

## Learn the language of clients: Engaging junior associates

By Kimberli A. Williams

Within the first three to five years of practice, there are certain milestones every junior firm associate can anticipate reaching: (1) assisting in the completion of (at least) a few colossal document review projects; (2) authoring dozens of sets of discovery responses, which include nifty objections that a partner may applaud but ultimately remove and; (3) feverishly checking the docket to confirm whether the court's tentative ruling agrees with your first set of briefing papers or not.

Bottom line: Junior associates learn the what, when and how from these traditional types of projects, but in rare cases, junior associates get to learn the why — why is this important to the client, their business model, and our delivery of stellar client service?

The inclusion of junior associates in the following three types of non-traditional assignments will allow them to acquire a holistic understanding of the practice of law and begin to learn the language of our clients:

### Designing Risk Analysis Assessments

Valuing a case, or pre-suit claim, requires a greater understanding of the competing interests at play. Less-experienced associates are often tasked with assisting only a part of a project during an isolated stage in the course of litigation or resolution. However, as a client's business model evolves, so too does its tolerance for risk. The implications of public scrutiny or social media outrage can have a devastating impact on the bottom line and the corporate reputation of an organization. By designing risk analysis assessments that communicate a socio-awareness of the bigger public stage, new associates will learn to evaluate how one case, even before a verdict is issued, can foil an organization's brand and



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ensure the associate has a broader perspective of the entire matter.

*Client Buy-in:* All levels of a client's defense team can share a cohesive approach to evaluating, recommending, and executing a proactive defense strategy. Where newer associates can readily interpret the delicate balance between a position rooted in principle versus a position rooted in business judgment, and the spectrum that lies in between, associates will develop a more tailored style to lawyering that infuses tactical approach with strategic brand protection.

### Drafting Litigation Budgets/Early Resolution Expense Projections

Associates are expected to take more time than partners on litigation, research, and drafting tasks because they are new(er) to the practice. However, assisting in drafting litigation budgets at the onset of a case helps associates accomplish two seminal goals: (1) it mandates that associates learn to realistically forecast how many hours will be

required in each phase of litigation, which in itself is a helpful exercise in time management and planning; (2) it also requires that associates remain accountable and communicative with the partner if they find their projections need to be adjusted later down the line.

*Client Buy-in:* Associates who understand how clients perceive what is value-added from outside counsel can be tremendous assets to a defense or advice/counsel team. Client valuation of billed hours may include adherence to budget proposals and projections, which only underscores reliability, transparency, and efficiency.

### Strategizing with Clients Interested in Expanding and/or Downsizing

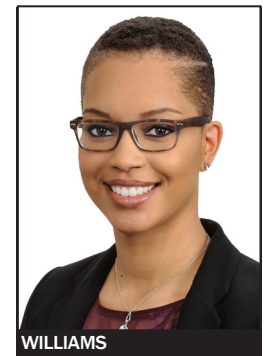
Clients often request advice and counsel on existing policies but will also loop in outside counsel on their expansion or downsizing plans, especially as they relate to imposition of different statutes (for example, a company of less than 25 employees

is subject to different statutes than a company of greater than 50 employees). New associates who learn how to analyze the questions of *today* while anticipating the implications and questions raised for *tomorrow* can better partner with the external and internal corporate legal team to recommend appropriate courses of action, needed training initiatives, or revised policy implementation.

*Client Buy-in:* What do we hear most often from clients? "I want my outside counsel to understand my business model and my industry." By demonstrating appreciation for legal implications of a client's ecosystem and their expansion vision and/or downsizing initiatives, a higher level of collaborative understanding is achieved between an organization and its outside counsel team.

Nothing can replace the fundamentals of providing great legal work and sound legal advice. In fact, this is a non-negotiable baseline. As such, there is no better way to engage new legal talent than affording them with the opportunities to hone these skills. If firms are able to successfully integrate these non-traditional projects with the more traditional assignments reserved for junior-level associates and embrace the prospect of teaching associates to speak the language of our clients, it only stands to benefit the associate, the broader defense team, and most importantly, the client.

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