



[Click to Print](#) or Select '**Print**' in your browser menu to print this document.

Page printed from: <https://www.lawjournalnewsletters.com/2021/09/01/professional-development-training-the-new-crop-of-incoming-associates/>

MARKETING THE LAW FIRM

SEPTEMBER 2021

Professional Development: Training the New Crop of Incoming Associates

By Sharon Meit Abrahams

The practice of law has transformed and expanded over the past 20 years. The profession has shifted to become more client focused, associates are entering at higher salaries and firms are pressured to be more efficient. All this adds up to the necessity for new associates to be productive sooner. However, young lawyers do not learn to practice law in school. They learn to do research, cite cases and think logically, but they are missing practical application of the law. This must be taught by senior lawyers. The following is a step-by-step guide for attorneys who finds themselves responsible for training new lawyers.

Adult Education

Teaching adults is not like teaching children and teaching attorneys is not like teaching other adults. Education for a billable-hour-conscious person must be direct, concise and immediately useful. Attorneys have many roles and responsibilities on the job: researcher, information giver, writer, advocate, negotiator, counselor and problem-solver. They apply their knowledge and skill daily, and they enter training opportunities voluntarily. Attorneys do not want to waste their time with training that they perceive as having no value. Attorney training must be well-defined, goal oriented, and applicable to their practice.

Within the many philosophies of adult education, there stands the one that directly encompasses lawyers: organizational effectiveness. In the United States, a large segment of adult training is conducted in business and industry, most of which is geared toward the bottom line and is concerned with teaching skills that improve profitability. All training conducted in the context of a law firm is for the purpose of improving client relationships and subsequently increasing revenues.

Keys to Facilitating Adult Learning

The following are key concepts attorneys should consider when designing a training program.

Understand and Reduce Anxiety

New lawyers develop anxiety as a result of not knowing what to expect. The teaching attorney can reduce this anxiety by providing an agenda, discussing objectives and stating what is expected. Demonstrating that the learning will directly apply to their work will reinforce the training as an appropriate use of their time.

Elicit and Incorporate Expectations

The training should address the needs of the participants. In the business environment a needs assessment would be conducted prior to the program design, so that the program can fill the skill gaps. In a law firm, assumptions are made that the incoming attorneys do not have the skills or substantive legal knowledge to practice law. Other strategies for eliciting expectations is to provide an opportunity for the participants to share their expectations, then follow up at the end of the training to insure those expectations were met.

Acknowledge and Utilize Experience

It is important to note that most new attorneys bring at least some level of experience to the training room. For example, they may have participated in clinics or moot court opportunities. Have participants share their knowledge through opportunities to work with each other on mock cases, engage in substantive discussions or solve case simulations in small groups.

Provide and Encourage Active Participation

Adults learn best through active participation. Remove the lecture mode of teaching and replace it with group exercises, role playing, case studies and practical application. Provide ongoing feedback throughout the program and provide the attorney an opportunity to try new approaches in the safe environment of the classroom.

Designing the Training

Having a clear idea of what is to be accomplished by the training will keep the attorneys on track. Objectives should be specific, measurable, attainable, results-oriented, and be accomplished within a time frame. For example, an objective might be: At the end of this training session the associate will be able to draft a set of error free responses which address each question posed in the interrogatory. A breakdown of the objective components is seen in the table below.

Table 1

SMART Objectives

Table 1
SMART Objectives

Component	Objective
Specific	draft a set of responses
Measurable	error free, each question answered
Attainable	attorney can do it
Results oriented	the written response
Time frame	by the end of the training session

Task Analysis

Once the objective is written, the attorney educator needs to do a task analysis. In conducting a task analysis, the educator determines what the new associate must know before they are able to fulfill the objective. For example, in the sample objective, a definition of terms, some basic writing skills, knowledge of applicable court rules, knowledge of legal principles and an understanding of the case would be what an attorney needs to know to write responses. Before the educator can teach the objective, the skill level of the learner must be ascertained and if necessary, the missing skills must be taught. By breaking down what the participant needs to know prior to the training, there is a higher likelihood that the training will be successful.

Program Design

After completing the task analysis, the teaching attorney should prepare an outline and include adult education teaching methodologies. For the sample objective, if the only skill missing was that of definitions, the outline would be as follows:

1. Definition of terms
 - a. Verbal definitions given
2. Sample interrogatories and responses
 - a. Written samples reviewed and discussed
3. Writing responses
 - a. Discussion of how responses should be written for particular questions
4. Practical Application
 - a. Written Exercises

Implementation

With outline in hand, the implementation of training is significantly easier. The outline should be followed, allowing for some deviation and tangential discussions if applicable to the overall learning objective. Using adult learning techniques, the training program will flow from attorney instructor to new associate and back to instructor in a smooth sharing of information and learning.

Attorneys who step up to train their junior colleagues play a critical role in their firm's success. They should be given the training and tools to do it well. In today's 24/7 practice it is important to take the time to design and deliver effective training right from the start.

Dr. Sharon Meit Abrahams, a member of *Marketing the Law Firm's* Board of Editors, has 30 years of experience helping individuals find happiness in their careers through coaching and personal assessments. She can be reached sharon@Legaltalentadvisors.com or 786-252-8004.

Copyright 2024. ALM Global, LLC. All Rights Reserved.