

OCS Weekly Bulletin

March 9, 2009

Upcoming Programs/Events & 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 Programs/Events

- **Jones Day 1L Reception**- Wednesday, March 11
- **Alternatives to Big Law Series: Solo Practitioners**- Thursday, March 12
- **“Backpack to Briefcase - Moving From Student to Professional”**- Friday, March 13

Jones Day 1L Reception- Wednesday, March 11 from 5:00-7:00pm in Crocker Garden

Jones Day invites the Stanford Law School Class of 2011 to join us for a Cocktail Reception. The reception will be held from 5:00-7:00pm in Crocker Garden at Stanford Law School. Feel free to stop by for all or a portion of the event. Casual attire.

Alternatives to Big Law Series: Solo Practitioners - Thursday, March 12 at 12:45pm, Room 272

Not sure that practicing law in a private firm is what you want to do the rest of your life? Looking to see what opportunities can arise from your experiences in law? Come hear three attorneys discuss their career path and practice as solo practitioners.

Megan Smith, SLS '86, practices in San Francisco and specializes in commercial contracts and licensing agreements.

Russell Davis practices in Menlo Park and specializes in real estate.

Kathryn Barnard, SLS '88 has a health care practice in Portola Valley.

Lunch will be served. Please RSVP in *Symlicity*.

“Backpack to Briefcase - Moving From Student to Professional”- Friday, March 13 at 12:45pm, Room TBA

Lynne Traverse, Recruitment Administrator with Bryan Cave in Phoenix, will be here to discuss the changes that come when you transition from being a student to being a professional.

Lunch will be served. Please RSVP in *Symlicity*.

Career-Related Articles

- **Remain ‘Bold and Valiant’ in Your Job Search**.....Pages 2-4

These days, associates across the country are anxiously reading about almost-daily law firm layoffs. Even though attorney layoffs have become common and very public, “stealth” layoffs remain a concern. Here are some steps that associates can take, if they have started to notice a significant slowdown at work, to avoid finding their name on the cut list -- whether the cuts are stealthy or not. Consultants Stacy Humphries and Elaine Makris also provide some tips for those who do find themselves on that list.

- **Law Schools Revamp Their Grading Policies**..... Page 5

Several leading law schools are retooling their grading policies, with some making major revisions and others merely tweaking their systems. Harvard Law School and Stanford Law School, for example, are switching from the traditional grade and letter policies to pass/fail systems. And New York University School of Law now allows professors to give more A's. Some institutions, such as Columbia Law School, are reviewing their grading systems to see whether they need updating. What's prompting the changes?

- **Simpson Thacher Sends Some Associates on Year-Long Pro Bono Stints**.....Page 6

Many smaller firms that have avoided moving into major cities dominated by large firms are suddenly eyeing the likes of New York, Boston, Houston, Phoenix, Chicago, San Francisco, Atlanta and Denver, experts say. The trend may seem counterintuitive, but midsize law firms have several good reasons to consider opening offices in major cities right now.

- **Take Proactive Steps to Avoid a Layoff**.....Pages 6-7

These days, associates across the country are anxiously reading about almost-daily law firm layoffs. Even though attorney layoffs have become common and very public, “stealth” layoffs remain a concern. Here are some steps that associates can take, if they have started to notice a significant slowdown at work, to avoid finding their name on the cut list -- whether the cuts are stealthy or not. Consultants Stacy Humphries and Elaine Makris also provide some tips for those who do find themselves on that list.

Remain ‘Bold and Valiant’ in Your Job Search

Steve Langerud
The National Law Journal
February 24, 2009

Law firm mergers, delayed start dates for new hires and rescinded job offers have rattled even the most positive and self-possessed law students and job seekers around the country. To succeed in these stressful times in the legal job market candidates should, as Horace said, “be bold and valiant.”

This is not the time to settle.

Legal management consulting firm Altman Weil reports that 70 mergers took place in 2008, an increase of 17 percent compared with 2007. The resulting influx of experienced attorneys into some markets has reduced summer opportunities for current students.

