CAREERIPEDIA

83 career concepts and terms to be sure you know

This glossary was compiled by Stetson Law's Office of Career Development @ 2014 Additional research assistance provided by the Stetson Law Library

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Welcome to the Careeripedia!

You are holding in your hands the first edition of the Careeripedia from Stetson Law's Office of Career Development. We have produced this tool to provide you with an overview of key terms, phrases, and concepts to make sure you're in-the-know and aware of common, contemporary career development language in the legal field. The ideas presented in this guide are designed to give you confidence as you navigate your law school years, participate in job interviews, build your network in the community, and interact with the Stetson community.

Some of these terms have been a part of the profession for decades. Others are newer terms that have developed in recent times. Many of these terms you will undoubtedly encounter on a regular basis throughout your career.



Associate

An associate is a junior member of an organization or profession; especially, a lawyer in a law firm, usually

with fewer than a certain number of years in practice, who may, upon achieving the requisite seniority, receive an offer to become a partner or shareholder.¹

Alternative Fee Arrangements

Traditionally, law firms have billed clients by the hour at rates that reflect the hourly rates of attorneys who are working on the client's matter, plus any expenses incurred by the firm. Attorneys may also offer certain civil clients a contingency arrangement wherein the attorneys working on the matter are paid a percentage of damages recovered, if any. However, large firm clients have begun to request or demand revisions to hourly-based billing as a condition of continued relationship or as a condition of increased business.

Alternative fee arrangements may include an annual fixed fee, unbundled services in which the client staff is accountable for specific tasks, packaged flat fee services, or forecasting and fulfillment arrangements that are still hourly, but have detailed contractual provisions. All fee arrangements work best when they are explicitly tied to predetermined standards and both qualitative and quantitative outcomes, and agreed in a climate of trust and desire for mutual benefit and gain.



Baby Boomers

Baby Boomers are a generation of Americans born between 1946 and 1964, thought to be the largest

generation of Americans born in the history of the United States.

Back Office

The "back office" refers to the behind-thescenes team in a firm or organization. This team may work in the same office or in a separate location, but it is their job function that characterizes them as "back office." Alternatively, the "front office" refers to the team or office that interacts directly with clients.

Back-office Operations in Lower-cost Markets

The geographical and repositioning of core process, management process, or governance process operations in the interest of efficiency or expense reduction. Automation, standardization, and centralization make it possible for firms to separate the front office from the back. Firms who have chosen this strategy, which overall leads to the ability to offer the client better pricing and value, are generally likely to reclassify attorney positions as well.

For example, Orrick, Herrington & Sutcliffe, an international firm headquartered in San Francisco, maintains back office operations in Wheeling, West Virginia.² Among the positions in Wheeling are career associate jobs, which are essentially the same as other associate positions, except they are not partner-track and the incumbents are paid less than are partner track associates in major markets, where the firm has front offices.³ (In some firms, these positions may also be referred to as Staff Attorneys. See "Staff Attorney" definition for more information.)

Career associates are not the same as contract attorneys, though the common attribute is that neither are partner track. Career associates enjoy benefits, more time away from work, and challenging work.

¹ Garner, Bryan A. (2009). Black's Law Dictionary: West.

 ² Rampell, C. (2011, May 23). At Well-Paying Law Firms, a Low-Paid Corner. The New York Times. Retrieved April 8, 2014, from http://www.nytimes.com/2011/05/24/business/24la wyers.html?pagewanted=all&_r=0
³ Ibid.

Bar Association Day / Event / Mixer

This is an event that brings members and representatives of local bar associations to campus through any combination of networking and/or educational events. The bar association benefits from the opportunity to recruit new members, and students benefit from having access to an event designed specifically with them in mind. A Bar Association Day can take many different forms from a single reception to a day featuring multiple events and programs aimed at introducing students and bar association members and/or showcasing the value of bar associations.

Base Pay

The dollar amount of one's salary, before any deductions of any kind, usually quoted as an annualized number.

Behavior Based Interviews

Behavior based interviews are an interviewing pattern that some employers use in their hiring process. The premise is that the best predictor of future performance is past performance in a similar situation. When employers use this method, they identify the competencies that are necessary for the job and then ask questions about the candidate's past experiences in which those competencies were utilized. (See "Effectiveness Factors.") In this form of interviewing what you do not describe is as important as what you describe.

Often, behavior-based questions begin with a phrase like, "Tell me about a time when" and then go on to establish the competency you may have used in the past. Common themes in these questions include: time management, conflict resolution, decision-making, judgment, critical thinking, collaboration, and service orientation.

The Career Development Office recommends you respond to behavior-based interview questions using the STAR method, an acronym that stands for Situation/Task, Actions, and Result. To use this approach, you first identify and describe the Situation/Task, then the Actions you took, and then the Result (or outcome).

The key to an effective behavior-based interview is preparation. Your preparation should include identifying examples where you have demonstrated successful behaviors associated with the job you want. The Career Toolkit offers additional guidance for preparing for behavior-based interviews.

Best Practices

Best Practices are "commercial or professional procedures that are accepted or prescribed as being correct or most effective."⁴ Best practices can be seen as a mindset and an approach in which you seek out examples of how others have solved a similar problem or provided a similar service and apply insight and lessons learned from those examples to your own solution or service implementation.

Billable Hour Requirement

Many law firms set a minimum number of billable hours that attorneys must meet as a performance measure. These represent hours that can be billed directly to a client; not all hours an attorney spends working are "billable." For example, an attorney may work a total of 9 hours on a given day but only be able to log 8 billable hours based on the kind of work completed during those 9 hours.

Bridge to Practice

The National Association for Law Placement (NALP) defines a Bridge to Practice program as "a program to provide recent law school graduates with an opportunity to develop and enhance their practical legal skills as they transition into the practice of law, generally by providing funding of some sort for a period

⁴ Definition of best practice in Oxford dictionary. Retrieved April 8, 2014, from http://www.oxforddictionaries.com/definition/english /best-practice

of post-graduate work in one of several kinds of legal workplaces."⁵

Business Drivers

A business driver is anything that is critical to the success or growth of an enterprise, without which the future of the business might be at risk. Although we usually think of business drivers as processes or conditions that are under the control of an enterprise, economic conditions or other environmental factors are also business drivers at times. Having an accurate understanding of what drives the success of your enterprise is important, so that you can optimize your success when possible and minimize risk when necessary.

