FOUNDATIONS
HIRING GUIDE

Cut through Bias. Hire & Retain the Best Lawyers.

THE
WHOLE
LAWYER
IAALS

FOUNDATIONS
LEARN   TEACH   HIRE

PROFESSIONAL

PROFESSIONALISM

ETHICS

MEETING GOALS

SELF STARTER

DRIVE

PROBLEM SOLVER

CAPACITY

PROJECT MGMT.

BASIC COMMUNICATIONS

COMMUNICATOR

EMOTIONAL INTELLIGENCE

LEGAL PRACTICE

PRACTITIONER

LEGAL THINKING & APPLICATION

WORKPLACE

Traits around the wheel:

HONOR COMMITMENTS · PUNCTUALITY · MATURITY · PRUDENCE · PATIENCE · ORGANIZED · PROFESSIONAL BOUNDARIES · LEGAL PRIVILEGE · CONFIDENTIALITY · CLIENT RELATIONSHIPS · PROFESSIONAL ETHICS · SELF AWARENESS · PASSION · CURIOSITY · OVERCOME CHALLENGES · TAKE RESPONSIBILITY · EXCELLENCE · ADAPT TO DEMANDS · ACCEPT FEEDBACK · AUTONOMOUS · WORK ETHIC · DILIGENCE · GRIT · RESILIENCE · INITIATIVE · POSITIVITY · MEET GOALS · FLEXIBILITY · RESOURCEFULNESS · COMMON SENSE · INTELLEGENCE · CLIENT NEEDS · WORK UNDER PRESSURE · SEEK ADVICE · OWNERSHIP · STEADINESS · COMPASSION · RESPECTFULNESS · TACT · SELF CONTROL · PERCEPTIVENESS · APPROPRIATENESS · COOPERATION · ATTENTIVENESS · PRO COMMUNICATION · STATUS UPDATES · RESPONSIVENESS · LEGAL RESEARCH · LEGAL KNOWLEDGE · LEGAL REASONING · ISSUE SPOTTING · GATHER FACTS · EVALUATE ARGUMENTS · LEGAL COMMUNICATION · INTERVIEW SKILLS · CLIENT RESPONSES · DISCOVERY · CONTRACTS · MOTIONS & PLEADINGS · PERSEVERENCE · TECH SAVVY · DEDICATION · QUALITY WORK · MULTITASK · TIMEKEEPING · ENERGY · COPING · HANDLE DISSATISFACTION · RULE OF LAW · HUMILITY · POSITIVITY · MORAL COMPASS · ATTENTION TO DETAIL · CONSCIENTIOUSNESS · RESPECTFUL · INTEGRITY · PROFESSIONALISM

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April 2021

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IAALS, the Institute for the Advancement of the American Legal System, is a national, independent research center at the University of Denver dedicated to facilitating continuous improvement and advancing excellence in the American legal system. We are a think tank that goes one step further—we are practical and solution-oriented. Our mission is to forge innovative solutions to problems within the American legal system. By leveraging a unique blend of empirical and legal research, innovative solutions, broad-based collaboration, communications, and ongoing measurement in strategically selected, high-impact areas, IAALS is empowering others with the knowledge, models, and will to advance a more accessible, efficient, and accountable American legal system.

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Acknowledgments

Foundations is the creation of Alli Gerkman, former senior director at IAALS, and it would not exist today without her tireless dedication, innovative spirit, and bold leadership. Her death in August 2019 deprived us of her friendship and her fearlessness, but it did not extinguish her vision for an accessible, fair, and accountable justice system that works for all people. We are always mindful that our work to revitalize and advance *Foundations for Practice* as a means of improving legal education, improving hiring practices among legal employers, and increasing diversity within the profession is a piece of keeping Alli's legacy burning bright.

We are also grateful for the support and guidance provided to us by Paula Littlewood, member of IAALS' Board of Advisors until her passing in 2020. Paula was a champion for innovation in the legal industry and in legal education and was instrumental in launching *Foundations for Practice*. She also worked by our side to ensure workshops in 2018 and 2019 were a success. Paula urged us to be bold and had great vision for the future, which now rests in our hands.

From the outset of the project, we viewed collaboration with law schools and the profession as crucial. So, we identified a team of four law schools and 36 legal employers from around the country and held interactive workshops with them through which we refined and adapted the Model Learning Outcomes. We could not have done this work without their participation, engagement, and time.

Participating Law Schools

- Columbia Law School
- University of Denver Sturm College of Law
- Northwestern Pritzker School of Law
- Seattle University School of Law

Participating Employers

- Akin Gump Strauss Hauer & Feld LLP
- Brownstein Hyatt Farber Schreck LLP
- Cleary Gottlieb Steen & Hamilton LLP
- Colorado Office of Attorney General
- Office of the Colorado State Public Defender
- Cook County State's Attorney's Office, Chicago
- Davies Pearson P.C.
- Davis Polk & Wardwell LLP
- Davis Wright Tremaine LLP
- Debevoise & Plimpton LLP
- Foster Garvey P.C.
- Fox Rothschild LLP
- Fried Frank Harris Shriver & Jacobson LLP
- Gibson Dunn & Crutcher LLP
- Holland & Hart LLP
- InVigor Law PLLC
- Jenner & Block LLP
- Jones Day
- K&L Gates LLP
- King County Department of Public Defense, Seattle
- Kirkland & Ellis LLP
- Lighthouse eDiscovery
- Linklaters LLP
- Mayer Brown LLP
- Molson Coors Beverage Company
- Neal Gerber & Eisenberg LLP
- New York City Legal Aid Society
- Ropes & Gray LLP
- Schiff Hardin LLP
- Seattle City Attorney's Office
- Sidley Austin LLP
- Skellenger Bender P.S.
- Starbucks Coffee Company
- The City of New York Law Department
- Washington State Office of Attorney General
- Wheeler Trigg O'Donnell LLP

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Cut through Bias.
Hire & Retain the Best Lawyers.

This guide is for employers who want to improve their hiring practices—to improve quality, retention, and diversity. To make the most of this resource, employers should use the guide in conjunction with the Hiring Toolkit at the end of this guide. This is not a list of boilerplate criteria for employers to drape over an existing hiring process. Instead, it is a set of principles and recommendations geared toward hiring candidates suited to excel at an organization— based on that organization's practice, vision, goals, and needs—that can be adapted to the specific objectives and goals of different employers.

The Framework This Guide Is Based On:

The Model Learning Outcomes that IAALS developed in collaboration with Columbia Law School, Northwestern Pritzker School of Law, University of Denver Sturm College of Law, and Seattle University School of Law

Collaborative working sessions conducted with 36 different legal employers in New York, Chicago, Denver, and Seattle representing a variety of practice areas and organization sizes

Results of the *Foundations for Practice* survey of more than 24,000 lawyers from across the country

The Whole Lawyer

For years, lawyers, judges, and clients have called for new lawyers who can hit the ground running. In response, IAALS created the *Foundations for Practice* project to identify the foundations that new lawyers need to be ready to serve clients.[1]
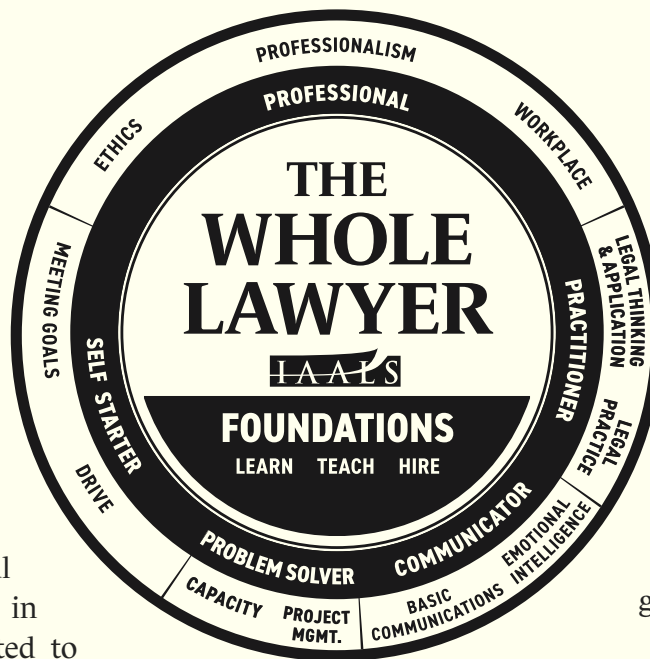
From the beginning, IAALS recognized that the responsibility of developing essential attributes of success in new lawyers is not limited to educators alone. Legal employers also play a critical role. While law schools do the important work of educating students, legal employers can influence how schools prepare new lawyers for practice by hiring candidates based on the foundations that make the Whole Lawyer, instead of a narrow set of criteria rooted only in tradition. In other words, when employers hire new candidates based on what they actually need, they incentivize improvements in legal education.

Thus, *Foundations for Practice* helps both legal educators and legal employers with the goal of strengthening both.

To accomplish this goal, IAALS developed a set of Model Learning Outcomes based on the insights we learned from our empirical research and interactive workshops with four law schools and 36 legal employers from across the country. These Model Learning Outcomes arrange the 76 foundations into five broad categories: Lawyer as Practitioner, Lawyer as Professional, Lawyer as Communicator, Lawyer as Self Starter, and Lawyer as Problem Solver.

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[1] For more information on the Foundations for Practice project, see Alli Gerkman & Logan Cornett, Inst. for the Advancement of the Am. Legal Sys., Foundations for Practice: The Whole Lawyer and the Character Quotient (2016), https://iaals.du.edu/sites/default/files/documents/publications/foundations_for_practice_whole_lawyer_character_quotient.pdf and Alli Gerkman & Logan Cornett, Inst. for the Advancement of the Am. Legal Sys., Foundations for Practice: Hiring the Whole Lawyer: Experience Matters (2017), https://iaals.du.edu/sites/default/files/reports/foundations_for_practice_hiring_the_whole_lawyer.pdf [hereinafter The Whole Lawyer and Experience Matters, respectively].

Through a national survey, over 24,000 lawyers in all 50 states identified a set of 76 characteristics, professional competencies, and legal skills that are necessary right out of law school. [2]
We call the new lawyer who exhibits these foundations the "Whole Lawyer."

24K Lawyers   **36** Legal Employers   **4** Law Schools
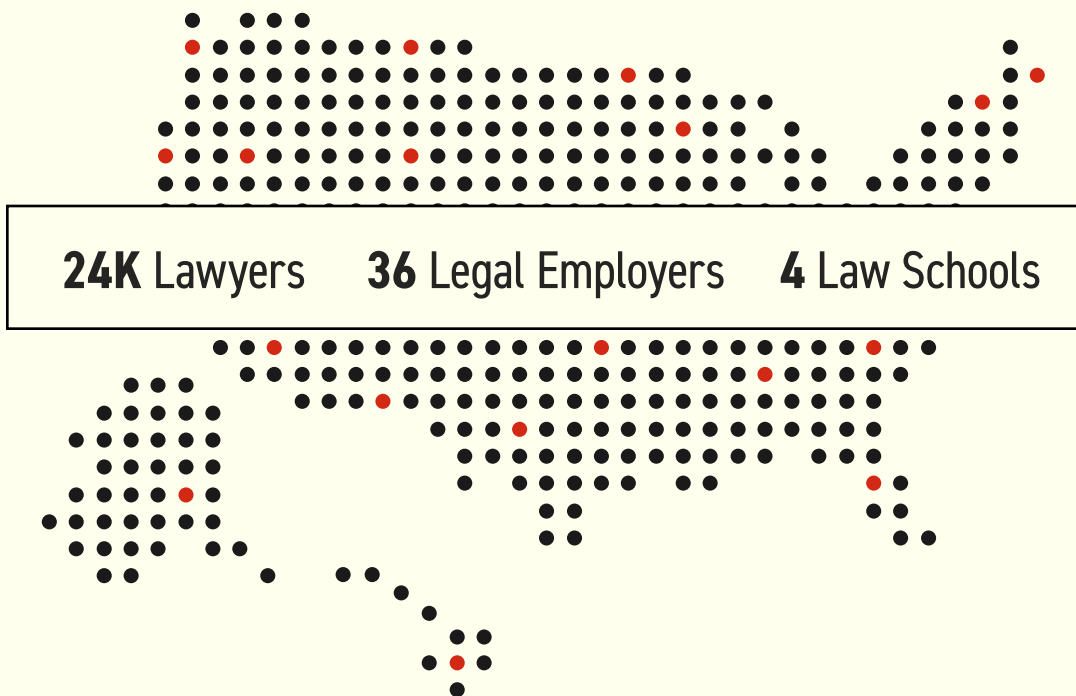
[2] Our survey results identified the foundation "Have a personality that 'fits' the firm or organization" as one of 77 needed right out of law school, but educators and employers in our workshops viewed this foundation negatively. The lack of a definition for fit could easily—and, in reality, often does—result in biased hiring practices, such as those that favor candidates of a particular ethnic background or gender. Thus, the foundation's wording has the potential to validate explicit or implicit bias based on race, gender, or other traits in hiring, which directly contradicts the value our participants place on diversity and cultural competency in the profession. The project team determined that fit is best evaluated by assessing a candidate's abilities in the 76 other key legal skills, professional competencies, and characteristics that an employer values. Therefore, fit is best thought of as an individual's demonstration of the full set of foundations an employer views as most important. Given that characterization of fit, it was no longer necessary as an individual foundation, so we removed it from the Model Learning Outcomes.