In an effort to save money, many law firms have delayed the start dates of new associates. For some job seekers it is a welcome vacation. For others it is a clear message that they should look for other opportunities.

Even more devastating to current students and recent graduates has been the flurry of rescinded offers from firms that report the yield on offers has been higher than expected.

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The situation has left students scrambling to secure jobs in a market in which they may be competing with peers and experienced lawyers laid off from merged or downsized firms.

Set against such a frightening background it may seem counterintuitive for students to seek out the perfect job. However, like investing in a down market, the reward for taking the risk to seek that dream job may be stunning.

THE BASICS

Hiring partners, career professionals and candidates agree on some basics for seeking work in today's difficult market: Applicants need to be realistic about qualifications and the market, sweat the professional details, and be flexible enough to think about alternative job opportunities.

Job seekers need to be realistic about where the job market is today and where it is likely to be in one, three or five years. For example, as business transactions slow down, compliance work increases. Using the same skill set in a new market can create good results.

They need to take stock of personal and lifestyle needs by facing facts -- to take an honest look at their personal circumstances, relationships and finances. Finding or changing jobs rarely happens without an impact on another person. Be clear about finances and lifestyle needs. Look carefully at debt and repayment options.

Job seekers also need to pay attention to the professional details surrounding a search. Too much competition is out there to leave details undone. Employers can afford to be ruthless in their evaluation of candidates.

Controlling professional documents like resumes and letters, professional attire and interpersonal skills will pay big dividends.

Crafting an error-free resume is critically important. Employers say that there is no good excuse for errors in a resume. It is an easy tool for screening out candidates during challenging job markets in which candidates are plentiful.

Also important is addressing communication from the perspective of the employer. It is clear to employers that a job will be good for prospective and cur-

rent employees.

They know it will help them grow professionally and clarify their career plans. The more important question for job seekers is how being hired will benefit the employer.

Applicants should write cover letters that demonstrate knowledge of what an employer does, how it does it and for whom. This is not a prose version of a resume. Rather, the letter should tell stories that demonstrate the skills of the candidate and how he or she can benefit the employer.

Communicating professionally with employers is vital. Students should be direct, courteous and honest. Employers say that candidates often fail to communicate honestly about why they are seeking work with them, in their city and in a specific practice area.

Sharing accurate and honest information with employers is also critical. The margins are too small for employers to make the wrong decision about a candidate. Applicants should be clear about the wish to work for that employer and live in its city. Knowing the culture, practice areas and values of employers is crucial.

E-mail is an appropriate way to share information and communicate with employers. However, students and recent graduates should write in a formal style. They should avoid writing e-mail as if it were a text message, and instead spell out words using the correct spelling, punctuation and capitalization.

Job seekers also should respond promptly to employer requests for documents, meetings and decisions. Finally, students need to be flexible with a focus. Developing a focused approach will enable candidates to think beyond the traditional employment opportunities.

When traditional opportunities disappear, new ones arise. But job seekers have to be prepared to take advantage of them by creating a touchstone with which to compare personal and professional needs with the opportunity at hand.

ACCURATE MARKETING

To remain flexible and be productive in a job search, it is vital to have a concise, focused and articulate description of the desired professional life sought by a can-

didate. While it may seem counterintuitive, defining the ideal position promotes success.

Starting with the perfect job and working backward is a good approach. In a tough market, candidates often accept the idea that they will take any job offered to them. Unfortunately, that choice is not always satisfying or sustainable. It pays to be clear about professional needs and to seek a good fit.

Candidates should think functionally about what to present to employers. Candidates who describe themselves functionally are more likely to successfully make a transition in to a new job or career. Candidates need to think more about where to fit than what to be called.

It is important to identify new opportunities by presenting a functional description of skills, issues, colleagues and environments that are ideal for personal and professional success. To develop a functional presentation for employers, job seekers should answer these four questions:

What skills does the job seeker bring to the table that he actually likes to use? What issues or topics is he passionate about and what type of colleagues does he seek. Who he will serve and what type of environment does he need to succeed?