In the case of a law firm, the reputation, talent, or relationships of the partners may constitute business drivers for one firm, while for another firm, location of the office may be a significant business driver.



C-Level

This is a business term that has begun to see wider use beyond the business world to include some law firms,

nonprofits, trade associations, and other organizations. It refers to key leadership positions within an organization that begin with a "C" (for "Chief") in their name, such as CEO (Chief Executive Officer), COO (Chief Operating Officer), and CFO (Chief Financial Officer), to name a few.

Career Portfolio

A career portfolio is an organized aggregation of one's career-related accomplishments, including documents, writings, honors and awards, licenses, photographs, timelines, certificates, contacts, and any other records from which may be drawn relevant resume or CV material during one's career. A career portfolio is personal and is not published in part or in its entirety, as it is simply reference material for the owner. Format is as the author chooses, and may consist of notes, folders, scanned material, originals, or any other forms of information. Everyone should have a career portfolio that is current, up to date, and comprehensive.

Case Study

A case study is a summarized hypothetical or adapted-from-real-life scenario which includes sufficient data and information to a.) Identify key points, b.) Identify data insufficiencies, and c.) Identify paths to resolution from which might be drawn the best path. Candidates for employment in firms, companies, non-profit organizations, or government offices are sometimes provided with case studies and are asked questions about the scenario. These are not always legal scenarios or problems, but may include ethical, financial, resource-related, political, or other considerations.

Centralized Recruiting

When a firm or organization relies on centralized recruiting, it means that they perform all recruiting activities through a single office that conducts recruiting across all departments. In an organization that uses centralized recruiting, recruiters may operate from more of a generalist perspective when it comes to industry or specialty area since they may have to recruit for many different types of positions beyond just the legal industry. This is in contrast to firms and organizations who rely on specialized legal recruiting where the recruiters typically have specialized knowledge of the legal industry.

Clinic

Most clinic programs place students in off-campus, legal environments where they are authorized to practice law under the supervision of a licensed attorney. Students routinely conduct research, interview clients and witnesses, write motions or memoranda of law, and advocate during hearings and trials.

⁵ NALP | Bridge to Practice Survey Report for the Class of 2011. Retrieved April 8, 2014, from http://www.nalp.org/bridge_to_practice_report

Cisgendered⁶

As understanding of the spectrum of gender identity has evolved, the vocabulary surrounding that understanding has broadened as well. Transgendered, the state of being born in a body that doesn't reflect the internal gender identity of an individual, has become a more well-known term and represents the "T" of LGBT. In order to make transgender less of an identification of "us" versus "them", the term "cisgendered" has entered the lexicon. Cisgendered refers to the state of being in a body whose outward gender identity matches the inward gender identity of the individual; the outside and the inside are in alignment. The use of the term cisgendered allows for conversations that are less likely to alienate transgendered individuals due to being identified as a quality, a condition, or an "other." It balances out the conversation.

Compensation

Compensation is remuneration given for services, very simply put. Compensation in an employment context is often a package that includes base pay and contingent pay, as well as benefits, perquisites, and cash equivalents such as stock, shares of ownership, or other commitments.

Compensation is usually based on job market conditions for specific jobs (cost of labor), and not the expenses associated with the location of the job (cost of living). Compensation in larger organizations is structured to include the fairness of pay among workers in various jobs or across practice areas; this principle is called internal equity and is balanced with the principle of external competitiveness. No factor associated with pay is more influential than affordability, which rests on the financial policy of the employer and the cost of running the business.

Compensation should be evaluated in light of all of its aspects, including paid time off,

health and welfare benefits, provision of transportation or parking benefits, educational benefits (including educational loan forgiveness), license fees, conference attendance, and any other inclusion for which a dollar value can be established or arrived at.

Not included under the heading of compensation, though these items may have value to an individual, are working conditions, prestige, quality of life or quality of work life, experience gained in a particular field, or anticipated promotion to a future position.

Competency

A competency is a constellation of knowledge, skills, abilities, characteristics, or behavioral attributes needed to perform a task, job, or role. By definition, competencies are measureable and usually exist within a specific structure related to a profession, industry, or organizational standard. Mastery of legal competencies, law job competencies, or lawyer professional competencies are often used as the basis for the management of associate and attorney professional development within firms and organizations. Because the point of establishing competencies is to predict the success of those who achieve the higher end of the range of competency, they may be grouped and organized into specific areas, such as practice management competencies, leadership competencies, social competencies, problem solving competencies, and so on.

Contract Lawyer

A contract lawyer works on legal cases on a contract basis. The attorney is temporarily hired by a law office for a specific job or period. When the job or period is finished, the contract is over. Many contract attorneys perform legal research, draft legal briefs and provide a full range of other services to law firms of all sizes. They can be engaged in activities such as document review in response to document subpoenas or a request for the production of documents. Contract attorneys typically work on a

⁶ LGBT Bar Safe Space Training, NALP 2013 Conference, Tampa, FL

project-by-project basis and are not full-time law firm employees.

Contract lawyering can be helpful as a bridge into the profession, to re-enter the profession, to sustain a new solo practice, to find another job in the profession, to maintain skill level and enthusiasm while unemployed, and to generate income between jobs. In order to succeed, a contract lawyer needs to be adaptable, a quick study, enterprising, independent, humble, conscientious, communicative and resourceful. Contract work can be an effective way to secure a fulltime job, if an attorney targets small to midsized firms, scours the classified ads, is flexible and is able to communicate with prospective employers. In some settings, lawyers who are under contract with a firm are not covered under their blanket malpractice insurance.