The Foundations Learning Outcomes

Using this model, we will help schools instill and measure what is important for student practice-readiness, and help employers adopt hiring practices that identify candidates that they want to hire and retain. [3]

COMMUNICATOR

Communicate by reading, writing, speaking, and listening in a professional manner.

PRACTITIONER

Employ research, synthesize, analyze, and apply skills in legal processes and actions.

PROFESSIONAL

Use efficient methods and tools to manage one's and the firm or organization's professional workload with accuracy and utility.

PROBLEM SOLVER

Solve long-term and immediate problems to the benefit of all stakeholders.

SELF STARTER

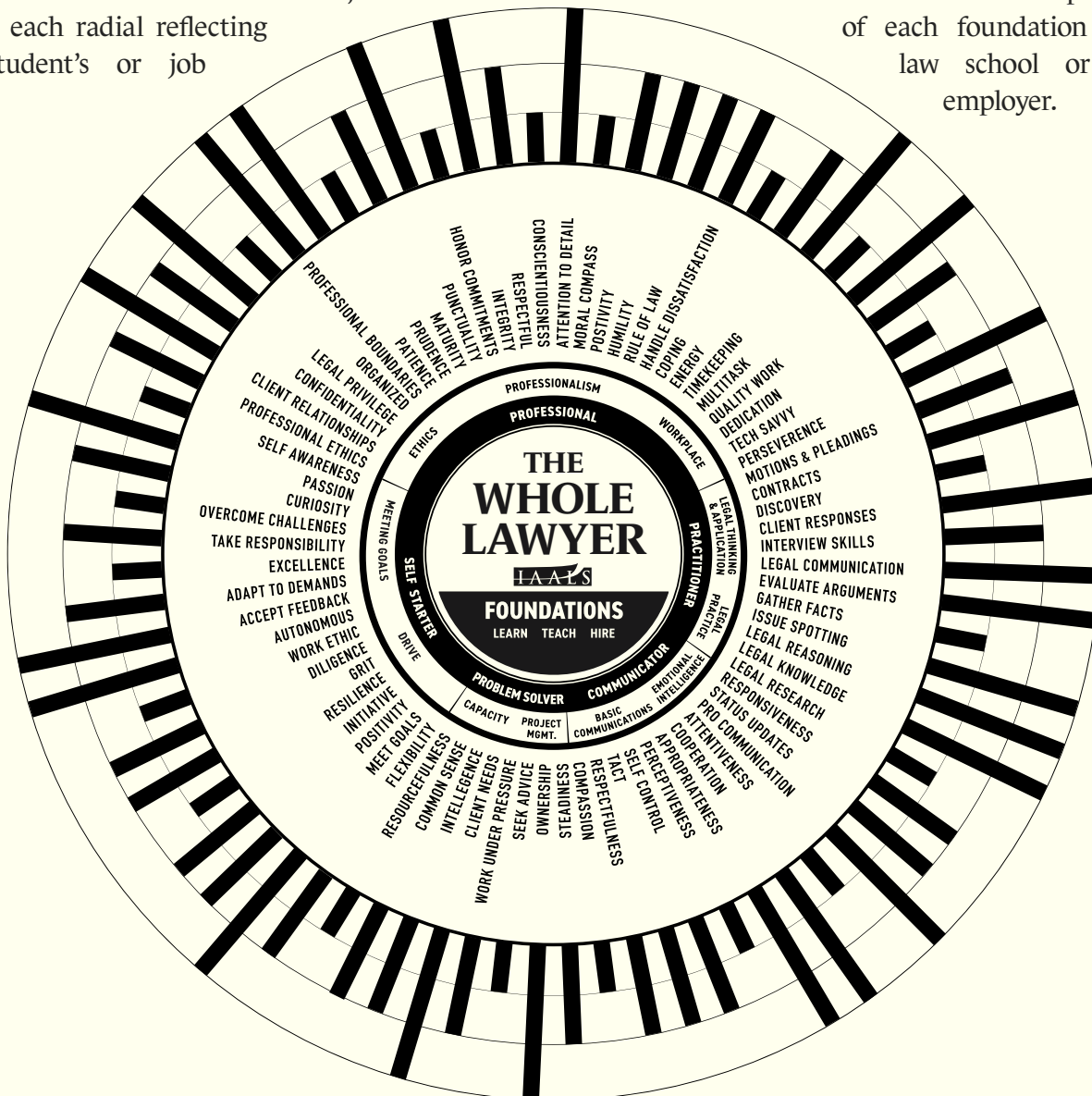Demonstrate leadership, responsibility, and initiative in work responsibilities with little supervision.

[3] For more information on how this model was developed, please see ZACHARIAH J. DEMEOLA & LOGAN CORNETT, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS., FOUNDATIONS: EDUCATE AND HIRE THE BEST LAWYERS or visit our project website at https://iaals.du.edu/projects/foundations-practice.

The Learning Outcomes Map

The Learning Outcomes Map captures the five learning outcomes, the categories within them, and the 76 foundations organized according to those categories.

This model is designed to be flexible and can be used, with the assistance of the guidance, tools, and processes we developed, to measure relative mastery of these foundations. This map can be used at the individual level, with each radial reflecting a student's or job candidate's level of mastery of each foundation based on the length of the radial line. It can also be used at the organizational level to map the relative strengths of a curriculum or to communicate the importance of each foundation for a law school or legal employer.

THE WHOLE LAWYER
IAALS
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LEARN TEACH HIRE

PROFESSIONAL — PROFESSIONALISM, ETHICS
PRACTITIONER — WORKPLACE, LEGAL THINKING & APPLICATION, LEGAL PRACTICE
COMMUNICATOR — EMOTIONAL INTELLIGENCE, BASIC COMMUNICATIONS
PROBLEM SOLVER — PROJECT MGMT., CAPACITY
SELF STARTER — DRIVE, MEETING GOALS

PROFESSIONALISM: PROFESSIONAL BOUNDARIES, LEGAL PRIVILEGE, ORGANIZED, PATIENCE, PRUDENCE, MATURITY, PUNCTUALITY, HONOR COMMITMENTS, RESPECTFUL, INTEGRITY, CONSCIENTIOUSNESS, ATTENTION TO DETAIL, MORAL COMPASS, POSITIVITY, HUMILITY, RULE OF LAW, HANDLE DISSATISFACTION

ETHICS: CONFIDENTIALITY, CLIENT RELATIONSHIPS, PROFESSIONAL ETHICS, SELF AWARENESS

WORKPLACE: COPING, ENERGY, TIMEKEEPING, MULTITASK, QUALITY WORK, DEDICATION, TECH SAVVY, PERSEVERENCE

LEGAL THINKING & APPLICATION: MOTIONS & PLEADINGS, CONTRACTS, DISCOVERY, CLIENT RESPONSES, INTERVIEW SKILLS, LEGAL COMMUNICATION, EVALUATE ARGUMENTS, GATHER FACTS, ISSUE SPOTTING, LEGAL REASONING, LEGAL KNOWLEDGE, LEGAL RESEARCH

LEGAL PRACTICE: RESPONSIVENESS, STATUS UPDATES, PRO COMMUNICATION

EMOTIONAL INTELLIGENCE: ATTENTIVENESS, COOPERATION, APPROPRIATENESS, PERCEPTIVENESS, SELF CONTROL, TACT, RESPECTFULNESS

BASIC COMMUNICATIONS: COMPASSION, STEADINESS, OWNERSHIP, SEEK ADVICE, CLIENT NEEDS

CAPACITY: INTELLEGENCE, COMMON SENSE, RESOURCEFULNESS, FLEXIBILITY

PROJECT MGMT: WORK UNDER PRESSURE

DRIVE: MEET GOALS, POSITIVITY, INITIATIVE, RESILIENCE, GRIT, DILIGENCE, WORK ETHIC, AUTONOMOUS, ACCEPT FEEDBACK, ADAPT TO DEMANDS, EXCELLENCE, TAKE RESPONSIBILITY, OVERCOME CHALLENGES, CURIOSITY, PASSION

5 Learning Outcomes

The five Model Learning Outcomes serve to categorize the foundations.
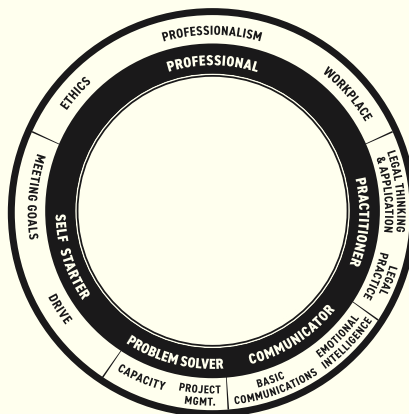
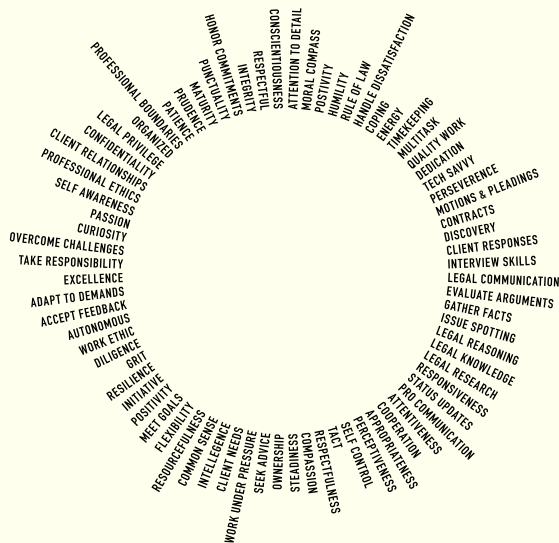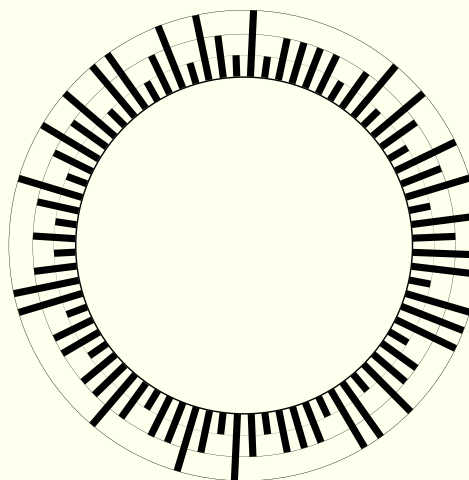## 76 Foundations

The 76 foundations comprise the Whole Lawyer.

Measuring Competency

The outer rings allow us to measure competency for each foundation across three levels—beginning, developing, mastering—according to the length of the radial beams.

How to Make it Happen During Your Next Hiring Season

**Build accountability into the process with these discussions.
Take any feedback or lessons learned to continually update, analyze and adapt
the hiring framework, taking care to stay fluid without losing accountability.**

1. Analyze Hiring Criteria

- Critically assess current hiring criteria and identify foundations within the IAALS learning outcomes that are important in new hires.

