

LAW SCHOOLS

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MONDAY, APRIL 22, 2013

What Law Students Aren't Learning, And Why It Matters

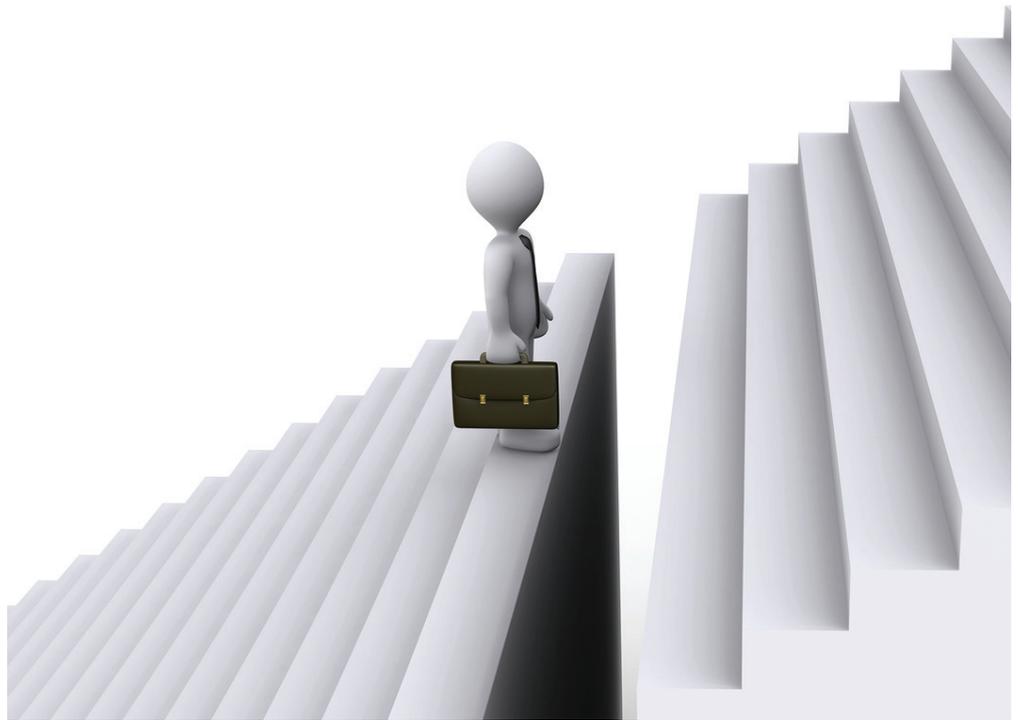
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I'm 58 years old. I'm a nice guy and a great lawyer. I have scores of trial victories. I don't understand the problem. Where's the business?

We really heard this. Verbatim. The truth is, we hear this sort of thing often and it never gets easier to hear. If industry veterans struggle with business development, what can we possibly expect of law students? The answer, of course, is concerning. Law students don't sweat their futures as business developers because they don't even know what's coming down the pike—that client development will be a primary driver of, and a determinant factor in, their professional success. However, legal marketing is not a requisite component of the law school curriculum and it's certainly not anything conventionally and meaningfully addressed in summer associate programming. In the broadest sense—and soon—we need to address the gap in the lawyer production line: We are manufacturing technical specialists in a world that puts a lot more emphasis on business savvy.

Don't agree that lawyers need to focus more on business? Consider this example. In the most recent Altman Weil survey of Chief Legal Officers, respondents gave law firms a 3 (on a scale from 0 to 10) on willingness to adapt their service delivery model to provide greater value. That's a 3 in client

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service. That's not a legal problem—that's a business problem.

Even more compelling, that same survey asked respondents to rank the factors they consider and value when hiring outside counsel. Try to guess number one. Legal writing? Trial victories? Negotiating skills? Oral advocacy? Guess again.

The leading factor was "knowledge of industry." How well do you, my lawyer, know and understand *my* marketplace?

That's all business.

Lawyers-in-the-making must understand these realities in order to respond to them. So we must teach them how. Doing so can't

be viewed as an added cost, rather as a necessary investment. Law schools that expand their course offerings to better develop professionals will better position their graduates for major success. Happy students, happy alum. Law firms that build marketing into their summer rotation will get more value from associates who arrive with business skills that will enhance the firm from day one.

The Curriculum Conundrum

Even in the current economic climate, becoming a lawyer means something—even more than just making a mama proud. The

practice of law stands as one of the great professions, something special, one of those revered callings we'd refer to as a vocation. So it's interesting that law schools teach theory and not practice and vocational schools teach practice and not theory. We're not unsympathetic. Obviously given the history and complexity of American jurisprudence, law schools have a lot of ground to cover. Still, in the span of these years, students should learn how law firms actually work.