Next, candidates should synthesize these answers into a clear and focused 10-second statement to present to networking contacts and employers. It should sound like this:

"I want to use these skills to work these issues with these people in this environment. My problem is that I don't know everyone who gets paid to have this type of professional life."

It is a good idea to present this description to networking contacts to help identify new opportunities. The candidate's next step is to follow up with the person identified by the networking contact.

Finally, with the description in hand, candidates should build professional relationships with people who know more about the market than they do. Creating opportunities to learn more about desired career areas, creating a relationship with someone who will be a colleague, and, most importantly, gaining access to op-

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opportunities that would never be advertised are some of the benefits of fostering these relationships.

ASKING FOR HELP

Job seekers should not be afraid to ask for help. Remember, in a good market it may only matter what one knows. In a marginal market it is not what one knows but who one knows. And in a market like today's, it is not who one knows but how many one knows.

People, in general, share three characteristics that can help them to identify opportunities in the job market. They love to talk about themselves. They are proud of their work. And, finally, they want to help someone. During the job search it is important to engage networking contacts to do these three things.

Those looking for jobs should be reactive in identifying people to contact. A quick LexisNexis search for newspaper, magazine or trade journal articles about issues of interest can yield articles about projects, cases or decisions that are on point for a candidate. If there is an article, then someone is quoted in the article. Ultimately, it is the person quoted in the article who becomes a networking contact.

A good strategy is to read broadly from publications that focus on intersections and trends. Trade publications, news magazines and newspapers are examples of publications that identify and report on trends.

Students also should take advantage of the alumni networks from places like college, activities or the military. Most alumni and career offices offer online networking, career mentoring and programs that connect students with alums in

a variety of cities.

Another strategy is to seek out the university staff, such as development officers, who are consistently on the road with alumni. They frequently know alumni no one else at the institution knows.

Finally, job seekers should use a career coach to tweak performance and presentation to employers. Coaches are available in law school career offices and privately to help candidates craft individual job search strategies.

They can push job seekers beyond the sometimes disabling anxiety of a stressful market to accurately assess and present themselves to employers.

TELLING THE STORY

The time candidates spend in front of an employer is critical to landing a job. They need to plan ahead to make the most of the time they have with an employer to tell stories about skills and experiences.

Three simple rules for interviewing are: Keep information within the context of employers; share behavioral information about skills; and demonstrate engagement and curiosity about the work.

Although the interview is with a candidate, it is really about the employer. Employers are trying to learn three things in an interview.

First, can this candidate do the job? Is he or she smart enough to learn what we do, skillful enough to carry out the tasks and experienced enough to be up to speed quickly?

Second, will this candidate do the job? Does he or she have the work ethic to show up every day, be engaged in the work and follow through on a commitment?

Third, will this candidate embarrass the employer with clients or in the community?

Candidates need to stay focused on these issues by presenting skills and experience within the context of the employer. The best way to stay on task is to provide behavioral examples in a clear format.

Specifically, the candidate should provide interviewers with an example from the past that includes a "STAR," or situation, task, action and result. This simple formula is a powerful tool to frame the experience of a candidate within the context of an employer.

Finally, the area in which most candidates fall short is in asking questions that demonstrate genuine engagement. If information is available on the Web site of an employer, there is no need to ask for that information.

It is a good idea to engage employers by asking about their work, trends and goals. Successful professionals are proud of their work. Asking good questions is a way to demonstrate that you are eager to be part of their world.

Entering a new profession can be daunting even in good times. New rules, relationships and expectations can make even the most confident job seeker nervous. When the market becomes stressful, job seekers, in the words of Horace, can still be "bold and valiant."

Steve Langerud is assistant dean for career services at the University of Iowa College of Law.

Law Schools Revamp Their Grading Policies

Vesna Jaksic

The National Law Journal

February 26, 2009

Several leading law schools are retooling their grading policies, with some institutions making major revisions and others merely tweaking their systems.