Corporate Counsel

A corporate counsel is the attorney for a corporation, usually paid full time for legal services (that is, paid by a set salary, not based upon billable hours). Corporate counsel may deal with transactions and contracts, such as licensing and marketing agreements, as well as employment and liability issues.

Cover Letter

A cover letter introduces one's resume or CV, expressing interest in a position, opportunity, company, field, individual, or mentor. Cover letters and resumes go together, and as individual documents, rarely go anywhere without each other. The cover letter explains you and your interest and intent, your story, and the things that don't belong in a resume. The point of a cover letter is only to get you into a conversation with whomever you send it to; it is best when it is brief but interesting. In the cover letter, you should ask for the conversation you want, not a job.

Famous among cover letters is Leonardo Da Vinci's, written to Ludovico Sforza around 1483, wherein he outlines his capacity and offerings, "... I shall endeavor, while intending no discredit to anyone else, to make myself understood to Your Excellency for the purpose of unfolding to you my secrets, and thereafter offering them at your complete disposal, and when the time is right bringing into effective operation all those things which are in part briefly listed below . . . " In closing, he offers a demonstration.

Customer Relationship Management (CRM)⁷

CRM stands for Customer Relationship Management is a "strategy used to learn more about customers' needs and behaviors in order to develop stronger relationships with them."⁵ Many software providers, including web-based software providers like Salesforce, offer CRM solutions, but CRM is much more than just a technology solution. At its heart, it is about developing and maintaining a systematic approach to tracking client needs and client interactions in order to build and maintain good working relationships with them to develop business.

Cultural Competency

Cultural competency refers to the effective functioning in a range of situations involving people of many different ethnicities, religions, races, gender orientations, social circles, socio economic contexts, political groups, and belief systems. Effective functioning is measurable, and for lawyer development refers to, at minimum, understanding differences, integrating that understanding into interactions with others, and moving freely throughout and among groups other than one's own to achieve group goals.

Culture Wars

While "Culture Wars" can refer to many things, in the context of career development we use it to refer to the differences between generations. We are at a time when many generations are mingling in the workplace

⁷ CRM Definition and Solutions. CIO. Retrieved April 8, 2014, from http://www.cio.com/article/40295/CRM_Definition_ and_Solutions

and the dynamics are in flux. Baby Boomers, Gen X'ers, Gen Y/Millennials, and, now Generation Screen, are all about to mingle in the workplace and they see each other in vastly different ways. This tension, for example, one side being seen as conservative and inflexible, the other side being seen as unable to accept direction, is a frequent topic of conversation in the human resources and career development fields, and the management of the dynamics between the generations is an evolving issue.

Curriculum Vitae

Also known as a CV, a curriculum vitae is a detailing of the author's career accomplishments and academic and professional research interests. Academic careers, some government jobs and careers, and many European employers require CV when an individual applies for a job or post. In addition to education, experience, skill areas, and hobbies or interests, a CV includes a list of publications (articles and books), presentations and speeches, bodies of work such as exhibits, participation in task forces, or advisory assignments, and leadership roles. The CV is not a marketing tool, and is expected to be precise, accurate, and exhaustive in representing the author. A CV is not the same as a resume, and though there are similarities, one may not be substituted for the other.



Diversity

Diversity means all the ways we differ. Some of these differences we are born with and cannot change. Anything

that makes us unique is part of this definition of diversity. Diversity efforts in the workplace have often been focused on identifying underrepresented groups and bringing them into the workplace.



ePortfolio (sometimes Electronic Portfolio)

An ePortfolio is a digital method for presenting a portfolio of work.

ePortfolios can take many different forms and may include many different types of documents, including a resume, personal biography, writing samples, documentation of pro bono work, etc. Additionally, ePortfolios may contain media such as PowerPoint presentations and/or videos of speeches.

Effectiveness Factors

Marjorie M. Schultz, Professor of Law at U.C. Berkelev and Sheldon Zedeck, Professor of Psychology at U.C. Berkeley, conducted research with funding from the Law School Admissions Council on "what lawyers considered to be the factors important to effective lawyering."8 Their final report details the study methodology and offers 26 effectiveness factors within 8 umbrella categories. The umbrella categories are Intellectual and Cognitive, Research and Information Gathering, Communications, Planning and Organizing, Conflict Resolution, Client and Business Relations-Entrepreneurship, Working with Others, and Character. Each of these includes sub categories; for example, strategic planning is one of three kinds of planning in the umbrella category Planning and Organizing. A complete list of the effectiveness factors follows:

- 1. Analysis and Reasoning
- 2. Creativity / Innovation
- 3. Practical Judgment
- 4. Researching the Law
- 5. Passion and Engagement
- 6. Questioning and Interviewing
- 7. Influencing and Advocating
- 8. Writing
- 9. Speaking
- 10. Integrity / Honesty
- 11. Able to See the World Through the Eyes of Others
- 12. Self-Development
- 13. Organizing and Managing Others
- (Staff/Colleagues)
- 14. Negotiation Skills

⁸ Zedeck, S. Predicting Lawyer Effectiveness: Broadening The Basis For Law School Admission Decisions. Law & Social Inquiry, 620-661.

15. Network-building and Business

Development

- 16. Building Client Relationships and
- Providing Advice and Counsel
- 17. Organizing and Managing (Own) Work
- 18. Developing Relationships
- 19. Evaluation, Development, and Mentoring
- 20. Problem Solving
- 21. Stress Management
- 22. Fact Finding
- 23. Diligence
- 24. Listening
- 25. Community Involvement and Service
- 26. Strategic Planning

Employment Application

An Employment Application is a document most employers use to collect information from candidates as a formal means of applying to a position. Information collected often includes: contact information, work experience, educational experience, and references. Some employment applications may ask candidates to provide the employer with permission to conduct a background check as well. This is a common procedure, but be sure to read the document closely so you are fully aware of what permission you are granting the employer.



Feedback

In a work context, feedback is a form of communication that helps an individual to determine how effective their

work product or efforts have been from the perspective of the individual providing feedback. How, when, and what feedback is provided is largely dictated by an organization's culture and the philosophy of one's supervisor or peers. Sometimes feedback is built into the structure of an organization's culture, where it can take the form of a formal performance review. More often however, feedback occurs informally through conversations at certain milestones within a project or upon completion of a project.