2. Create Comprehensive Hiring Criteria

- Discuss and agree upon clear definitions for each foundation.

- Discuss and agree upon the proxies for those foundations, based on the definitions created. Proxies are the experiences and achievements that indicate a candidate has developed the foundations identified in Step 1.

- Discuss and analyze larger themes, such as judgment, that consist of a combination of foundations that work together as a whole.

3. Design Objective Measures for Assessment of Candidates

- Discuss and agree upon clear levels of development for a given foundation that allow interviewers and decision makers to measure the level of mastery a candidate has for a given foundation.

- Create hiring rubrics and scorecards that people can use during the hiring process.

4. Establish and Clearly Communicate Standards

- Be explicit about the foundations you seek in candidates and the experiences and achievements that signify development and mastery in those areas.

- Ensure that everyone who participates in the hiring process understands the hiring criteria created and how to apply the criteria.

5. Put in Place Accountability Measures

- Look for inconsistent application of hiring criteria. For instance, assessments that rely on the same evidence but come to different conclusions or assessments that come to the same conclusion, but with different evidence.

- Use these inconsistencies to identify biases in the process and to fuel discussion about how assessors can be more consistent in their evaluation of candidates. Build accountability into the process with these discussions. Take feedback and lessons learned to continually update, analyze, and adapt the hiring framework, taking care to stay fluid without losing accountability.

The Foundations Hiring Process

" [W]e need to create a uniform system across our ... practices with some objective evaluation tool about what to pull out of a resume ... this session was very helpful for that process.

— Bharati Narumanchi, Esq.
Director of Recruitment, The Legal Aid Society, New York City
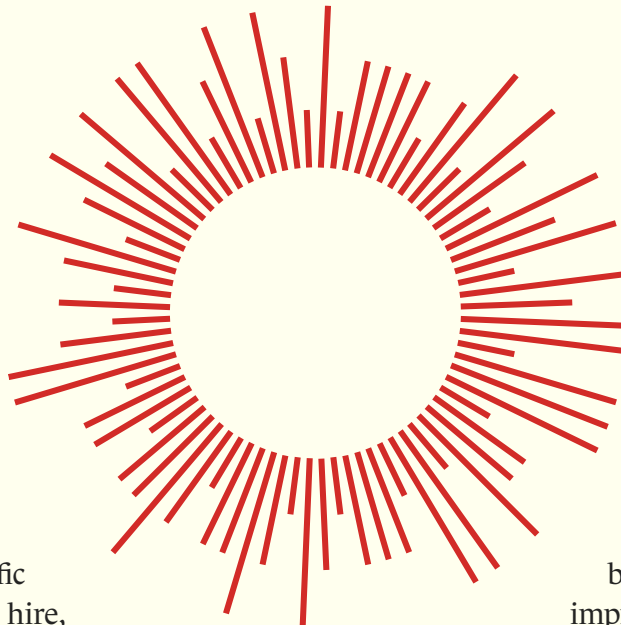
In our work on this project, we learned that many employers believe they are competing for the same candidate. When they take the time to identify and assess the specific abilities they need in a new hire, it turns out that they are actually seeking very different people. Yet many employers still focus on the same, small set of hiring factors: law school, grade point average, or professional connections. This limits their ability to hire the best candidates to meet their needs, which affects how well these new hires serve clients and how much time and money they spend on lawyer training and retention. In recent years, the highly competitive nature of the job market has pushed some employers to broaden their criteria, but they expanded using the traditional factors in part because figuring out how to improve hiring practices and improve outcomes for the future is enormously challenging. According to one employer, "[a]ll of us are in the mode of stretching to reach someone who may not hit all the criteria perfectly." So how can employers find the best candidates for their organization in today's market? We suggest a data-driven method that includes criteria not traditionally at the center of legal hiring: a Foundations-based hiring process.

The Advantages of a More Holistic Hiring Process

As employers know, hiring based primarily on grades or law school attended often does not meet the needs of an evolving profession and society.
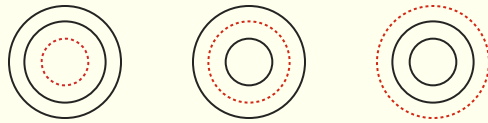
In addition to leaving out other key indicators for success, such as practical judgment and interpersonal relationship building, this process limits efforts to diversify the legal workforce in law firms and throughout the profession. The process is not well suited for identifying candidates who fulfill an employer's specific needs and who would be committed to the work, goals, and vision of the employer.

Alternatively, a Foundations-based approach provides employers with the ability to evaluate a broader set of criteria, including the ability to overcome personal challenges, individual paths into the legal field, and background experiences. *Foundations for Practice*—the most comprehensive study of its kind—reveals that the abilities employers value most in new lawyers tend to be based in professional competencies and characteristics, abilities that traditional hiring criteria do a poor job of prioritizing.

A different hiring process is needed to spot where these abilities present themselves, and the extent to which new lawyers have developed them.

The Foundations-based approach allows employers to look beyond credentials to competencies and capabilities (like grit, resilience, resourcefulness, maturity, adaptability, and self-awareness) to measure the qualifications of a candidate, a process that favors increased diversity among new hires and better hiring outcomes. For instance, a single-minded focus on traditional credentials like law school attended or grade point average significantly diminishes the hiring pool[4] at the outset, disproportionately excluding people of color from the candidate pool. When employers limit their hiring to these factors, they forego talented and capable candidates.

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[4] See, e.g., Law School Survey of Student Engagement, LSSSE Understanding of Legal Education 8 (2016), https://lssse.indiana.edu/wp-content/uploads/2015/12/LSSSE-2016-Annual-Report-1.pdf#page=8.

Employers need not entirely jettison traditional hiring criteria, but what the Model Learning Outcomes demonstrates is that many more factors should play a role in the hiring process if legal employers want to hire the Whole Lawyer.

A Foundations-based approach builds on existing hiring practices by empowering employers to more accurately hire to their needs, instead of limiting themselves to traditional criteria that may not really reflect all the qualities the employer is seeking. By including non-traditional factors, a Foundations-based approach also expands the candidate field, improving the likelihood that employers will hire a more diverse workforce who will succeed in the long run and stick around.

Expanding the focus of hiring criteria to Foundations-based factors enables employers to develop tools that are more likely to result in new hires that will succeed and thrive in practice. The dynamic is similar to the Moneyball strategy of shifting focus toward less-traditional metrics to find the right players for a winning team. The basic idea of Moneyball was that the common knowledge of baseball insiders (including players, managers, coaches, and scouts) at the time was subjective, often flawed, and based on statistics that emphasized a 19th-century view instead of a modern reflection of the game. When the Oakland Athletics took advantage of more analytical gauges of player performance, they better competed against teams that had far more resources. Similarly, while traditional criteria such as grade point average or law school attended may be important to some employers, a careful examination of why those metrics matter and whether other background factors

offers a fuller picture of a person and better signify practice-readiness can help an employer identify the best possible candidate. The *Foundations* approach also tracks more closely to the needs of each organization. As one employer IAALS worked with to develop Foundations-based hiring processes put it, "It's interesting that research reflects the fact that it's not just about what school you attended and what your grades were…it would be great if we could have everyone see this information and truly observe it." Just as the Moneyball strategy gave the Oakland Athletics an advantage over other teams, employers who use a Foundations-based approach can gain a competitive advantage by using overlooked criteria to find quality new lawyers.

Understanding and applying a Foundations-based approach to hiring allows employers to better identify the exact skill sets, attitudes, and abilities possessed by desired candidates. Because this approach also requires explicitly identifying the qualities an employer is seeking, recruiters who use it can better identify appropriate candidates rather than mismatching candidates around ambiguous expectations. *Foundations for Practice*, organized by the Model Learning Outcomes IAALS developed with its partner law schools and legal employers, offers a ready-made, empirically supported set of criteria that can offer clarity and uniformity to communications within a hiring team, streamlining the hiring process. Ultimately, a Foundations-based hiring process offers a reliable alternative to traditional hiring because it offers better outcomes and reduces the influence of bias and other factors that may otherwise compromise the integrity of hiring.

THE PROBLEMS WITH TRADITIONAL HIRING CRITERIA

- Confined to small sets of information (e.g., school attended, class ranking, GPA, professional connections)
- Leaves out key qualities (e.g., practical judgment, emotional intelligence)

- Limits efforts to diversify the profession
- Lacks assessment that focuses on candidates who fulfill an employer's specific needs and would be committed to the work, goals, and vision of the employer

THE FOUNDATIONS HIRING PROCESS

Provides employers with the ability to evaluate a broader set of criteria (e.g., ability to overcome personal challenges, individual paths into the legal field, and background experiences)

Expands the candidate field, improving the likelihood that employers will find new hires who will succeed in the long run and stick around

Builds on existing hiring practices by empowering employers to hire to their needs more accurately

Offers better outcomes and reduces the influence of bias and other factors that may otherwise compromise the integrity of hiring

The Structure of a Foundations Hiring Process

A Foundations-based hiring process more accurately highlights the right person for the job. The process follows a framework of **intentional**, **explicit**, and **consistent** practices. The following guidelines exemplify how these concepts can and should be implemented.
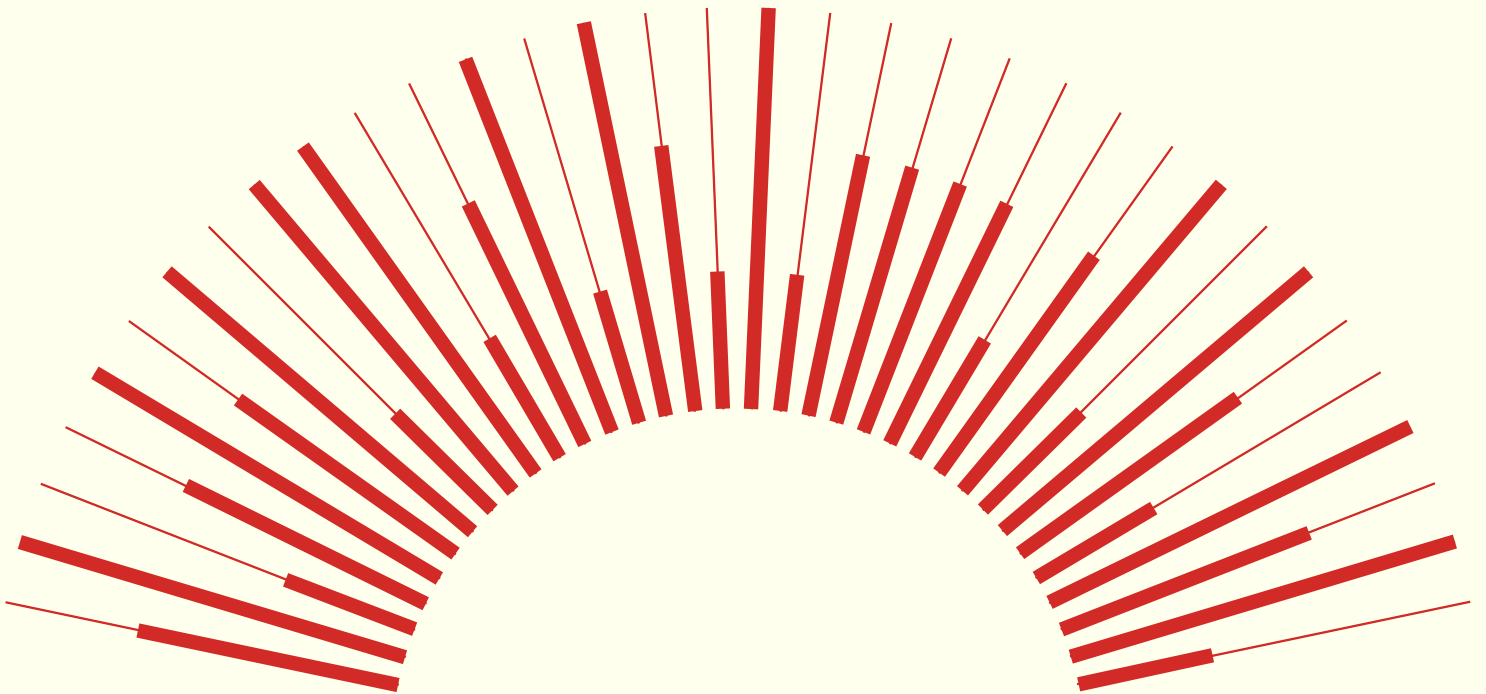
INTENTIONAL

Being intentional about identifying and prioritizing the qualities employers are looking for in new hires allows employers to isolate what new lawyers need to succeed in their workplace. It also highlights what an employer's current hiring practices capture and what they do not. Employers should be intentional in:

Carefully considering why certain criteria are important and whether the criteria being used actually track the needs of the employer;	Building consensus among those who participate in the hiring process around which abilities are important hiring criteria and why; and	Identifying the foundations that underpin hiring decisions and criteria.