Harvard Law School and Stanford Law School, for example, are switching from the traditional grade and letter policies to pass/fail systems. At the same time, New York University School of Law now allows professors to give more A's. And some institutions, such as Columbia Law School, are reviewing their grading systems to see whether they need updating.

The schools initiating changes said that they did so to create fairer evaluation systems and to better convey their students' accomplishments to employers.

"I think each school has to look at their culture, their own pedagogy, their own curriculum and make a decision for themselves what works best," said Michael A. Fitts, dean of the University of Pennsylvania Law School.

Since 1995, the school has given traditional letter grades and sees no need to change that, Fitts said.

Harvard Law School is among the schools making some changes. The institution announced that starting this fall, it will switch from the letter-grade system to an honors/pass/low pass/fail system. The school said that no one was available to comment, but according to an e-mail from the dean published in September in the Harvard Crimson, the faculty believes that the new policy will "promote pedagogical excellence and innovation and further strengthen the intellectual community."

Yale Law School has used a pass/fail system for decades. Another top school, Stanford Law School, switched to a similar system in the fall. The school abandoned its letter grading system in favor of one that gives an honors, pass, restricted credit or a failing grade for all semesters and quarters. The new system also provides norms for the proportion of students who may be awarded with honors in their course work.

COMMUNICATING TO EMPLOYERS

Stanford Law Dean Larry Kramer said that it's too early to draw conclusions

about the new system but that it seems to be working well. The old numerical system suggested to employers that a big difference existed between a student earning a 3.42 vs. a 3.48, for example, even though the difference could be negligible, he said.

"One, [the new system] conveys more accurate information to employers without diminishing student incentive to work; two, it reduces needless grading anxiety; and three, it encourages faculty to experiment more with evaluative things they do in their classes," Kramer said.

For example, the system allows faculty to use a combination of short-term papers with exams for evaluation, Kramer said. The new grading policy will be evaluated after three years, he said.

Columbia Law School has a letter-grade system that is supplemented by a credit/fail standard in some classes. In addition, the first class that students take -- a three-week introduction to law -- is graded as credit or fail, Dean David M. Schizer said in an e-mail response to questions about the system. The system allows students to acclimate upon arrival without the pressure of letter grades and permits more detailed feedback, he said. The school has formed a committee of faculty members that is consulting with the students regarding whether the grading policy should be refined.

"Our preliminary sense is that there is broad support within our student body for our current system over the systems recently adopted at Harvard and Stanford, but our process of deliberation on the issue is not yet complete, and we will continue to solicit student and faculty input," Schizer said.

Law school deans said changes sometimes are necessary to ensure that their students' accomplishments are accurately reflected to employers. New York University School of Law said that in the fall it changed its system to allow A-pluses to be awarded and to permit more A's and A-minuses.

"We now are midway between schools that give many, many A's and the schools that don't," said Rochelle C. Dreyfuss, a professor at the school who chaired the committee that recommended the changes.

"[Before] it wasn't so much that students didn't earn A's or A-minuses. It's just that there were few available. If they made one small mistake on the exam they would miss out on A's or A-minuses. It failed to make differentiation among very good students and the best students."

Law school deans said that such changes are not uncommon and that schools may adjust their grading curves from time to time to make sure they are comparable to those at other schools.

But some were sticking with their current systems. For example, the University of Chicago Law School and Northwestern University School of Law said that they have no plans to change their letter grade-based systems.

The University of California, Berkeley School of Law uses high honors, honors and pass designations and has no intention of changing that policy, said Stephen D. Sugarman, a professor at Berkeley. The system allows judges and other potential employers to see who the best students are, he said.

"If you give everyone A's and there aren't any A-pluses, or if you don't give honors and high honors, you just wouldn't have a way to easily distinguish the best 25 or the best 10 percent of your students," Sugarman said. "So I think you need in some ways to help the judges and help yourself decide who to promote as the best students."

Like any system, it has its pros and cons, Sugarman said. For example, Berkeley uses a strict curve that dictates how many students can be awarded with honors. In the first year, exactly 40 percent of students can win honors grades.

