fancy restaurant (good thing!), settling instead on lunch in one of the firm's conference rooms. Imagine his surprise and chagrin when he received a bill from the firm for not only the partners' time but also the catered lunch. Needless to say, he did not pay for either.

RELATIONSHIPS

Law firms like long-term relationships with clients. And in-house counsel generally like long-term relationships with law firms. So why do outside counsel treat

in-house lawyers the way they do?

One former general counsel describes an in-person pitch by a high-profile, big-city lawyer who spent over an hour name-dropping, telling war stories and extolling his credentials. He had apparently done no research on the company and its legal work and he asked nothing about the company's interests and objectives. He did not get any work from the company. One general counsel describes the attitude of outside lawyers as "arrogant."

It is not just Rodney Dangerfield who gets no respect. Apparently in-house attorneys suffer a lack of respect from some outside counsel. One former general counsel reports that some outside attorneys deigned to talk about cases only with the director of litigation, refusing to discuss anything important with in-house attorneys assigned to manage the cases. Other GCs complain that outside counsel go around the legal department entirely and discuss important subjects with senior business executives, without inside counsel's knowledge.

A recurring problem for general counsel stems from law firms' requests for up-front, blanket unconditional waivers of future conflicts of interest. The message is clear: The law firm's potential business with other clients is more important than the new business with the client at hand. Outside lawyers often say their firms have a policy of requiring waivers, telling clients that they cannot proceed without one. Law firm management should think again. Most GCs are very reasonable in granting waivers on a case-by-case basis. But law firms do not yet have monopoly power, and many general counsel will simply refuse to sign blanket waivers and instead take their legal work elsewhere.

Do any of these issues sound familiar? If so, you would be in good company trying to get better quality, service and cost control as well as a more beneficial relationship from outside counsel. If you do not get them from current counsel, look elsewhere.