Front Office

The "front office" refers to the team or office that interacts directly with clients. This may be in a law firm, in a company, or in any other organization. "Back office" refers to the behind-the-scenes team in the firm or organization.



General Counsel

General counsel refers to a lawyer or law firm that represents a client in all or most of the client's legal

matters, but that sometimes refers extraordinary matters — such as litigation and intellectual-property cases — to other lawyers. General counsel may also refer to the most senior lawyer in a corporation's legal department, usually also a corporate officer.

Generation S

Generation S is a new term for children born after approximately 2007-2008. It stands for "Generation Screen" and refers to a generation that "will never know a world without screens, without being connected, without touch and swipe, or gesture control, or without cameras to capture, interact, share, and connect with others, instantly."⁹ The implications of being born into a world full of interactions with screens have yet to be fully understood, but this is one characteristic of this most recent generation that will likely play an important role in their formative years and beyond.

Generation Y / Millennials

These are labels used to identify the generation following Generation X. Generation Y / Millennials represent those individuals born in the late 1970s / early 1980s through the early 2000s. According to Desiree Moore, Generation Y / Millennials (a) have shorter attention spans, (b) are susceptible to boredom, (c) are skilled multi-

⁹ Is Your Brand Ready For 'Generation S' (Screen)?. Advertising Age. Retrieved April 8, 2014, from http://adage.com/article/digitalnext/brand-readygeneration-s-screen/236625/

taskers, (d) are technology dependent, and (e) are looking for feedback.¹⁰ Based on these qualities, she shared that a 30-second video is more effective than a 2-minute video when working with Generation Y / Millennials.¹¹ She also shared a three-part teaching methodology for effectively reaching this generation: (1) inspire, (2) instruct, and (3) call to action.¹²



Inclusion¹³

Inclusion involves bringing together and harnessing diverse people, forces and resources, in a way that is

beneficial. Inclusion puts the concept and practice of diversity into action by creating an environment of involvement, respect, and connection—where the richness of ideas, backgrounds, and perspectives are harnessed to create business value. Inclusion is about quality. Organizations need both diversity and inclusion to be successful.

Incubator / Accelerator

An incubator is a deliberately designed environment intended to provide support and guidance to start-up businesses to increase their chances of succeeding. Services may include instruction, business connections, office space, reception services, feedback, and access to like-minded others.

An accelerator is similar, but in most cases the participants will have moved beyond the start-up phase and are seeking growth rather than survival.

Law firm incubators, wherein the firm is itself a start up business, have been originated (in a pattern similar to a clinic) in law schools, in major cities, and in various practice areas in response to demand from those graduates originating solo law practice as a career destination.

Law firms may also participate in business incubation or acceleration as service providers. In those cases, the firm supplies expertise such as formation of the business entity, developing guidance around investment or funding agreements, ensuring compliance with regulatory agencies, ensuring copyright or patent protection to the fledgling business, and assisting with communications and negotiations.

Informational Interview

An informational interview is a conversation or meeting with an individual you believe can provide you with valuable perspective or intelligence, most commonly about a particular industry, career path, or area of expertise. The expectation is that you will have a brief opportunity to ask questions and seek perspective from an experienced individual. Informational interviews should typically be brief so that you are respectful of the individual's time. If you are reaching out to someone you do not know and have no personal connection to, it is typically best to ask for no more than 15-20 minutes of a person's time. If you are reaching out to someone you have a personal connection to or a referral to, it may be possible to meet for coffee, breakfast, or lunch. Regardless, all informational interviews should be respectful of the individual's time.

When someone is scheduling an informational interview, it is common that they do not refer to it as an "informational interview." Instead, you can simply contact someone, explain that you are a student or someone considering a career transition, and ask if they would be willing to speak with you for 15-20 minutes by phone or in person to share some insight on their position and the path they took to get there.

Questions to ask during an informational interview can vary widely, but a few sample questions include: (1) what is a typical day like? (2) what do you like best and least

¹⁰ As presented by Desiree Moore of Greenhorn at the 2013 NALP Annual Conference in the session "Speaking to Generation Next"

¹¹ Ibid.

¹² Ibid.

¹³ Jordan, T. Hudson. (2011, March 22). Moving from Diversity to Inclusion. Profiles in Diversity Journal. http://www.diversityjournal.com/1471moving-from-diversity-to-inclusion/

about this position or industry? (3) what were the most important experiences you had that led to this position? (4) since I am interested in this position, what advice do you have for how I can best prepare myself for an opportunity in this industry?

You should always follow up an informational interview with a handwritten thank you note.

Internship / Externship

In the legal profession, the terms internship and externship are used interchangeably. In most fields, an externship is an experiential learning opportunity that resembles an internship, but is shorter, lasting only a few days or weeks, less intense, and more narrow in scope.

In the legal profession or law school setting, an internship/externship is intended to provide real-life practical examples of the theory taught in the classroom, provide a student with a supervised or mentored sample of the work involved in a particular profession, give specific beneficial feedback on work performance to the student, and offer the student contacts and connections to a field or industry that might later benefit a student with a related career destination in mind.

At Stetson, the term internship refers to an unpaid, for-credit arrangement requiring application, registration, approval, faculty supervision, regular feedback, and final evaluation for credit. The term externship is not used at Stetson in place of "internship."

Some employers may use either term to refer to opportunities they offer for law students to gain experience in a particular field or task. Only nonprofit organizations, including the judiciary or other government branches, may offer unpaid internships or externships when work that benefits the employer is to be performed. Academic credit for experiential education, internships or externships, requires such an employer to meet certain standards and must be approved in advance.



JD Advantage Jobs

JD Advantage is shorthand for the field of careers in which a Juris Doctor degree or Bar Licensure is not

required, but for which knowledge of the law or the skills acquired in law school, such as negotiation, risk management, and an understanding of legal terms and government structure, might be beneficial in qualifying one for consideration or an "advantage" over other applicants.