"Some years I may want to give 12 and some years eight, and I can't do that," he said.

Fitts, of the University of Pennsylvania Law School, said that whatever system law schools choose, it is important that they are useful to potential employers.

"When you have a less refined grading system, people who are employing your graduates are going to make distinctions, but they'll make them on their own grounds," he said.

Simpson Thacher Sends Some Associates on Year-Long Pro Bono Stints

Leigh Jones

The National Law Journal

February 23, 2009

Amid a slowdown in funding for public interest legal work and a downturn in business at private law firms, Simpson Thacher & Bartlett is sending some of its associates to year-long stints at nonprofit organizations.

The New York-based firm has extended the duration of its public interest fellowships from three months to one year, with the expectation that the associates will return to the firm after their service.

Simpson Thacher partner William T. Russell said that the move was not a result of a decrease in work for the associates, but he also said that it “would not surprise” him if the usual associate attrition at his law firm, like others, has declined during the recession. Russell co-chairs the law firm’s pro bono committee.

“It’s really about furthering our public interest initiatives,” Russell said. He added, “We’ve got associates looking to do more.”

The law firm is offering fellowships to 15 associates with one to three years of experience and paying them \$60,000 up front. They will not remain employees of the firm while they work for the nonprofit, although they can keep their insurance

benefits, Russell said.

The starting salary for Simpson Thacher associates is \$160,000. No layoffs have been reported at the 869-attorney firm during the recession, although legal blogs have reported rumors of associate cutbacks there.

Public interest entities -- from indigent client services groups and constitutional rights organizations to children’s services programs -- have experienced funding declines due to belt-tightening among donors. At the same time, many report that the need for their services has grown because of layoffs and repercussions from the economy’s nosedive.

Meanwhile, law firms have experienced sharp drops in the usual associate departures that they have come to expect from young lawyers, who now are staying put at their firms because of decreased associate demand industrywide.

‘A GREAT IDEA’

“It’s a great idea” said Jon Lindsey, referring to Simpson Thacher’s move. Lindsey is managing partner of the New York office of Major, Lindsey & Africa, an

attorney search firm.

For law firms with idle associates, they can benefit from sending young lawyers off to gain experience in the public sector, he said. Firms also can preserve their reputation by avoiding layoffs, he said.

Extending the duration of the fellowships is an idea that the law firm “has been kicking around for some time,” Russell said. Some 25 to 30 associates have expressed an interest in the option, he said.

Associates can choose which nonprofit organization to work for, and the program is available to associates at all of the law firm’s offices. Joel Henning, a consultant with Hildebrandt International, called a move like Simpson Thacher’s “wonderful.”

“Rather than terminating people whom they like, they get to keep them. Those people are going to have a positive feeling about the firm,” Henning said. Simpson Thacher has eight offices. Its largest, in New York, has about 650 attorneys. It has about 70 attorneys in Palo Alto, Calif., and about 45 in London.

Simpson’s program was first reported on legal blog Above the Law.

Take Proactive Steps to Avoid a Layoff

Stacy Humphries and Elaine Makris Williams

Texas Lawyer

March 02, 2009

These days, associates across the country are anxiously reading almost-daily news stories about law firm layoffs. What started late last fall in New York as a fate only befalling securitization lawyers has since spread coast-to-coast, sparing almost no practice area.

On Feb. 12 alone -- known on some blogs as the “Valentine’s Massacre” -- at least 300 lawyers nationwide lost their jobs. And those are only the publicly announced layoffs. No one knows how many more lawyers have suffered so-called “stealth” layoffs, i.e., reductions in force handled secretly or touted as routine shedding of less productive lawyers, with no reference to a slowdown in firm business.

In previous economic downturns, stealth layoffs were the norm, not the

exception. Knowing that layoffs could tarnish a firm’s reputation with clients and future recruits, firms were reluctant to admit or announce layoffs. In 2009, however, reductions in force are so widespread that firms actually do themselves and their associates a disservice by being less than forthright about layoffs.