In looking at the U.S. News & World Report ranking of top U.S. law schools, not one program in the top 10 requires classroom work in law practice management. Only a handful of these superior programs offer classes geared toward the business of law. Penn, Berkeley and Stanford, in particular, each offer an interesting course on law practice management that would certainly *help* to prepare the law student for life as a lawyer.

Take Stanford's "21st Century Professional Skills and Practice Management" course. It covers law practice economics, team dynamics and leadership; effective communication with clients, colleagues and other parties; client development and service; and managing expectations and unexpected adversity. Useful, no? Or Berkeley's "The Journey Attorney: Expectations, Responsibilities and Realities," which aims to provide students with practical, intellectual, emotional and social skills to help them advance in their work and maintain a rewarding career. And finally, Penn offers a class, "Practice of Law," and a seminar, "Client Leverage & Law Firm Management." As with the others, the focus is on useful, how-to information for practicing professionals. Not in theory, but in practice.

But, for all this, we have to ask, is a single course sufficient? Are there other ways, other times, to prepare law students for their real world?

Fun in the Sun

Complementing legal work, ball games and schmooze cruises, summer associate programs can and should help to fill the void by offering hands-on exposure and skills training in law practice management and development. The investment is as critical as the (let's be honest—it's all written off) legal work; at best, a future associate will build a strong foundation for succeeding in a firm. At worst, a law student—who may ultimately choose an alternate career

route—will learn valuable business skills that never go out of style or necessity.

There's a lot to learn. If we want to train our young associates to be successful law firm partners, we need to train them in more than just document production; they need to understand the business fundamentals of the legal marketplace, including law firm economics and management, business development, contact management, business writing, public speaking and media training to name but a few.

As MBA candidates study cases to gain working knowledge of corporate successes and failures, likewise law students should study cases of law firms to understand different management structures and fee arrangements and to closely examine examples of what works, how it works, when it works and when it doesn't. What happened to Dewey Ballantine? What are the connections between compensation structures and client development? Does the leverage model work? How do you calculate PPP and does it matter?

Law students—particularly summer associates—are perfect candidates for such an education. They are virtual sponges and will savor the access and insight. Get them reading industry and trade publications. Set up "workshops" over lunch to meet and learn from the key management team—finance, HR, marketing, technology. Bring in senior statesmen to educate students in the changing landscape of client nurture. Talk about what a preferred provider is and how RFPs have changed the game.

Don't Just Tweet It, Greet It

Relationship management is a funny thing to address with today's law students. Born into a Facebook world, networking and communication—that is, networking *through* communication—is a foregone conclusion. But as surely as social media connect professionals, they also have a retardant effect on good old fashioned communication and grace. To that end, law students need an arsenal of communication skills to effectively present themselves and their work. Developing legal expertise is great. Being able to share that knowledge in a meaningful way with audiences who care is even greater. That's where business writing, public speaking, media training, and even such administrative tools as PowerPoint are critical. Translating legal lessons into busi-

ness insights enhances a lawyer's career and boosts their firm's stature. It can be the difference between a great tactician and a brilliant lawyer.

Start early, when social circles are vast and still current. Relationships are still the engine of retention; client development fundamentally comes down to how well you know whom.

Knowing this as a student is key because the unfortunate reality is that once the real work starts, the work really starts. It gets increasingly more difficult to develop relationships when, as an associate, you're encouraged to have your nose to the grindstone for months at a time. Given a little knowledge and encouragement, law students can learn how to turn their often-large and promising networks of classmates, friends and peers into clients, referral sources, and valuable contacts. The sooner they understand the process, the better they'll be out of the gate. If we wait until the eighth year, we've waited too long.

A Professional Problem

Just as the health care industry has been called on the carpet over the wholesale absence of bedside manner training during medical school, there are parallels in the law school universe. At rock bottom, in the education of traditional professions, much emphasis is placed on technical nuts-and-bolts training. But there is more—and *critical*—ground to cover.

The legal universe is kinetic and competitive. Today, with over 100,000 lawyers registered to practice law in New York City alone, the old model of lawyer development—show them a good time during the summer associate days and then lock them in an office to serve as document jockeys until judgment day—needs some work. Fortunately, the necessary lessons and skills will only enhance a traditional legal education. When law students have a better understanding of how their organization works and how they can function and add value in the context of that construct, their work will have more clarity, precision and meaning.