JD Advantage is a classification of job type that is reported to various entities that collect employment statistics, and the actual definition utilized by the organizations varies slightly over time and from year to year.

JD Advantage jobs encompass a wide spectrum of careers and job titles, from contract negotiator, to athletic department compliance officer, to human resources manager, to risk management consultant.

Judicial Assistant

A Judicial Assistant is one of the staffers in a judge's chambers. The Judicial Assistant manages the chambers, and while his or her responsibilities vary from one judge to the next, they commonly include: organizing the judge's calendar, scheduling travel arrangements, coordinating judicial committee activities, maintaining office files and records, and performing any other duties necessary to ensure the chambers run smoothly.¹⁴

Judicial Law Clerk or Judicial Clerk

See also, Law Clerk. According to the *Law Clerk Handbook: A Handbook for Law Clerks to Federal Judges* (2nd ed., 2007, published by the Federal Judicial Center):

¹⁴ "Who Does What: Chambers Staff: Judge's Law Clerk and Judicial Assistant." Federal Judicial Center. Retrieved June 25, 2014 from

http://www.fjc.gov/federal/courts.nsf/autofram e!openform&nav=menu1&page=/federal/cour ts.nsf/page/351

"Law clerks have no statutorily defined duties; they carry out their judges' instructions. Because each judge decides cases in an individual manner and has developed work habits over the course of a professional career, no two judges use their clerks in precisely the same manner. You must become familiar with your judge's style and work cooperatively with the other members of the chambers staff so that, as a team, you effectively assist the judge in fulfilling his or her judicial responsibilities.

In most chambers, law clerks concentrate on legal research and writing. Typically, law clerks' broad range of duties includes conducting legal research, preparing bench memos, drafting orders and opinions, editing and proofreading the judge's orders and opinions, and verifying citations. Many judges discuss pending cases with their law clerks and confer with them about decisions. District court law clerks often attend conferences in chambers with attorneys. Frequently, law clerks also maintain the library, assemble documents, serve as courtroom crier, handle exhibits during trial, and perform other administrative tasks as required by the judge to ensure a smooth-running chambers. Law clerks for district court, bankruptcy court, and magistrate judges have substantially more contact with attorneys and witnesses than do their appellate court counterparts. The principal function of an appellate court law clerk is to research and write about the issues presented by an appeal, while law clerks for district, bankruptcy, and magistrate judges may be involved in the many decisions made at every stage of each case."



Lateral

A lateral typically refers to someone who is essentially in the same position and salary level within one firm

but is being considered for – or recruited for – a position in another firm. Some firms are intentional about having a lateral hiring strategy as a way of recruiting experienced talent.

Law Clerk

A law clerk, in a law firm, is typically a law student or recent law school graduate who helps a lawyer or judge with legal research, writing, and other tasks. They may also be referred to as externs, summer clerks, summer associates, or interns.

Black's Law Dictionary also cross-references law clerk with paralegal, in stating that both are a person who has <u>some</u> education in law and assists a lawyer in duties related to the practice of law but who is not a licensed attorney. A judicial law clerk falls under the same definition, but specifically assists a judge or judges.

Legal Assistant

A legal assistant or paralegal is a person qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity who performs specifically delegated substantive legal work for which a lawyer is responsible.

According to the Florida Bar Ethics rules, "A person who uses the title of paralegal, legal assistant, or other similar term when offering or providing services to the public must work for or under the direction or supervision of a lawyer or an authorized business entity as defined elsewhere in these Rules Regulating The Florida Bar."

Additionally, the Florida Ethics rules state that "although paralegals or legal assistants may perform the duties delegated to them by the lawyer without the presence or active involvement of the lawyer, the lawyer shall review and be responsible for the work product of the paralegals or legal assistants." It should be noted that paralegal and legal assistant are used interchangeably by the Florida Bar.

LinkedIn

Social media has swiftly changed the way we communicate, collaborate, and connect. In education, administrators find themselves constantly warning about the use of social media, and they traditionally mean Facebook, Twitter, and, now, Instagram, Pinterest, and Snapchat. LinkedIn is, however, one social media platform that career services offices often find themselves encouraging their students to use.

Originally established as an online location for the posting of resume information, LinkedIn has become a valuable tool for network building. Many businesses, schools, and groups have a presence on LinkedIn, and professionals join the site to share their professional accomplishments and connect with their network.

An individual with a LinkedIn account is able to denote their educational and employment backgrounds and specialties, be recommended for proficiency or excellency in certain skill sets, and connect to various groups. Groups on LinkedIn consist of alumni groups, interest groups, and various other discussion groups. Within these groups individuals can have discussions with and research various other group members. Individuals on LinkedIn can also determine their "degrees of separation" (how many people fall between them) from other individuals they might be interested in meeting or companies they would be interested in working for, allowing for research on certain career paths and the possibility of opening lines of communication and deeper specialized network development.

Loan Forgiveness

Loan forgiveness is when a portion of student loans are "forgiven" in exchange for some form of work in public service (government or public interest) for a set period of time.



Managing Partner

This title is used for the individual within a firm who serves as its chief executive. In fact, some firms have

begun to use the job title of "CEO" (Chief Executive Officer) for their Managing Partner. This individual is most commonly responsible for overseeing the business aspects of the firm and serving as the face of the firm.

Market Ready

Presented as a career development concept at the 2013 NALP Conference, "Market Ready" refers to a state of being for jobseeking law students. Market ready in this context means: will someone hire you? Will someone hire you compared to another possible applicant? What makes you hirable? What skills and experiences can you bring to the table? Are you professional enough? Are you polished enough?

When we ask our students if they are market ready, we are thus asking them to perform self-evaluation against the market they are entering to determine if they are competitive.

Mentee

A mentee is someone who receives advice, insight, training, and/or counsel from a mentor.