EXPLICIT

Being explicit about how hiring standards reflect the foundations employers are seeking in candidates will offer a clear and more objective articulation of the values that are important in a workplace and how to spot qualities that promote those values in candidates; it also widens the hiring pool by incentivizing prospective employees to attain or communicate the abilities the employer seeks. Employers should be explicit in:

Creating baseline definitions for foundations as they are understood by the employer;	Developing hiring rubrics based on those definitions that employers can use to assess the desired foundations in a prospective job candidate; and	Clearly communicating expectations to law schools, students, and prospective employees to positively incentivize them to develop the foundations an employer seeks in new hires.

CONSISTENT

Consistency creates a hiring process in which both employers and candidates know what to expect; it also provides a basis for employers to evaluate their hiring process and adapt when necessary. Employers should be consistent in:

Applying the metrics and criteria they use in their hiring rubrics to assess students based on the definitions they formed at the outset, in order to achieve objectivity and better hiring practices overall.

Critical Analysis of Current Hiring Criteria

A legal employer that wants to improve its hiring practices must first deliberately identify the abilities it seeks in new hires.
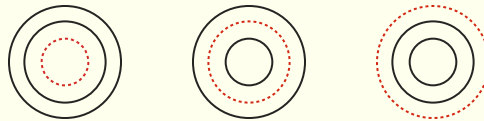
A Foundations-based approach provides a helpful starting point with a list of foundations, including legal skills, professional competencies, and characteristics, each of which at least half of respondents to the *Foundations for Practice* survey generally prioritized as necessary for a new hire to be successful right out of law school. These foundations for new lawyers are consistent across all work settings and practice areas[5] and form the basis for building individual excellence in the profession.

The foundations identified as necessary right out of law school are only a starting point. At this initial stage, employers should identify their current hiring criteria and assess why each of those criteria has value. Without an understanding of the foundations underlying certain criteria and clear definitions of why those foundations are important, the hiring process is susceptible to being defined by implicit or explicit bias. Thus, employers should avoid simply relying on "common knowledge" or falling back on traditional criteria alone without first understanding exactly why each criterion is important to their hiring process.

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[5] In Experience Matters, we reported that the responses we saw across demographics in the hiring criteria section of the *Foundations for Practice* survey were actually more similar than different. Respondents tended to view each hiring criterion as helpful, regardless of their specific demographic characteristics. *See* Experience Matters, *supra* note 1 at 8. Likewise, in our analysis of the 76 foundations that form the Whole Lawyer, the differences among respondents were so small in number that one of the most remarkable aspects of the study was how similar the results actually were across groups of respondents. The similarities we saw in responses across demographics, firm sizes, and practice-specific characteristics suggest that law schools, the profession, employers, and others can broadly employ the foundations for practice with confidence. *See* Zachariah DeMeola, *The Whole Lawyer: Consistent Across All Workplaces*, IAALS Blog (Mar. 8, 2018), https://iaals.du.edu/blog/whole-lawyer-consistent-across-all-workplaces; Alli Gerkman, Logan Cornett, and Zachariah DeMeola, *The Whole Lawyer: Small Variations Across Practice Settings*, IAALS Blog (Apr. 30, 2018), available at https://iaals.du.edu/blog/whole-lawyer-small-variations-across-practice-settings; and Alli Gerkman, Logan Cornett, and Zachariah DeMeola, *The Whole Lawyer: Small Variations Among Law Firm Sizes (And Conclusion)*, IAALS Blog (May 9, 2018), https://iaals.du.edu/blog/whole-lawyer-small-variations-among-law-firm-sizes-and-conclusion.

Instead, employers should be intentional about defining the qualities they seek in new hires so that they can design hiring criteria to best meet their goals and objectives. Employers should decide which hiring criteria already being used are important to them by critically analyzing and explicitly describing exactly why each is important. That means building consensus in the hiring process around identifying foundations important to the employer and agreeing upon the significance of each foundation. The five learning outcomes comprising the IAALS' Model Learning Outcomes that IAALS developed with its partner schools and employers make it easier for employers to identify what qualities they seek in new employees and understand how experiences, attributes, and academic achievements form the basis of a balanced and qualified candidate. Employers should identify the foundations under each learning outcome that underlie the importance of the criteria they decide are important to them.

For example, if grades are important, discuss why. What do they signify? Do good grades reflect diligence, intelligence, or the ability to take ownership over a project? Approaching it from the opposite direction, employers should carefully consider how a student can demonstrate that they have developed the foundations they are seeking.[6] If employers want to find candidates who can handle dissatisfaction appropriately, what real world experiences or achievements could they rely on to point to such an ability?

Thinking critically about current hiring conventions requires identifying, separating, and examining the different objectives underlying them:

- What exactly are the characteristics, competencies, and skills an employer seeks in a new lawyer?

- Do the current hiring criteria in fact correspond to the characteristics, competencies, and skills the employer seeks in new hires?

- How do the hiring criteria connect to the firm's vision and values, and do they promote diversity while ensuring professional excellence?

- Do unproven assumptions underlie hiring traditions and interfere with quality hiring outcomes?

- Relatedly, what buzzwords do people commonly use without any clear or commonly understood meaning?

Employers should leave nothing to assumption. For instance, employers traditionally weigh class rank as significant hiring criteria, but reliance on class rank alone has done little to meet the goal of a more diverse lawyer workforce. What more can employers look for in order to create a more diverse workforce and inclusive work environment? Hiring criteria or buzzwords that are not clearly defined or examined for their actual value are less likely to result in hiring the best-suited candidate for the employer, which could lead to problems such as poor retention or poor performance down the line.

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[6] This whole process is a collaborative endeavor that builds upon itself. Breaking achievements and experiences down into constituent foundations points out exactly where employers need clear and commonly understood definitions. Identifying the achievements and experiences that signify whether a candidate has the foundations employer is looking for may also help to inform clear definitions for those foundations.

Defining Foundations

After intentionally identifying the foundations important for new hires, employers need to be explicit about what they are seeking in the hiring process in two ways: (1) clearly define each individual foundation and identify the ways students can demonstrate abilities based on those definitions, and (2) clearly communicate the employer's hiring criteria and expectations to law students and law schools.
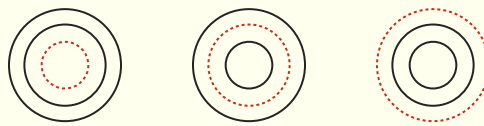
Agreed-upon and uniform foundation definitions provide a shared understanding that shape and contour the hiring process, creating the space for clear expectations. A shared understanding of the baseline definition for each foundation can be achieved by listing the particular abilities captured by a given foundation, then using that understanding to craft a tailored definition. The important thing here is to have a conversation about what is expected from a candidate when someone in the organization says they are looking something in particular.

For example, the foundation "Grit" is a characteristic identified in the *Foundations for Practice* survey as being necessary right out of law school. "Grit" also earned high marks from each of our employer workshops as a characteristic highly valued in new hires. But Grit is a popular term often used in hiring without a clear definition of what it actually means. Without a concrete definition, any assessment of this characteristic will be unreliable. Angela Duckworth, a psychologist and researcher at the University of Pennsylvania, defines grit as "perseverance and passion for long-term goals."[7] However, a dictionary definition of grit is "firmness of character; indomitable spirit; pluck."[8] Neither one of these definitions is wrong, but different employers may want to emphasize different aspects of these definitions, based on their own context or practice.

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[7] Duckworth, A. L., Peterson, C., Matthews, M. D., & Kelly, D. R., *Grit: Perseverance and Passion for Long-Term Goals*, 92(6) J. of Personality and Soc. Psychol. 1087–1101, 1087 (2007). *See also* Angela Duckworth, Grit: The Power of Passion and Perseverance 8 (2016).

[8] *Grit*, Dictionary.com, available at https://www.dictionary.com/browse/grit (last visited April 15, 2019).

A few employers in our working sessions had different ideas of how to define "Grit". Many agreed that grit was not a single distinct quality, but rather a combination of things like courage, mental endurance, resilience, and perseverance. Whatever the definition, it is critically important for employers to reach consensus and be specific before engaging in hiring. The "I know it when I see it" approach leaves the hiring process open to biased, unreliable assessments and is anything but consistent. As one of our employer participants noted, this process is critical to "recognizing explicit foundations, and ferret[ing] out implicit bias."

Defining foundations is important for identifying more tangible skills and competencies too, which also requires careful consideration about how to contextualize the qualities an employer is seeking. For example, the foundation "Critically evaluate arguments" may include similar core abilities across different practice areas, but it may have different applications for transactional attorneys or real estate attorneys than it would for criminal defense attorneys. Without clear and agreed-upon definitions, the standards and accountability necessary for good hiring practices are difficult to form.

DEFINING FOUNDATIONS

The Hiring Toolkit at the end of this guide includes select examples of how to define each of the Foundations, but it is not the only way to do so. It is included here to offer a starting point for discussions, and employers should adapt it to their own needs and objectives. Below is an example of how an employer might define a foundation important to them.

LAWYER as PROFESSIONAL

Category: ETHICS

Foundation	Definition
Set clear professional boundaries	Professional boundaries define effective and appropriate interaction between attorney and client; adherence to professional boundaries includes consistency in and structure of communications, responsibilities, and expectations

Diversity

Across the country and across practice settings, employers we worked with agreed that demographic diversity in the profession and in the workplace were vitally important to them.
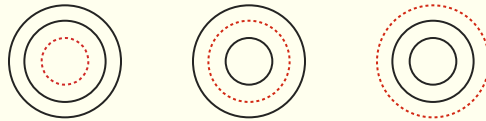
Diversity means more than racial and gender diversity, although it certainly includes that. It also means a wider source of perspectives, ideas, experiences, and accomplishments that allows lawyers to better serve their clients or stakeholders. Employers we worked with recognized that diversity in the profession is more than a positive social aspiration—it is also good for business. Employers agreed that diverse teams of lawyers produce better work product, and clients frequently demand diversity among their legal teams. In fact, many employers told us that some clients are looking for more affirmative proof that law firms' hiring practices are not structured in a way to exclude diversity—implicitly or explicitly.

The tendency toward bias can easily go unnoticed without deliberate effort to consider it. Implicit bias goes unrecognized when decision-makers do not stop to consider what reasons are behind their hiring choices. Evaluating job applicants on a broad set of qualifications is a better way to find quality candidates and promote the values of diversity. But avoiding bias in hiring is only one piece of the diversity discussion. The other piece is creating a level of cohesiveness among different people who can thrive among differing perspectives and viewpoints to build a positive and team-oriented work environment. All of these factors should be taken into consideration when crafting definitions for foundations.

If employers are careful and deliberate about applying the overall Foundations-based approach to hiring described in this guide, they can decrease the likelihood of allowing bias to influence hiring decisions, which will go a long way towards increasing the diversity of their workplace.

Identifying Proxies for Foundations

Once an employer has specific definitions for the foundations they are seeking, the next step is understanding how to find evidence that a given candidate possesses the desired foundations.
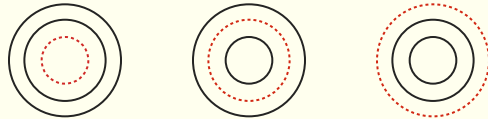
To be used effectively, a clear definition for any foundation also requires practical, real world examples of how that foundation presents itself in different candidates. We refer to these indicators as "proxies" for a given foundation, and, as with definitions, employers should build internal consensus around what experiences or achievements can serve as proxies for the foundations they seek in candidates.

