

## LEGAL EDUCATION AND THE FUTURE OF THE LEGAL PROFESSION

# Seeking quality, employers target skilled law grads

When it comes right down to it, all the hand-wringing over the quality of legal education – practical lessons vs. theoretical, two years of study vs. three, the bar exam vs. reality – all boils down to one simple question.

### Can graduates do the job?

The answer often depends on what employers need. And what employers

need depends on the size of the firm, the type of law they practice and whether they have the resources to invest in training lawyers in the specialty work their firms provide.

The State Bar's Task Force on the Future of the Legal Profession, in its 2011 report, struggled with the question in making recommendations for changes to law school curriculum.

"What is practice ready," the report asked, "in a profession where there is a myriad of practice types in the law firm setting and an apparent preference in the legal marketplace for specialist practitioners?"

And, what do non-firm employers look for in their first-year hires? What about those seeking quality employees within the judiciary, district attorney

offices or nonprofit or legal aid practices?

Writers Mark Mahoney and Brandon Vogel took the challenge. Below, their reports from the employment front lines of private and public practice. ♦

## Law firms differ over skills needed by grads

### By Mark Mahoney

Apparently, there are as many different answers to the question – what is practice ready? – as there are types of law firms.

John P. Amershadian, president of Hodgson Russ LLP, said his firm is not looking for law schools to produce specialists, but rather to graduate lawyers who are willing to work hard and are trained to learn.

"I think there's too much recent focus on this idea that they ought to know particular things about a substantive area of law. I don't expect them to," said Amershadian, whose 197-year-old firm employs more than 200 lawyers in six Northeastern cities. "I'd much rather they spend their time learning how to learn, learning how to research, learning how to analyze, than I want them to know particular substantive rules. They'll learn that here, or in any law firm."

He said he wants graduates to come out of law school with the ability to take on a project and figure out how to approach it.

He admitted that because of the size of his firm, he has the luxury of time in bringing new associates up to speed on specific areas of law. He said if he were a solo practitioner, he would "probably take a different attitude toward this."

### On the front lines

Tucker Stanclift, founding partner at Stanclift, Ludemann and McMorris PC in Glens Falls, has that different attitude, in large part out of necessity.

Stanclift said his small-town firm of eight attorneys is seeking graduates who understand the fundamentals of the frontline practice of law. He suggested law schools focus less on theory and more on practical skills.

"I'm an in-the-trenches practitioner. The fundamentals of the frontline prac-

tice of law aren't always about the theoretical," he said. "I think most people can learn what they need to learn in law school in about a year-and-a-half. As practitioners, we spend as much time, if not more, trying to unteach them some of the things they learned in law school."

Among the other qualities sought by law firms in new hires were a track record of performance, people skills, a personality that fits the culture of the firm they're joining, and energy and ambition, according to a 2013 article by Sumita Dalal, CEO and founder of the legal education website, FindMyLawTutor.

Other sources suggested that law schools should focus on transnational studies to serve the growing global market, management skills, good writing and more clinical work.

New attorneys are still struggling to find work, as demand for new associates remained stagnant in the fall of 2013, following a five-year trend, according to a survey conducted by the National Association for Law Placement (NALP).

"We have seen some bobbling in recruiting volumes this past fall, with some numbers that point to increased recruiting volumes and some that suggest decreased volume," NALP Executive Director James Leipold said in a prepared statement. "In any event, most of the markers that we track have more or less flat-lined for the last several years."

That puts added pressure on law schools to graduate attorneys who fit in with what law firms need.

Stanclift – a former chair of the State Bar's Young Lawyers Section and a member of the Future of the Legal Profession task force – suggested that law schools teach and train graduates in much the same way medical schools

## What district attorneys, judges prize in lawyers

### By Brandon Vogel

If Justice Deborah H. Karalunas were ever a law school dean, she would require students to take a writing-intensive course each semester.

"You can never do enough to improve your writing skills," said Karalunas, presiding justice of the Onondaga County Supreme Court, Commercial Division, and past chair of the Judicial Section. "That is key to being a good clerk and lawyer."

*"I think law students should be instructed on the differences between computer research and book research."*

— Justice Deborah H. Karalunas

As a former partner at Bond Schoeneck & King and as a judge for the last 12 years, Karalunas knows exactly what it takes to succeed as a clerk and what she wants in a law clerk.

"Strong analytical and research skills are the most important skills for a clerk," said Karalunas. "I also want someone who is a clear and concise writer. A law clerk must be reliable and cooperative, efficient, flexible and responsive to critique. A law clerk must understand the importance of keeping confidences."

Karalunas works closely with law students. "I think law students should be instructed on the differences between computer research and book research. Each has distinct advantages," said Karalunas. "Sometimes young lawyers do not appreciate the benefits of book research."