Mentor

A mentor is a trusted guide or advisor who helps someone less experienced through a learning process or portion of a learning experience, either by explicit agreement or by simply taking interest and following through with guidance. Stetson Law graduates who participated in the Bridge to Practice fellowship program in 2013 identified the following attributes of a worthy mentor: accessible and available, helpful, truthful in a kind and direct way, tolerant, pleased to mentor, and understanding. They suggested that a good mentor does not judge, but rather nurtures, asks questions and is sensitive to the changing needs of a new lawyer. The Fellows also pointed out that they preferred mentoring to happen organically and naturally through a process of listening and building trust.

Most professionals have more than one mentor at a time, don't necessarily refer to a mentor as a mentor until much later in their careers, and rely on the insight, perspective, and feedback of mentors throughout their careers.

An individual's mentors will likely change over time as career paths change.

Metric Driven

Increasingly, firm clients and particularly general counsel offices are examining the way they evaluate law firm performance. Metrics means performance measures, and they are usually matrixed and weighted in a dashboard-like format and monitored by both client and firm. The term metric driven means that the continued relationship has a basis in firm performance and that client satisfaction is grounded in quantifiable and mutually agreed upon standards.

Mini MBA

A mini MBA is a course of business study ranging from a one-day conference to a lengthy educational investment for attorneys who need graduate level competency in concepts and skills normally achieved through a Master of Business Administration program. Normally, the skills emphasized are in Financial Management, Risk Management, Accounting, and other quantitative competencies, but human resources, organizational development, and others may also be included. Courses may be offered by large prestigious professional organizations like the Association of Corporate Counsel or the American Law Institute or by large or medium sized law firms. Currently, some sizable firms are providing one or two-week Mini MBA course to incoming associates in order to ensure that associates are prepared for client work. Business schools are offering Mini MBA programs for attorneys and other target markets as well.

Myers Briggs Type Indicator (MBTI)¹⁵

The Myers Briggs Type Indicator (MBTI) is a well-known personality assessment instrument that separates individuals into sixteen different distinct personality types which reflect preferences in reactions, taking in and evaluating information, interacting with people, and re-energizing. These types also provide insight on stress triggers and stress relievers.

Over fifty years of research have been conducted on the Myers Briggs since its introduction. It is one of the most researched and utilized of all the personality assessments. Some of the research on how the insight provided by the MBTI instrument can lead to better self-understanding and study strategies for law students was conducted at the University of Florida.

Within the area of career development, some employers use the MBTI instrument in their firms and workplaces, and therefore it is beneficial to be aware of what it is and what it provides. In addition to helping students understand the diversity of personalities in the workplace and the variety of communication styles and problem-solving approaches, it also is a useful tool to help provide language and self-awareness to individuals to describe their value to potential employers and excel in interviews.



National Association for Law Placement (NALP)

NALP is a professional association of over 2,500 legal career professionals who advise law students, lawyers, law offices, and law schools in North America and beyond. NALP states its mission as this: "NALP is dedicated to continuously improving career counseling and planning, recruitment and retention, and

¹⁵ GS Consultants MBTI Consultant Certification Program

the professional development of law students, lawyers, and its members."¹⁶

Network Building

Network Building is the art of building a cooperative support system in which you are an active and giving participant. Keep in mind that "network" is a noun, and while we are all familiar with the use of "networking" as something that you do, a "network" is actually something that you build. This is why you will notice that the Career Development Office uses the term "network building" instead of "networking."

While building your network may seem a little overwhelming at times, remember that the art of building your network is something you can practice and improve. At its essence, building your network is really about developing new professional friendships. An important element of building your network is to think about what you can you offer to people and how you can help others. The Career Toolkit offers additional guidance on how to build your network.



Of Counsel

Attorneys who are "of counsel" are those who are affiliated with a law firm, but not as a member, partner, or

associate.¹⁷ The term "of counsel" is used in many ways and can be used to describe parttime relationships, retired partners, probationary to-be partners, or permanent associates.¹⁸ "Of counsel" attorneys are usually more senior than senior associates, but for various reasons are not on the path to partnership or are transitioning out of partnership.¹⁹

¹⁶ NALP - The Association for Legal Career Professionals | Mission. Retrieved April 8, 2014, from http://www.nalp.org/mission

¹⁸ The Florida Bar, Hot Topics in LOMAS (FAQ), Retrieved July 2, 2013 from https://www.floridabar.org.

¹⁹ Desiree Moore. (2012). Thrive: A New Lawyer's Guide to Law Firm Practice, Chicago, IL: American Bar Association, p. 33-34.

On Campus Interviewing (OCI)

On Campus Interviewing (and the acronym OCI) is a common term among law schools referring to the practice of inviting employers to campus to conduct interviews as part of the On Campus Recruiting (OCR) program. Most commonly, these interviews are for student positions as summer associates with law firms, and the Career Development Office has a particular process and timelines that students must follow to be considered for these opportunities. On Campus Interviewing also includes part-time positions available to students during the school year and post-graduate employment. You will commonly hear this abbreviated as its acronym, OCI.

On Campus Recruiting (OCR)

On Campus Recruiting (and the acronym OCR) is the process through which employers have a strategy for acquiring talent from the student body at a specific school for positions ranging from law clerk positions to full time permanent employment. On Campus Recruiting may take many forms of employer presence on campus, but typically consists of information sessions and presentations, network building events, informational interviews, on campus interviews (OCI), resume collections, and/or job fairs.

Online System for Clerkship Application and Review (OSCAR)

OSCAR is an online system for identifying and applying for judicial clerkships with participating federal judges. OSCAR can be accessed at https://oscar.symplicity.com.



Paralegal

The ABA definition states that "A legal assistant or paralegal is a person, qualified by education, training or work

experience who is employed or retained by a

¹ Garner, B. A. (2009). Black's Law Dictionary: West, p. 401.

lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible."

The ABA notes that the terms "legal assistant" and "paralegal" are, in practice, used interchangeably. The term that is preferred generally depends on what part of the country one is from. The Florida Bar rules, stated in the definition of Legal Assistant, also apply to paralegals.

Partner

General partner -- A partner who ordinarily takes part in daily operations of the firm's business, shares in the profits and losses, and is personally responsible for the partnership's debts and other liabilities. Can also be called full partner.