These proxies are a critical piece of creating hiring rubrics–tools for evaluating candidates on each hiring criterion–because they exemplify the foundations sought and signal to employers in resumes and interviews that a candidate possesses them. Identifying proxies for foundations can assist employers in spotting evidence in resumes that a candidate has what it takes to be a good lawyer. Moreover, identifying proxies can also better frame the interview process to draw out real life experiences that may not be on the resume and to assist employers in understanding who a candidate is off paper.

Proxies can also be used as a benchmark to assess a candidate's level of development for a given foundation. Employers can use the foundations definitions they agree upon to describe how the foundation is performed, completed, and mastered to build out a rubric format for objectively gauging a candidate's level of development in that foundation. Employers can also look to professional development resources internally or provided by third parties to help identify how foundations can be measured through the achievements and experiences of a candidate.

Throughout our working group sessions in developing learning outcomes and hiring rubrics, we worked with employers to identify proxies they could use to determine if a candidate possesses the requisite foundations. While by no means an exhaustive list, we have included in the Hiring Toolkit at the end of this guide a summary of the common proxies these employers looked for as evidence that candidates had particular foundations. Below is an excerpt from that summary and an example of what it might look like to list proxies that demonstrate some development of a given foundation.

IDENTIFYING PROXIES

Below is an example of what it might look like to list proxies that demonstrate some development in a given foundation.

LAWYER as COMMUNICATOR

Category: BASIC COMMUNICATIONS

Foundation

Work cooperatively and collaboratively as part of a team

Definition

Demonstrate solidarity and commitment to the team's goals and processes and organize and conduct work by prioritizing the needs and abilities of the group as a whole

ACHIEVEMENTS, EXPERIENCES, RECOGNITION, & RESUME PROXIES

- Activities involving a team atmosphere (e.g., athletics, mock trial, trial team, etc.)

- Leadership roles

- Diversity in experience

- Client service experiences

- Community or volunteer experiences

ASSESSMENT & INTERVIEWING TECHNIQUES

- Describe a time where you had to collaborate with others to get work done. What was your role? What did you accomplish individually and as a group, and how?

- Describe a time where you had to communicate with/mediate conflict between people from various backgrounds and with different personalities. What was challenging about that? How did you do it?

- Have you ever been in a situation where you disagreed with a supervisor or authority? How did you express that disagreement? Do you get along easily with people?

EXAMPLE RESUME

The resume below is an example illustrating how one might identify proxies for different foundations in a resume containing a set of achievements and experiences that align with many traditional hiring criteria:

- Grit
- Judgment valued by others
- Make decisions and deliver results under pressure
- Teamwork

Lucy Martinez

- Have a strong work ethic and put forth best effort
- Intelligence
- internalized commitment to developing toward excellence

EDUCATION
University of Colorado Law School, Boulder, CO
Juris Doctor received May 2017
Rank: Top 5%
- University of Colorado Law Review, managing editor
- Latino Law Students Association, president
- Environmental Law Society, vice-president
- Governor's Climate & Forests Task Force, member
- Women's Club Soccer and Ultimate Frisbee teams
- Received top grade in Torts, Constitutional Law, and Environmental Law

- Have a passion for the work

- Resilience

The Colorado College, Colorado Springs, CO
Bachelor of Arts in Comparative Literature and Spanish, magna cum laude, received May 2014
- Student Government Association, Student Concerns Committee, chair
- Latino Student Union, treasurer
- Women's Varsity Lacrosse team
- Room 46 acapella group
- Co-managed weekly student-run soup kitchen

- Demonstrate tolerance, sensitivity, and compassion
- Flexibility and adaptability
- Humility
- Resourcefulness

- Critically evaluate arguments
- Identify relevant facts, legal issues, and information gaps
- Speak and write in a manner that meets legal standards

EXPERIENCE
Colorado Court of Appeals   DENVER, CO
                                         AUGUST 2017 – PRESENT
Judicial Law Clerk
- Clerked for the Honorable Diana Terry, assisting with reviewing of the parties' briefs, conducting research, and drafting memorandum of law

- Keep information confidential

Arnold & Porter, LLP   DENVER, CO
                                         JUNE – AUGUST 2016
Summer Associate
- Performed legal research on environmental and energy issues
- Participated in client meetings
- Read and analyzed motions and reports

- Gather facts and effectively research the law

State of Colorado, 20th Judicial District   BOULDER, CO
                                         JUNE – AUGUST 2015
Legal Intern
- Interned for the Honorable Patrick Butler, assisting with research and drafting orders on probation matters

- Prioritize and manage multiple tasks
- Promptly respond to inquiries and requests
- Speak and write in a manner that meets professional standards

Colorado College Admissions Office   COLORADO SPRINGS, CO
                                         OCT. 2011 – DEC. 2013
Student Worker
- Performed clerical, administrative, and project management tasks, including creating and organizing admission packets, answering phones and taking messages, drafting correspondence, and managing staff calendars

Humane Society of the Pikes Peak Region   COLORADO SPRINGS, CO
                                         NOV. 2010 – SEPT. 2011
Volunteer

- Strong moral compass

SKILLS AND INTERESTS
- Fluent in Spanish, conversant in German
- Hiking, soccer, lacrosse, swimming, cooking, and singing
- Strong love of the outdoors

- Strong communicator

- Well-rounded

EXAMPLE RESUME

In contrast, the resume below is an example of how to identify proxies representing key professional competencies, characteristics, and legal skills in a resume that traditional hiring criteria would likely overlook:

James Dalton

EDUCATION
University of New Mexico, Albuquerque, NM
J.D. received May 2017
- Student Bar Association, vice president
- Dean Search Committee
- National Law Review Law Student Writing Competition, winner 2017

> - **Judgment valued by others**

> - **Speak and write in a manner that meets legal standards**

University of Arizona Eller College of management, Tuscon, AZ
B.S. in Business management, received May 2014
- Social Innovation Certificate
- Student Body President, Associated Students of the University of Arizona (ASUA)
- LED Competitive intramural basketball team to win championships twice

EXPERIENCE
From Learner to Lawyer™   WWW.LEARNERTOLAWYER.COM
                                     APRIL 2015 – PRESENT
Founder and Writer
- Research and compose blog posts on developing from a law student to a successful lawyer
- Recruit and curate guest posts by law students, law professors, and practicing attorneys to increase the breadth of topics and promote wide-ranging readership

> - **Speak and write in a manner that meets professional standards**

Law Without Walls™   MIAMI, FL
                                JANUARY – April 2017
Student Creator
- Worked with team of law, business, and engineering students to develop an app to help assign pro bono lawyers to clients in need during hurricane response
- Presented about the app at National Association of Bar Executives midyear meeting
- App recognized by American Bar Association for innovation and ease of use

> - **Have a commitment to justice and the rule of law**
> - **Learn and use relevant technologies effectively**
> - **Strong moral compass**

Craig Associates, P.C.   ALBURQUERQUE, NM
                                    MAY – AUGUST 2016
NM
Summer Associate
- Composed memoranda regarding contacts and regulations for small business clients
- Performed legal research on intellectual property issues

> - **Effectively research the law**
> - **Effectively use techniques of legal reasoning and argument (case analysis and statutory interpretation)**

SpeedFeed™   TUSCON, AZ
                        MAY 2011 – JUNE 2014
Co-founder and CEO
- Created food delivery service to serve large college population
- Grew the business by attracting and securing investors
- Developed platform for online ordering, payment, and feedback
- Hired and managed four employees

Sidebar:
- **Enjoy overcoming challenges**
- **Grit**
- **Leadership**
- **Resourcefulness**
- **Recognize client or stakeholder needs, objectives, priorities, constraints, and expectations**
- **Set goals and make a plan to meet them**
- **Show initiative**
- **Take ownership**
- **Work cooperatively and collaboratively a part of a team**

Breaking Down Concepts Built from Different Foundations

This process also involves breaking down loftier concepts like judgment, which do not fit squarely into a single foundation.
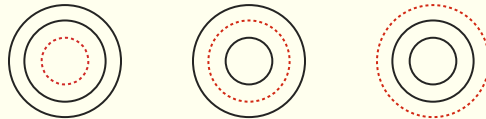
In our work with employers, we identified qualities important to the hiring process that could not be confined to one or two single foundations but are more aptly understood as concepts built from many different foundations at once. This includes qualities that are difficult to define or apply through singular proxies, or qualities that are themselves composed of multiple foundations.

One example of a quality that is important to employers, but made up of multiple foundations, is judgment. Judgment was consistently sought by our employer working groups, but is not represented by a single foundation as necessary right out of law school. Indeed, many of our employers indicated that they were more likely to "take a gamble" on hiring a candidate who may not fit all the traditional criteria if that candidate possessed good judgment. But like "Grit," the term "judgment" can be subjective. As one of our employers explained, without clear definition about what judgment means to an employer and how a candidate can demonstrate

it, the term may mean nothing more than "that is not how I would have done it," which is not an objective assessment of a candidate's abilities.

So, how is judgment valued and measured in new hires? What does it do? After multiple working sessions with employers, we learned that the sort of judgment sought was not the independent judgment of a lawyer running her own cases, but rather something more fundamental and related to a person's ability to accurately gauge a situation within the context of problem-solving.[9] Viewed through this lens, the judgment employers look for in new hires is an awareness of one's limitations and an ability to effectively prioritize information. This kind of judgment in new lawyers is required to discern more important information from less important information, see the bigger picture, understand when to ask for more supervision or to take more initiative, and whether there is not enough information to address a particular issue without more supervision or resources.

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[9] *See* THE WHOLE LAWYER, *supra* note 1, at 16.

According to many of the employers IAALS worked with, judgment also involves some degree of objective self-reflection in developing the confidence to take initiative, handle mistakes, process constructive criticism or failure, and use these experiences as opportunities to improve. What do employers mean when they say they value new lawyers who can process feedback? And what foundations signal the ability to meaningfully incorporate feedback into growth? Some foundations are immediately relevant, such as "Seek and be responsive to feedback" or "Take individual responsibility for actions and results." But employers also sought out the emotional intelligence behind being able to have difficult conversations with others, such as "Regulate emotions and demonstrate self-control" or "Express disagreement thoughtfully and respectfully."

Our workshops with employers led us to conclude that candidates who possess several foundations possess the judgment required by new lawyers. So, we created a chart that organizes the concept of judgment as expressed by the employers we worked with by building from many different foundations across different learning outcomes, such as "Prudence", "Maturity", and "Possess self-awareness", without adding judgment as a new foundation. We also included examples of experiences or achievements as evidence that a particular person is likely to posses the requisite abilities associated with judgment.

While we focus only on judgment here, employers should use this as an example of how to build similar criteria around concepts they find equally important.[10] For instance, some employers expressed a desire for creativity in new hires, but overall only 37.1% of respondents to the *Foundations for Practice* survey ranked it as necessary in the short-term. As in the case of judgment, when pressed to define creativity, the employers in our working group sessions indicated that they were really searching for problem-solving skills and resourcefulness rather than a type of creativity that, while inventive, may take a new lawyer far afield from the limits of the given task or issue.

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[10] *See* THE WHOLE LAWYER, *supra* note 1 at 16.

BREAKING DOWN CONCEPTS

The excerpt below, taken from the Hiring Toolkit at the end of this guide, shows how an employer may choose to organize their understanding of loftier concepts like judgment that they seek in new hires.

JUDGMENT

FOUNDATIONS

CHARACTERISTICS

- Common Sense
- Intelligence
- Maturity
- Possess self-awareness (strengths, weaknesses, boundaries, preferences, sphere of control)
- Prudence

PROFESSIONAL COMPETENCIES

- Make decisions and deliver results under pressure
- Prioritize and manage multiple tasks
- Seek and be responsive to feedback

LEGAL SKILLS

- Critically evaluate arguments
- Identify relevant facts, legal issues, and informational gaps or discrepancies

## ACHIEVEMENTS, EXPERIENCES, RECOGNITION, & RESUME PROXIES

- Leadership roles demonstrating the ability to manage multiple stakeholders, priorities, and resources, such as editor of the law review or president of a legal society

- Demonstrated progression in job duties (change in titles)

- Experience with jobs or volunteer work that required them to think on their feet or use flexibility, such as a teacher, lifeguard, nanny, camp counselor, journalist, member of the military, legal aid working group member, law clinic participant, or law clerk

- Involvement in multiple projects/groups and a demonstrated ability to deliver well

- Broad range of life experience outside of law school or time between undergraduate and law school

ASSESSMENT & INTERVIEWING TECHNIQUES

- Tell me one thing you would change about your last employment position and why.