For example, Karalunas said, "When researching a statutory provision, sometimes it is easier to find 'the answer' in the McKinney's headnotes than on the computer."

Hon. Victoria A. Graffeo, senior associate judge of the Court of Appeals, noted that the Court of Appeals attracts "very highly qualified applicants" for clerkships. She hires clerks who have had prior legal experience.

She considers three characteristics the most important for judicial clerkships. "First is the analytical acumen to properly identify issues and conduct thorough research. Second are excellent writing skills and clarity of expression, as well as the ability to concisely present the issues," said Graffeo. "Lastly, it is good judgment, which comes with time and experience."

### DAs as employers

The right fit is the most important consideration for John M. George, first deputy district attorney of the Westchester County District Attorney's Office, when he hires a new assistant district attorney.

With the economic decline, there are a greater number of applicants for available assistant district attorney positions. George acknowledged that law graduates now compete with admitted attorneys who have lost their jobs or are looking to make a lateral move.

"In the past, we liked to have a freshman class and bring them up together as a class," said George. "We have been somewhat forced to hire admitted attorneys" because DA offices need people with some practical experience.

George said his office is "looking for people with academic proficiency, legal intelligence, and who are well-

*Continued on page 11*

*Continued on page 11*

## Large, small firms need different skill sets

*Continued from page 10*

prepare doctors, with residency requirements before being licensed to practice.

"There's very little comprehension of first-year associates about the practical application of the things you teach in law school," he said. "Where I think prospective new associates are lacking is in knowledge about the practice of law, about the fundamentals of the business of the law, and not the theoretical that is being taught in the classroom."

Stanclift also said law schools should spend more time teaching students the business end of lawyering.

"The fundamentals of basic business are not being taught in law school. They don't teach it to you," he said. "I think we are doing a disservice to our future profession by not explaining to them that this is a business as well as a profession. 'Sale' is not a four-letter word."

Amershadian agreed that law schools could do a better job teaching about the business of law.

"Everybody in law school ought to take an accounting class," he said.

Business acumen among new grads was listed as a top need by administrators of law firms in recent articles on the subject. Some law professionals quoted said that while new lawyers do not need to know profit-and-loss or get involved in billing, they do need to understand the business side of legal work.

Stanclift said law school debt has forced graduates to look for high-paying jobs in order to pay off their loans, which can average \$125,000 or more.

"There are only a few of those jobs compared to the population," he said.

"If you want to work in Glens Falls, you're not going to make \$150,000 your first year out of law school. You'd be lucky to make that 10 years out of law school."

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— Tucker Stanclift

Amershadian said he didn't see new associates focusing on getting jobs to repay their loans. But he is losing new attorneys to the in-house legal teams of corporations, including some of his own clients.

He said he hoped the specialized training his firm provided would come back to help his firm in referrals and business from those former associates.

Amershadian also complimented the latest crop of law school grads for their willingness to buck a common view of today's young people in terms of their questionable work ethic and unwillingness to put in long hours.

He said the youngest lawyers are eager to work and often put in the longest hours, well aware of their good fortune in finding full-time employment in a difficult economy. ♦

*Mahoney is NYSBA's former associate director of Media Services.*

## Integrity prime quality for new lawyers

*Continued from page 10*

rounded. Really, we need someone who is going to fit in with the team and see public service as a noble cause."

Law schools are still fulfilling their mission of teaching "how to think like lawyers, read a case and interpret what they see," he said.

"Law schools have come forward with more practical experiences for law students," said George. "That's important. The real world is sometimes at odds with the academic world."

In Warren County, District Attorney

Kathleen B. Hogan said she hires a number of summer interns, a few of whom have gone on to serve as assistant district attorneys in Warren County. Hogan has successfully referred interns to other district attorneys' offices because she can vouch for their good work and skills.

"The most important thing we look for is unwavering integrity," said Hogan. "We look for people with integrity, and who are bright." ♦

*Vogel is NYSBA's media writer.*



**Civics award to LYC**—The State Bar's Law, Youth & Citizenship (LYC) program was one of five winners of the inaugural Partners in Excellence Award from the New York State Council for the Social Studies and the New York State Social Studies Supervisory Association at their annual convention in March. Congratulating Program Director Eileen Gerrish are, Jay Worona, left, Richard Bader, members of the Law, Youth & Citizenship Committee, and State Bar President David Schriver. The LYC was cited for its "outstanding professional development programs and resources to social studies teachers. So many classrooms and students throughout the state have benefited in such tangible ways from the steady and inspired efforts of LYC," said Alred Sive, convention chair. *[Photo by Patricia Sears Doherty]*



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