In a world of e-mail, tabloid Web sites and blogs, a truly stealth layoff is nearly impossible. People inevitably find out about the layoffs, and the fact that the firm was secretive harms the firm’s reputation more than declining revenues or a layoff ever could. Stealth layoffs also foster negative feelings among those affected because their job searches are hindered by potential employers’ suspicions that the lawyers were let go for performance rather

than economic reasons.

Because few Texas firms have taken the direct approach, many local associates are wondering whether a stealth layoff is in the cards and what they can do to protect themselves. To avoid the cut list, associates who have noticed a significant slowdown in their work should:

- **Maintain an enthusiastic and flexible attitude toward work.**

Associates who are available and willing to handle anything that comes along are invaluable in any economy.

- **Volunteer to assist sections, departments or even offices that seem busy.**

Take Proactive Steps to Avoid a Layoff

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Many firms will move around associates internally to avoid layoffs in slow areas. Associates who step forward for re-assignment are more likely to get this opportunity.

- **Seek a secondment opportunity.**

Because the economic downturn affects clients as well as firms, many companies are instituting hiring freezes and examining legal budgets in hopes of finding ways to reduce expenses. Bringing an outside lawyer in-house for a few months can save the company money on outside legal fees while providing valuable inside training for the law firm associate. At the same time, the firm may be able to recover some of the associate's salary expenses from the client.

- **Take a proactive approach.**

An associate who has a good relationship with a partner or practice group leader could suggest, given the slow-down in work at the firm, that the partner recommend the associate for a permanent position with a client company. An associate who moves in-house with a client can help to cement the firm's relationship with that client and allow the firm to avoid the severance costs of a layoff.

- **Suggest a pro bono sabbatical.**

At least one major New York firm is offering its associates the opportunity to take up to one year's leave from the firm to work for a nonprofit organization. The firm will pay each associate a \$60,000 salary for the year, reducing the pay cut for the associate while saving the firm significant money.

LEMONADE OUT OF LEMONS

For associates who are laid off, the next question is: "What do I do now?" Firms may simply be right-sizing in

response to reduced workloads and lower-than-average attrition rates, but this explanation is little solace to those who have been laid off in the midst of one of the toughest job markets for attorneys in more than 20 years. For laid-off lawyers, taking action is the key to an expeditious transition to a new position:

- **Prepare a resume.**

Prepare a detailed resume that describes not only practice areas, but also specific experience and industry expertise. More experienced lawyers should also have a list of representative transactions or cases as an addendum. As job opportunities arise, create a tailored resume that specifically highlights experience that is relevant to each potential job.

- **Line up references.**

Before leaving the firm, identify two or three supervising attorneys or partners who would be willing to serve as references. Written performance evaluations also could be helpful.

- **Network.**

Do not be afraid to ask for help. Contact current and former peers, partners, clients and even law school classmates to discover potential job opportunities.

- **Use search firms and job boards.**

Contact several reputable attorney search firms and check the Internet job boards on a daily basis.

- **Consider the possibilities.**

Do not assume that practicing law is the only option. A tough job market is the perfect time to truly reflect upon one's interests, skills and talents in a broader way. Perhaps something other than practicing law is the best next step.

- **Take care of yourself.**

Stay positive and patient. Although the job search may seem slow, opportunities will come along and interviews will go more smoothly for those with a good attitude, a positive outlook and a flexible approach.

Although it may seem hard to imagine, the market will come back. When that happens, the firms that were straightforward about their layoffs and that took extra steps to maintain positive relationships with departing attorneys by providing severance, references and outplacement counseling will have an advantage in recruiting and retaining talent and clients.

In the meantime, for those employers that are hiring, this is a fantastic time to find exceptionally talented lawyers on the job market.

Stacy Humphries and Elaine Makris Williams are principals with MS Legal Search, a Texas-based attorney search firm that has been in business for nearly 15 years. Both are former practicing lawyers with J.D.s from Harvard Law School and the University of Texas School of Law, respectively.