Equity partner – a partner who has ownership interests in the firm and can share in the profits.

Junior partner -- a partner whose participation is limited with respect to both profits and management.

Named partner -- a partner whose name appears in the name of the partnership.

Non-equity partner – a partner who does not have ownership interests in the firm and does therefore not share in the profits.

Senior partner -- a high ranking partner in the entity.

Silent partner -- a partner who shares in the profits but who has no active voice in management of the firm and whose existence is often not publicly disclosed.

Surviving partner -- The partner who, upon the firm's dissolution because of another partner's death, serves as a trustee to administer the firm's remaining affairs.

Personal Branding

Similar to the way celebrities or corporations manage their brands, individuals stand to

benefit from being intentional about identifying the brand (or image or reputation) they want to cultivate and then making sure to take the necessary steps to live and communicate that brand.

While some may feel that personal branding represents an overly commercialized viewpoint of the self, which it can be when taken to extremes, others recognize the value of being intentional about the image you are creating in the world and taking steps to convey that image through all channels of communication an individual uses - including but not limited to business cards, social media, emails, email signatures, wardrobe, and presentation style. In addition to communication channels, it also relates to where one chooses to devote time and energy, including expertise one cultivates, extracurricular activities one engages in, and experiences one has. Anything that has the potential to influence someone's image ultimately influences his/her personal brand.

Practice Interview

A practice interview is a simulated interview to provide a student or an alum with interview experience and feedback. In a practice interview, the interviewer will often be a staff member who conducts an actual interview with the candidate and then at the conclusion of the interview provides detailed feedback to help the candidate understand how he or she presented and was perceived. In addition to the feedback, candidates often find this to be a helpful form of practice to get more comfortable answering questions and telling his/her story in an interview setting. The Career Development Office offers students and alumni practice interviews, and these can be scheduled by contacting 727-562-7815 or emailing career@law.stetson.edu.

Presentation Ready

Students and alumni can be mentally ready and be well educated in the knowledge attorneys need, but are they actually ready to put themselves in front of the interviewers, hiring managers, or judges? Presentation Ready refers to a state of being in which a student or alumnus is polished in their appearance, network building skills, and speaking skills, and they possess and present the appropriate confidence to match.



Rainmaker

A "rainmaker" is a slang term that is commonly used and defined by Merriam-Webster as "a person (as a partner in

a law firm) who brings in new business."²⁰ A rainmaker is seen as someone who provides great value to the organization by "making it rain," in other words, by generating new business and/or clients for the firm.

Resume

A resume is a document summarizing an individual's education and experience, and highlighting accomplishments that may be relevant for a particular job or company's requirements. Though a resume is often regarded as a marketing tool, conventions surrounding the resume are extremely important and can be complex. Legal employers in particular may have strict standards about resume form or contents or both, and it is worth checking on any individual employer's expectations about resume length, inclusions, and exclusions.

There are plenty of resume examples and templates available everywhere you look, and advice from self-proclaimed experts and advisors abounds. For the most part, the purpose of a resume is to accompany a good cover letter, and to make the case that the subject author should be invited into a conversation about a job or opportunity (an interview). Most resumes in the legal profession are concise and to the point, and may be one or two pages depending on the objective and the experience of the writer.



Self-assessment

In the context of developing and launching a professional career, self-assessment is the beginning of a process that leads to effective and useful personal choices about activities, discretionary time, jobs, and priorities. A selfassessment may consider one's personality, resources, values, competencies and skills, interests, and personal constraints. If you don't clarify your own preferences, strengths, and weaknesses, pressure from others and beliefs about what you should do may make it difficult to set a career course that makes sense for you and results in fulfillment and happiness. Engaging in a self-assessment process is a form of research, where the subject is you and your career.

Self-promotion

Self-promotion is closely related to the concept of personal branding. From a career perspective, self-promotion focuses on finding ways to convey successes, accomplishments, and personal brands to an audience, which often consists of a combination of stakeholders, including but not limited to one's supervisor, colleagues, clients, potential clients, customers, and potential customers. The idea behind selfpromotion is that every individual has a story, and each individual has some responsibility in articulating the positive elements of that story to the desired audience. Self-promotion is an art and should be done with great care so an individual does not appear arrogant or self-centered. One example of selfpromotion is to send a brief press release to the editor of the Stetson Lawyer to notify them of an important accomplishment in case an opportunity arises for them to include a mention in an upcoming issue.

Shareholder

A shareholder is a person who owns or holds a share or shares in a company, especially a corporation. Per discussions on Avvo:

If a lawyer is a shareholder, the implication is that the law firm is a corporation. The issue is clouded because not only are shareholder and partner often used loosely, there are some lawyers that are called "non-equity" partners, which means that the firm gets to use the lawyer's name, but the lawyer has no

²⁰ Rainmaker. Merriam-Webster. Retrieved April 8, 2014, from http://www.merriamwebster.com/dictionary/rainmaker

ownership interest in the firm. Even as a shareholder, the lawyer may have only one share out of thousands, and have no control over the operation of the firm. Additionally, every law firm is structured differently. Sometimes the terms "partner" and "shareholder" are used interchangeably; sometimes one is used to indicate the structure of the firm; sometimes there are multiple levels and types of ownership. In dealing with the public, a law firm cannot do anything to mislead. If you have a question about the structure of a particular firm, you should ask someone in that firm about its structure.

Most likely there is no difference at all. Law firms used to be partnerships, but then law firms began to operate as corporations to limit personal liability and partners became shareholders.

SMART Goals

Goals have great importance in achieving levels of performance in all areas of our lives. Setting goals and working toward them can help to propel us to new levels of accomplishment. However, goals require certain attributes and characteristics in order to be effective. We call goals SMART when they are Specific. Measureable. Actionable and Attainable, Relevant and Results-based, and Time Bound. Each of these characteristics has relevance to articulating and working toward goals; SMART sets the usefulness and effectiveness standard where goals are concerned. If your goals meet the SMART criteria, they are usually deemed to be likely to work for you, assuming that you work toward them and evaluate your progress at intervals.