- Describe a time when you did not have the relevant experience necessary to accomplish something you were asked to do.

- Tell me about an important decision you had to make in your life. How did you make that decision? Describe what you considered and your process.

- Asking about grades if they improved over time. How did you face this challenge and address it?

- Tell me about a time when you received negative or constructive criticism and how you responded.

Avoiding Bias
When Identifying Proxies

Proxies are tools to help employers more accurately identify and assess the characteristics, professional competencies, and legal skills most important to them, but identifying proxies yields better results when the employer commits to an unbiased process.
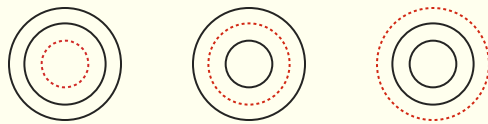
To avoid compromising the integrity of the process, and therefore the quality of the outcomes, employers should be mindful of two key risks.

First, the process of clearly identifying and defining foundations that are critical to the practice, mission, vision, and values of an organization establishes baseline criteria for new hires, but weighing the relative importance of these foundations may be important to fill a specific role within the organization. If foundations aren't clearly prioritized, the process of identifying proxies may not be effective in assessing the candidates best matched for the position.

Second, it is critically important to include a diverse set of viewpoints represented in achieving consensus around definitions and proxies. Narrowly defining foundations or proxies can simply perpetuate existing bias. For example, if consensus is among only people from the same socioeconomic background who are not primary caregivers in a family, they may not be equipped to recognize how a strong work ethic presents itself among candidates who are primary caregivers, or candidates from a different socioeconomic background. While this group could create a deliberate definition and uniform criteria for hiring, the criteria may still be exclusionary and used in a way that reinforces the same biases an employer is attempting to avoid. In addition, when developing proxies employers should be mindful that some proxies like extracurricular activities or team sports may require privilege for a candidate to attain. It is important to develop a variety of proxies for this reason.

Determining Levels of Development

An employer should define multiple levels of development, such as beginning, developing, and mastering, based on the definitions of foundations that the organization decides are important in new hires.

Just as foundations and proxies must be intentionally identified and defined, employers need to build consensus around clearly defined criteria for measuring the level of mastery for foundations. Indeed, a rubric that also includes detailed descriptions of each rating scale level would go far in reducing opportunities for bias.

LEVELS OF DEVELOPMENT

Below is an excerpt from the hiring rubric template in the Hiring Toolkit that illustrates one possible rating scale for measuring a candidate's development level for the foundation "Grit." These levels of mastery can be assigned simple point values when assessing candidates. For instance, a beginning level could be valued at one point, while mastery could be valued at three points.

BEGINNING	DEVELOPING	MASTERING
Candidate chooses not to take positive risks when presented with the opportunity.	Candidate has displayed acts of positive risk taking but has not done so consistently.	Candidate has displayed four or more acts of positive risk taking in a year's time, such as pushing oneself to explore new and different academic opportunities or seeking resources or activities to challenge themselves to improve.
Candidate does not seek or use resources, activities, or opportunities to challenge themselves.	When given challenging opportunities candidate uses them to improve but does not actively seek out challenging opportunities.	
Candidate has not begun or is just beginning to understand their own strengths and weaknesses.	Candidate understands their own strengths and weaknesses but does not put extra effort into practicing or improving them.	Candidate has faced and overcome two or more academic, professional, or personal struggles.
Candidate tends to give up when faced with an academic challenge or setback.	Candidate puts forth effort toward project and task completion but has room for growth.	Candidate clearly understand their own strengths and weaknesses; works to practice/improve.
Candidate puts forth minimum effort necessary to complete courses and move toward graduation.		Candidate displays maximum effort toward project and task completion.

Hiring Scorecards:
Tools for Accountability

Consistent assessment of candidates based on intentional and explicit definitions improves the quality of the hiring process.

Consistency ensures that the messages conveyed by employers to law schools and law students are clear and easily understood. Consistency also forms a bedrock of integrity and reliability for hiring, which strengthens the hiring process by creating accountability for decision-makers. Consistent hiring criteria also allows decision-makers to spot weaknesses in the process and improve them.

One way to promote consistency in assessments is to use the definitions and proxies created by the employer to design a hiring scorecard for assessing candidates. Interviewers and decision-makers can use these scorecards in conjunction with hiring rubrics, such as the examples found in

the Hiring Toolkit, to assign overall values to the abilities of different candidates based on evidence that a candidate has some level of development in that given ability. A hiring scorecard requires interviewers and decision-makers to show examples of proxies as evidence of experiences or achievements demonstrating that a candidate has some degree of mastery. For example, if our definition of "Grit" includes "perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments," then a candidate's demonstrated grade improvement or journal experience may be evidence that the candidate has developed this quality.

HIRING SCORECARD

This hiring scorecard, found in the Hiring Toolkit, illustrates what such a scorecard could look like:

Candidate Name _____   **Position** _____   **Date** _____

Criterion	Definition	Rating	Evidence & Specific Examples
Grit	Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments	☐ 1 - BEGINNING ☐ 2 - DEVELOPING ☐ 3 - MASTERING	

As different decision-makers or interviewers rank different candidates, these scorecards will lead to deeper conversations to intentionally understand why and how hiring assessments are being made by different people within the employer's organization. Decisions will no longer be based on whether a candidate is a "fit," but instead on measurable and concrete reasons. Moreover, if people are using the same evidence and getting different results, or if they are getting the same results using different evidence, these scorecards will visibly highlight those inconsistencies, allowing the organization to deliberately resolve them in a way that improves the hiring process overall. In fact, a Foundations-based evaluation process fuels organizational growth by continually updating, analyzing, and adapting to changes in society, the profession, or the organization, allowing employers to stay fluid without losing the integrity of the hiring criteria in place.


HIRING SCORECARD

A scorecard that assesses the James Dalton mock resume used earlier in this guide might look like this:

Candidate Name **JAMES DALTON**   Position **ASSOC. ATTORNEY**   Date **4-13-21**

Criterion	Definition	Rating	Evidence & Specific Examples
Grit	**Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments**	☐ 1 - BEGINNING ☐ 2 - DEVELOPING ■ 3 - MASTERING	*James founded a number of different businesses and non-profit services. He managed these efforts while still in school.* *During the interview, James discussed facing the real prospect of Laws without Walls shutting down permanently if he could not immediately secure funding and ensure the app could be tested by qualified developers. He dealt with these pressures while simultaneously wrapping up his third year of law school. It would have been easy for James to simply shift priorities and leave the app behind, but he recognized the help he could provide through his app was needed immediately, so he persevered, showed great strength of character, exhibited self-control and self-discipline, and maintained a passion for success, ensuring that he would graduate from law school and successfully launch the app at the same time.*

Communicating Expectations to Students and Schools

If an employer has gone through each of the steps above, they will have created a set of deliberate and uniform criteria for identifying the qualities they seek in new hires.
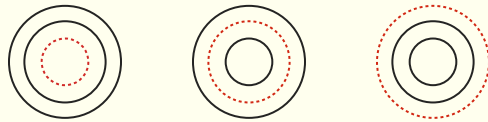
The next step in ensuring a better hiring process is explicitly communicating what those qualities are to law schools and students.

Being explicit about the qualities sought in new hires will constructively influence legal education and the hiring process. When qualifications are spelled out and, in particular, when the experiences and achievements that signal the possession of those qualities are emphasized, employers effectively communicate directly to law schools and law students about where to focus education and development.

Accordingly, it is not enough to simply improve hiring by clearly and deliberately designing appropriate and meaningful hiring rubrics. If employers want a hiring pool of qualified candidates in the future and to close the gap between what their new lawyers have and need, they must also be clear in what they are looking for to positively incentivize schools and students.

Explicit communication will help develop and maintain a cooperative and collaborative effort with law schools to improve education and hiring outcomes because it raises issues for discussion, feedback, and improvement for both groups. And, as law schools adopt learning outcomes (i.e., standards-based goals and assessments for student learning and performance) based on *Foundations for Practice*, employers will have an easier time tracking where these foundations present themselves in law school, which will be helpful in recognizing students who develop those foundations.

Being explicit about what new hires need to succeed can take many forms. Employers can offer more details in job listings and information provided to law school career development offices, or employers can offer more information about what it takes to be a good candidate for hire in networking events with students or during on-campus interview sessions.

Conclusion

A Foundations-based hiring process that is **intentional**, **explicit**, and **consistent** aligns the needs of the employer with the knowledge, skills, and abilities of a candidate–and does so in ways traditional hiring criteria cannot. This makes hiring decisions easier by defining the qualities employers actually seek in candidates. It also results in better outcomes for new hires and employers. In addition, these practices will improve the quality of legal services overall by incentivizing law schools and students to better prepare for practice and serve their stakeholders. As one employer put it, "I got something I didn't know I needed: disciplined identification of skill sets to take it to the next step in hiring."

THE
WHOLE
LAWYER
IAALS
FOUNDATIONS
LEARN   TEACH   HIRE

FOUNDATIONS
THE HIRING TOOLKIT

THE WHOLE LAWYER

IAALS

FOUNDATIONS

LEARN TEACH HIRE
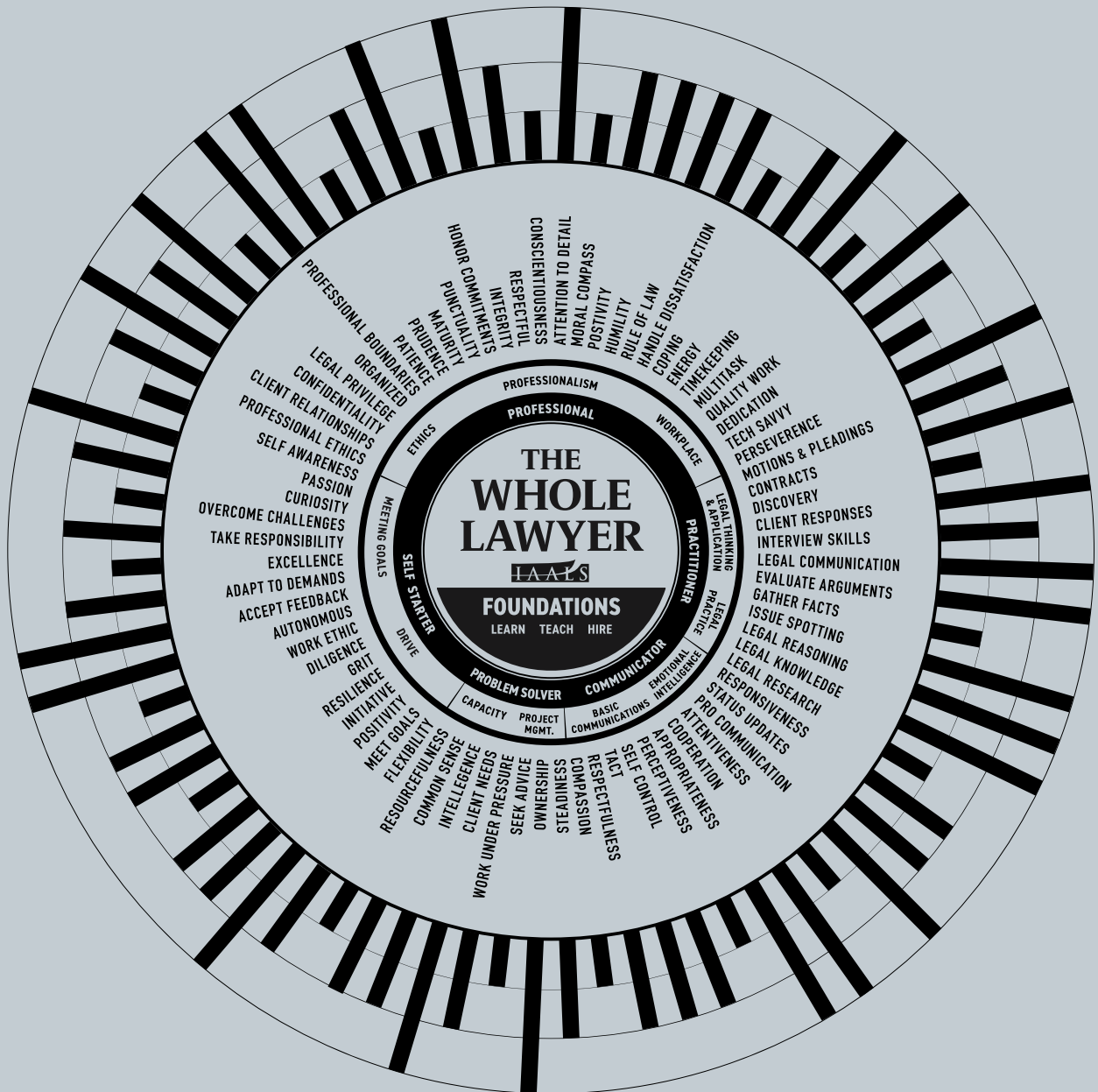
Learning Outcomes Model

LAWYER as COMMUNICATOR

Communicate in reading, writing, speaking, and listening in a professional manner

Category: BASIC COMMUNICATIONS

Definition

The ability to understand and employ spoken, written, and non-verbal messages and cues to communicate thoughts, information, and feelings; the ability to interact, collaborate, and be agreeable to others to achieve best outcomes in a team setting

Foundation	Definition
Listen attentively and respectfully	Pay close attention to what is being communicated in an alert or observant manner and demonstrate appropriate social norms that signify respect while communicating
Proactively provide status updates to those involved on a matter	Provide status updates to all stakeholders in an appropriate and timely manner
Promptly respond to inquiries and requests	Respond to all communication (e.g., emails, social media, letters, calls, etc.) and do so within a timeframe that meets industry standard norms or client/stakeholder expectations
Speak and write in a manner that meets professional standards	Speak clearly, succinctly, and confidently, making use of appropriate diction and verbal organizational cues Write in a formal, effective, clear, and accurate way, making use of appropriate diction and free of spelling mistakes, typos, and grammatical errors
Work cooperatively and collaboratively as part of a team	Demonstrate solidarity and commitment to the team's goals and processes and organize and conduct work by prioritizing the needs and abilities of the group as a whole

Category: **EMOTIONAL INTELLIGENCE**

Definition

The ability to recognize, understand, and manage one's own emotions and to recognize, understand, and appropriately respond to the emotions of others in professional and social situations

Foundation	Definition
Demonstrate tolerance, sensitivity, and compassion	Develop and exercise: awareness of the needs and emotions of others, sympathy and understanding for beliefs or practices differing from or conflicting with one's own, and a consciousness of others' distress together with an understanding of how to alleviate it
Exhibit tact and diplomacy	Exercise a keen sense of what to do or say by gauging what is appropriate to a given situation, avoid offense, and avoid arousing hostility in order to maintain good relations with others
Express disagreement thoughtfully and respectfully	Manage conflict, challenges, and disagreements by exercising self-restraint, respect, and methods of interaction appropriate to the situation
Perceptiveness	Capable of or exhibiting keen insight, being observant, and understanding intuitive input
Regulate emotions and demonstrate self-control	Exercise restraint over and bring order to one's feelings, impulses, desires, or conscious mental reaction
Understand and conform to appropriate appearance and behavior in a range of situations	Be proficient with professional standards of attire and norms for interaction and appropriately adapt attire and interaction to a given situation, whether casual, professional, or formal

LAWYER as PRACTITIONER

**Research, synthesize, analyze, and
apply skills in legal processes and actions**

Category: **LEGAL PRACTICE**

Definition

The ability to execute fair and valid process and application of the law

Foundation	Definition
Draft contracts and agreements	Compose legally binding documents, taking care to be clear and specific to avoid ambiguity and loopholes
Draft pleadings, motions, and briefs	Write and edit documents to be filed with the court or submitted to the appropriate legal authority, consistent with federal, state, local, and judge-specific rules
Interview clients and witnesses	Interact with clients and witnesses to gather information about a matter
Prepare client responses	Respond to requests for information, which may include gathering documents and information, objecting to certain requests, responding to negotiations, and responding to informal inquiries
Request and produce written discovery	Compose formal requests to an opposing party for information, documents, and evidence to support his/her case; respond to corresponding formal requests in return; which may include gathering documents and information, and objecting to certain requests based on relevance, scope, excessive number of requests, privilege, and other reasons

Category: **LEGAL THINKING & APPLICATION**

Definition

The ability to engage in critical legal thinking and execute each step in the legal research process

Foundation	Definition
Critically evaluate arguments	Judiciously assess all assertions in a case
Effectively research the law	Find the answer to a legal question in a methodical and time-effective way, exhausting all possible relevant sources
Effectively use techniques of legal reasoning and argument (case analysis and statutory interpretation)	Apply a pattern of analysis to a legal issue by discerning the issue, the rules that apply to the issue, and the facts surrounding the issue, then analyzing by applying the law to the facts, and finally reaching a conclusion
Gather facts through interviews, searches, document/file review, and other methods	Review all relevant documents and sources to gather information about a case or issue
Identify relevant facts, legal issues, and informational gaps or discrepancies	Understand the scope of the legal question, including jurisdiction, time period, and the consequences of factual inconsistencies, as well as whether and how specific facts relate to those issues
Maintain core knowledge of substantive and procedural law in the relevant focus area(s)	Actively maintain an awareness and understanding of the relevant laws, statutes, and rules in one's specific practice area
Speak and write in a manner that meets legal standards	Communicate in an appropriate, professional manner regardless of situation or scenario, including proficiency with legal style and correctly applying citations in Bluebook format

LAWYER as PROBLEM SOLVER

**Solve long-term and immediate problems
to the benefit of all stakeholders**

Category: CAPACITY

Definition

The ability to process information, solve problems, comprehend complex ideas, apply solutions, and demonstrate understanding of a variety of content

Foundation	Definition
Common sense	Sound and prudent judgments based on experience or a simple perception of the situation or facts, independent of specialized knowledge, training, or the like
Intelligence	The capacity for learning, reasoning, understanding, and similar forms of mental activity; aptitude in grasping truths, relationships, facts, means, etc. The faculty of understanding; ability to acquire and apply knowledge and skills
Resourcefulness	Ability to devise solutions, create opportunities, or identify tools sufficient to deal skillfully and promptly with new situations and difficulties

Category: PROJECT MANAGEMENT

Definition

The application of professional competencies to achieve project objectives through managing one's self, colleagues and teammates, clients, and requisite legal processes while taking responsibility for each step and delivering results within given constraints

Foundation	Definition
Make decisions and deliver results under pressure	Complete all tasks to a high quality regardless of challenges and level of pressure
React calmly and steadily in challenging or critical situations	Exercise self-control, stability, and professional problem-solving skills with aplomb and courtesy to others in all situations
Recognize client or stakeholder needs, objectives, priorities, constraints, and expectations	Develop an understanding of stakeholder motivations and backgrounds sufficient to identify and address stakeholders needs, goals, and expectations to move each case forward
Take ownership	Internalize and commit to the principle that one bears responsibility for success or failure in their own work
Understand when to engage supervisor or seek advice in problem-solving	Identify when one's own problem-solving options have been exhausted, making guidance from supervisors a high priority in one's own work, and know the appropriate time to ask for such guidance

LAWYER as PROFESSIONAL

**Use efficient methods and tools to manage one's
and the firm's professional workload with accuracy and utility**

Category: ETHICS

Definition

Communicate, behave, and perform one's tasks in an ethical manner to uphold professional and ethical standards, for the benefit of clients and to reinforce public trust and confidence in the profession

Foundation	Definition
Conclude relationships appropriately	Apply professional standards when concluding relationships, including clarifying in writing the terms of the conclusion of any attorney-client relationship, ideally at the beginning of such relationship, and sending a written letter informing the client that representation is concluded at the time of such conclusion
Document or organize a case or matter	Employ a systematic structure for tracking all aspects of a case or matter
Keep information confidential	Adhere to and uphold professional standards regarding confidentiality of information relating to the representation of a client
Recognize and resolve ethical dilemmas in a practical setting	Identify and apply solutions to ethical challenges
Set clear professional boundaries	Define effective and appropriate interaction between attorney and client; adhere to professional boundaries through consistency and structure of communications, responsibilities, and expectations
Understand and apply legal privilege concepts	Identify circumstances that require application of legal privilege to protect communications between an attorney and his or her clients from being disclosed without the permission of the client and appropriately apply principles of legal privilege in such circumstances

Category: PROFESSIONALISM

Definition

Professionalism includes a consistent drive to work as a competent, responsible, professional member of the field

Foundation	Definition
Arrive on time for meetings, appointments, and hearings	Be punctual
Attention to detail	Achieve thoroughness and accuracy when completing a task through concern for all aspects of the task
Conscientiousness	Careful and painstaking, particular, meticulous, scrupulous, principled
Cope with stress in a healthy manner	Recognize signs of becoming stressed and develop positive, constructive strategies for handling stress and anxiety
Handle dissatisfaction appropriately	Understand and manage one's reactions to information that is displeasing or disappointing in a way that is appropriate to the situation
Have a commitment to justice and the rule of law	In all areas of life, be dedicated to ensuring justice and the rule of law, including prioritizing the rule of law over political or otherwise expedient considerations and ensuring that equity applies to all within the legal system and that all have access to their rights
Honor commitments	Complete all projects and abide by agreements once committed to them
Humility	Freedom from pride or arrogance, remaining teachable
Integrity and trustworthiness	Moral uprightness, deserving of trust or confidence, dependable, reliable
Maintain positive professional relationships	Build and conserve positive relationships that support one's own reputation, the positive reputation of one's firm, and the high regard of the profession

Category: **PROFESSIONALISM**

Foundation	Definition
Maturity	A quality of becoming fully developed mentally, emotionally, and socially
Patience	Not hasty or impetuous; the capacity to accept or tolerate delay, trouble, or suffering without getting angry or upset
Prudence	Skill and good judgment; the quality of cautiousness, wisdom, and discretion
Strong moral compass	Internalized set of values and objectives that guide a person with regard to ethical behavior and decision-making; a feeling that tells people what is right and wrong and how they should behave
Treat others with courtesy and respect	Recognize the worth of others and treat them accordingly

Category: **WORKPLACE**

Definition

Understand and master foundations vital to professional performance in a workplace setting

Foundation	Definition
Adhere to proper timekeeping and/or billing procedures	Timekeeping/billing; tracking the hours/fractions of an hour spent on a specific case, matter, or project.
Energy	Capacity for concentrated effort and desire for work assignments, projects and professional tasks; fostering positive culture through positive energy in the workplace
Learn and use relevant technology effectively	Stay abreast of innovative technological tools relevant to the field
Maintain a high-quality work product	Submit high-quality products and presentations
Prioritize and manage multiple tasks	Determine order of importance when managing tasks for a variety of purposes

Category: WORKPLACE

Foundation	Definition
See a case or project through from start to timely finish	See the big picture and complete all projects once started in a timely and efficient manner
Show loyalty and dedication to the firm or organization and its clients or stakeholders	Demonstrate constancy and reliability to employing firm and stakeholders in all situations

LAWYER as SELF STARTER

Demonstrate leadership, responsibility, and initiative in work responsibilities with little supervision

Category: DRIVE

Definition

A consistent and strong work ethic and dedication to professional development through continual personal and professional improvement to one's abilities

Foundation	Definition
Adapt work habits to meet demands and expectations	Be flexible, self-motivated, and accommodating to meet expectations
Enjoy overcoming challenges	Motivation for seeking and addressing difficult tasks or situations, ability to recognize and realize opportunity for growth in ongoing professional challenges
Have a passion for the work	Be inspired by and deeply motivated about working in the legal field, possess an earnest desire for accomplishing legal work
Have a strong work ethic and put forth best effort	To incorporate within one's self a sense of value and duty for one's work; to work at an efficient, consistent pace with determination and a drive for excellence
Have an internalized commitment to developing toward excellence	To follow a guiding principle that compels one's self to grow and achieve good things

Category: **DRIVE**

Foundation	Definition
Intellectual curiosity	Inquisitiveness, interest in things, a desire to learn
Possess self-awareness (strengths, weaknesses, boundaries, preferences, sphere of control)	To incorporate within one's self a conscious guiding principle that compels one to grow, achieve, and improve
Seek and be responsive to feedback	To proactively look for or ask for corrective information or criticism that will help one improve, and to then act appropriately on that information in a timely manner
Take individual responsibility for actions and results	To demonstrate responsibility and accountability for all actions and their subsequent results, whether positive or negative
Work autonomously	To perform work on one's own, without outside guidance or influence

Category: **MEETING GOALS**

Definition

Achieving targeted standards of development and mastery of skills involving communication, adaptability, problem solving, and decision-making

Foundation	Definition
Diligence	Persevering application; steady, earnest, and energetic effort
Exhibit flexibility and adaptability regarding unforeseen, ambiguous, or changing circumstances	To be readily able to modify behavior or change course, strategy, or approach, given new, different, or changing information or circumstances
Exhibit resilience after a setback	To recover from, bounce back, or adjust after encountering an obstacle, changing circumstances, failure, or a slowing of progress
Grit	Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments
Positivity	Internalizing and exhibiting optimism, hopefulness, and an upbeat outlook

Category: **MEETING GOALS**

Foundation	Definition
Set goals and make a plan to meet them	To identify specific personal and professional objectives and create a strategy for meeting or accomplishing them
Show initiative	To proactively move forward or initiate action toward a goal or objective

Proxy and Assessment Examples

LAWYER as COMMUNICATOR

Category: BASIC COMMUNICATIONS

Foundation	Definition
Work cooperatively and collaboratively as part of a team	Demonstrate solidarity and commitment to the team's goals and processes and organize and conduct work by prioritizing the needs and abilities of the group as a whole

ACHIEVEMENTS, EXPERIENCES, RECOGNITION, & RESUME PROXIES

- Activities involving a team atmosphere (e.g., athletics, mock trial, trial team, etc.)

- Leadership roles

- Diversity in experience

- Client service experiences

- Community or volunteer experiences

ASSESSMENT & INTERVIEWING TECHNIQUES

- Describe a time where you had to collaborate with others to get work done. What was your role? What did you accomplish individually and as a group, and how?

- Describe a time where you had to communicate with/mediate conflict between people from various backgrounds and with different personalities. What was challenging about that? How did you do it?

- Have you ever been in a situation where you disagreed with a supervisor or authority? How did you express that disagreement? Do you get along easily with people?

LAWYER as PRACTITIONER

Category: LEGAL THINKING & APPLICATION

Foundation	Definition
Critically evaluate arguments	Judiciously assess all assertions in the case

ACHIEVEMENTS, EXPERIENCES, RECOGNITION, & RESUME PROXIES

- Experience or past work experience that demonstrates practical application of critical evaluation, such as journalism, debate or moot court, legal writing, policy analysis

- Experience that would develop skills transferable to legal skills

- Quality of writing sample submitted along with resume

ASSESSMENT & INTERVIEWING TECHNIQUES

- Ask interviewee to consider a real legal argument and describe the weaknesses and strengths of the argument.

- Assess the quality of questions asked by interviewee based on depth, relevance, novelty, etc.

- Describe a time when you recognized a position you or another person took was incorrect. Why was it incorrect? How did you learn it was incorrect?

- Describe an example of a winning argument you developed, whether in the legal context or otherwise.

LAWYER as PROBLEM SOLVER

Category: Capacity

Foundation	Definition
Resourcefulness	Ability to devise solutions, create opportunities, or identify tools sufficient to deal skillfully and promptly with new situations and difficulties

ACHIEVEMENTS, EXPERIENCES, RECOGNITION, & RESUME PROXIES

- Background experiences or jobs requiring one to think on their feet (e.g., teaching assistant, camp counselor, athletics, outdoor activities like backpacking or mountaineering, non-profit work or volunteer work, project management)

- Leadership experience

- Experience suggesting problem solving, such as fundraising, entrepreneurial efforts, or improving upon a project or process

- Self-advancement or improvement

ASSESSMENT & INTERVIEWING TECHNIQUES

- Describe a time that you did not have the relevant experience necessary to accomplish something you were asked to do. How did you approach that?

- What do you do when you are stumped or hit a wall while solving a problem?

- Describe the process that you followed to [refer to an achievement on resume].

- Explore a personal interest (e.g., describe the most complicated meal you've prepared and talk about how you prepared it).

- Hypothetical situations (How would you go about finding a solution to the following problem?).

LAWYER as SELF STARTER

Category: MEETING GOALS

Foundation	Definition
Grit	Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments

ACHIEVEMENTS, EXPERIENCES, RECOGNITION, & RESUME PROXIES

- Working and/or extracurriculars while in school

- Leadership roles

- Jobs that are service-oriented or otherwise are difficult (e.g., Uber driver, night manager at Denny's)

- Going from community college to undergraduate and eventually a top-ranked law school

- Performance at a high level in any domain (e.g., athletics, arts)

- Excelling academically

- Completing a high commitment level personal goal (e.g., running a marathon, mastering a musical instrument)

- First-generation students

- Length of time in any one position

ASSESSMENT & INTERVIEWING TECHNIQUES

- What is an example of a time that you developed an idea and saw it through to its completion?

- Tell me about one of the biggest obstacles you have overcome.

- Describe a time you faced adversity and explain how you dealt with it.

- Is there a time when you were able to succeed after an initial failure?

- Describe how you achieved [refer to an achievement on resume].

- What has been your hardest-won fight in life so far?

LAWYER as PROFESSIONAL

Category: PROFESSIONALISM

Foundation	Definition
Attention to detail	Achieve thoroughness and accuracy when completing a task through concern for all aspects of the task

ACHIEVEMENTS, EXPERIENCES, RECOGNITION, & RESUME PROXIES

- Accuracy
- Punctuation
- Relevance
- Resume is well organized
- Clear, concise written communication
- Tasks where proficiency with numbers was essential
- Editorial positions (e.g., law review, school newspaper)
- Resume and cover letter are creatively written and tailored to audience
- Awards in legal writing competitions

ASSESSMENT & INTERVIEWING TECHNIQUES

- Personal comportment
- Preparedness (e.g., knowing the firm/organization applying to, evidence of doing research in advance)
- Uses clear, concise verbal communication
- Conveys careful listening and answers questions carefully and appropriately
- Interviewee is focused and immune to distraction
- Describe a situation where you worked diligently to refine a process, project, etc.

Hiring Rubric Example

Foundation

Foundations as listed in Learning Outcomes

Definition

Why is this foundation important?

Why is this foundation being measured?

What is the ultimate goal of this foundation?

Is this foundation a characteristic/trait, skill (physical ability), or ability (mental ability)?

What are the necessary components, subskills, and/or details needed to get to the ultimate goal?

Proxies for Foundation

How do you know the ultimate goal has been met/reached?

How do you know the foundation has been or is being developed?

How do you know the foundation has been or is being mastered?

What do the necessary components, subskills, and/or details needed to get to the ultimate goal look like? How are they observed?

Measuring Levels of Development

BEGINNING	DEVELOPING	MASTERING
How do you know a candidate has minimal levels of this foundation and needs to begin to develop the foundation?	How do you know a candidate is developing this foundation but has not yet quite mastered it or fully developed it?	What does having this foundation mastered or fully developed look like?
What will a candidate do, say, or display when they only have minimal levels of this foundation?	What will a candidate do, say, or display when they are developing this foundation but have not yet mastered or fully developed the foundation?	What will a candidate do, say, or display when they have mastered or fully developed this foundation?
What can a candidate do and not do with minimal levels of this foundation?	What can a candidate do at this level of the foundation that they could not do before?	What will a candidate be able to do or accomplish when this foundation has been mastered or fully developed?

Foundation	Definition
Grit	Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments

Proxies for Foundation

Grit is measured through the consistent and persistent display of positive risk taking; ability to overcome setbacks; and putting forth maximum effort towards self-identified long-term goals; including course completion, project completion, and graduation.

Examples include working and/or activities while in school, taking on leadership roles, jobs that are service-oriented or otherwise are difficult (e.g., Uber driver, night manager at Denny's), going from community college to undergraduate and eventually a top-ranked law school, performance at a high-level in any domain (e.g., athletics, arts), excelling academically, completing a high commitment level personal goal (e.g., running a marathon, mastering a musical instrument), first-generation students, length of time in any one position

Measuring Levels of Development

BEGINNING	DEVELOPING	MASTERING
Candidate chooses not to take positive risks when presented with the opportunity.	Candidate has displayed acts of positive risk taking but has not done so consistently.	Candidate has displayed four or more acts of positive risk taking in a year's time, such as pushing oneself to explore new and different academic opportunities or seeking resources or activities to challenge themselves to improve.
Candidate does not seek or use resources, activities, or opportunities to challenge themselves.	When given challenging opportunities candidate uses them to improve but does not actively seek out challenging opportunities.	
Candidate has not begun or is just beginning to understand their own strengths and weaknesses.	Candidate understands their own strengths and weaknesses but does not put extra effort into practicing or improving them.	Candidate has faced and overcome two or more academic, professional, or personal struggles.
Candidate tends to give up when faced with an academic challenge or setback.	Candidate puts forth effort toward project and task completion but has room for growth.	Candidate clearly understands their own strengths and weaknesses; works to practice/improve.
Candidate puts forth minimum effort necessary to complete courses and move toward graduation.		Candidate displays maximum effort toward project and task completion.

Judgment Chart Example

JUDGMENT

FOUNDATIONS

CHARACTERISTICS

- Common sense
- Intelligence
- Maturity
- Possess self-awareness (strengths, weaknesses, boundaries, preferences, sphere of control)
- Prudence

PROFESSIONAL COMPETENCIES

- Make decisions and deliver results under pressure
- Prioritize and manage multiple tasks
- Seek and be responsive to feedback

LEGAL SKILLS

- Critically evaluate arguments
- Identify relevant facts, legal issues, and informational gaps or discrepancies

ACHIEVEMENTS, EXPERIENCES, RECOGNITION, & RESUME PROXIES

- Leadership roles demonstrating the ability to manage multiple stakeholders, priorities, and resources, such as editor of the law review or president of a legal society

- Demonstrated progression in job duties (change in titles)

- Experience with jobs or volunteer work that required them to think on their feet or use flexibility, such as a teacher, lifeguard, nanny, camp counselor, journalist, member of the military, legal aid working group member, law clinic participant, or law clerk

- Involvement in multiple projects/ groups and ability to deliver well

- Broad range of life experience outside of law school or time between undergraduate and law school

ASSESSMENT & INTERVIEWING TECHNIQUES

- Tell me one thing you would change about your last employment position and why.

- Describe a time that you did not have the relevant experience necessary to accomplish something you were asked to do. How did you approach that?

- Tell me about an important decision choice you had to make in your life. How did you make that decision? Describe what you considered and your process.

- Asking about grades if they improved over time. How did they face this challenge and address it?

- Tell me about a time when you received negative or constructive criticism and how you responded.

Hiring Scorecard Example

Candidate Name _____ **Position** _____ **Date** _____

Foundation	Definition	Rating	Evidence & Specific Examples
Grit	Perseverance and consistency in efforts to overcome obstacles and failures to reach long-term goals and/or satisfy long-term commitments	☐ **1** - BEGINNING ☐ **2** - DEVELOPING ☐ **3** - MASTERING	
Exhibit flexibility and adaptability regarding unforeseen, ambiguous, or changing circumstances	The set of skills and abilities that are required for one to make decisions and problem solve in a moment and by circumstances at hand	☐ **1** - BEGINNING ☐ **2** - DEVELOPING ☐ **3** - MASTERING	
Critically evaluate arguments	The set of skills and abilities that are required to make a final judgment on an argument and act accordingly	☐ **1** - BEGINNING ☐ **2** - DEVELOPING ☐ **3** - MASTERING	

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