Solo Practice / Sole Practitioner

Solo practice is the practice of law by an attorney who has no partners or associates. Such attorneys run their own firms.

Speed Networking

Speed networking has grown in popularity in recent years in the business world as an efficient and engaging format for a network

building event that encourages participants to have brief interactions with multiple people. Writing for Entrepreneur magazine, Ivan Misner offers the following perspective on speed networking: "Speed networking programs generally involve people meeting each other one at a time for a short interval and then moving on to the next person in line. They are fairly structured in the way people queue up to meet. For example, one variation is to have two concentric circles of people. The individuals sit across from one another and after the set time period generally one or two minutes - the outside circle of people gets up and moves in one direction around the circle until everyone has met."21 While it may have its detractors who find that conversations can feel forced, superficial, and too limited in time (as brief as 1-2 minutes and as long as 5-6 minutes), others find this to be a valuable format for a network building event to encourage individuals to connect who may not otherwise meet one another.

Sponsors (vs. Mentors)²²

Mentors give advice, counsel and strategies to learn the ropes you haven't learned yet. Mentorship is a coaching and support relationship. Sponsors, by contrast, go to bat for you, put your name in the hat for new assignments and - this is the important part sponsors have some of their own personal brand equity and credibility riding on your success. They ask others to believe in you. Sponsors make you visible to leaders within the company and to top people outside as well. They connect you to career opportunities and provide support when you encounter trouble. When it comes to opening doors, they don't stop with one promotion. They'll see you to the threshold of power. Mentors can also be sponsors, but they're not the same.

http://www.entrepreneur.com/article/180954

²¹ Speed Networking and Beyond. Entrepreneur. Retrieved April 8, 2014, from

²² Sponsor vs. Mentor – 3 Tips for Attracting a Sponsor. InPower Women. Retrieved April 8, 2014, from http://www.inpowerwomen.com/sponsor-vsmentor-3-tips-attracting-sponsor/

Staff Attorney

For a <u>court</u>: A staff attorney works on matters such as reviewing motions, screening docketing statements, preparing scheduling orders, and examining habeas corpus petitions. A court's staff attorneys do not rule on motions or decide cases, but do research factual and legal points, and recommend proposed rulings to judges, as well as drafting the orders implementing those rulings.

For <u>government</u>: A staff attorney for a governmental entity, such as a city, handles civil cases in which that governmental body is involved. Working as an attorney in an administrative agency or an office in local, state or federal government, the job could involve drafting of legal documents and contracts, research, providing advice to elected and appointed officials, and enforcing laws, rules and regulations.

For a <u>firm</u>: A staff attorney works for a law firm and performs the functions of an associate, but is usually not on a partnership track.

Strategy

From a career development perspective, strategy is the set of choices an individual makes to differentiate himself/herself effectively within a chosen industry. A strategy consists of answers to important questions about the value one wants to create in the world and how that value will be created.

In a business sense, Roger Martin defines strategy as "the making of an integrated set of choices that collectively position the firm in its industry so as to create sustainable advantage relative to competition and deliver superior financial returns."²³ He continues by adding that "strategy is a singular thing; there is one strategy for a given business — not a set of strategies. It is one integrated set of choices: what is our winning aspiration; where will we play; how will we win; what capabilities need to be in place; and what management systems must be instituted?"

It is important to note that while tactics are related to strategy, tactics do not take the place of strategy. Tactics are essentially the steps or the actions needed to live the strategy.

Summer Associate

A summer associate is not an attorney but works in a law firm traditionally over the summer between their second and third year of law school (although some firms accept students during the summer between their first and second year). These positions are typically competitive and often serve as a tryout for a job with that firm following graduation and/or Bar passage. The summer associate program is often the primary method by which a law firm recruits for fulltime associate positions.

Summer associates are given substantial work and given feedback on their performance. They are typically exposed to a variety and range of legal assignments that use skills learned in law school. These positions are valued by law students who plan to work in a law firm after law school.

Symplicity

The Office of Career Development now uses an online career development platform service called Symplicity. Symplicity allows students and alumni to create individual accounts, access job postings and information about upcoming events and interview opportunities, store career documents, research employers, and access useful documents and resources. Symplicity also allows employers to customize application delivery methods and create a customized profile while allowing students to upload job search documents, apply for positions online, and review employer profiles.

²³ Martin, Roger. (2013, February 5). Don't Let Strategy Become Planning. Harvard Business Review.

http://blogs.hbr.org/cs/2013/02/dont_let_strategy_b ecome_plann.html



Transparency

There has been a movement in recent years toward a greater clarity and openness in published post-graduate

employment statistics. Law schools are now striving to provide more clarity and ease in comparison of the numbers they provide online and to prospective students. This movement has encouraged changes in the reports requested by the ABA and NALP, has spawned various online resources to compare schools on the same metrics, and has changed the language spoken by prospective law school students.

Unbundling (of Legal Services)

Unbundling legal services is also known as a la carte legal services, in which a lawyer

and client reach an agreement to share responsibility for the client's matter. Under such an agreement, the attorney lays out specifically what has to be done to reach resolution, and represents the client only on the aspects of the matter agreed by the client. The client accepts responsibility for the rest of the work, by agreement that it is work that can be performed without representation. Unbundling takes many forms, but is often characterized by flat-fee pricing and a resulting lower cost to a client who might not otherwise have access to legal services.

According to Stephanie Kimbro, writing in the Harvard Journal of Law and Technology, "Changes in technology and consumer behavior have irrevocably changed the method of legal services production and delivery. Unbundling permits lawyers to adapt to changes by slowly making their processes more cost-effective and efficient through the use of technology."²⁴

Underemployed

As the economy has shifted in recent years, underemployment has become a more frequently used term and state of being. Underemployment tends to refer to a situation of not having enough paying work, not working in a position that takes full use of ones' skills or abilities, or not making as much money as is needed. This can result from working part time when full time work is desired. This can also result from an individual taking a job that does not make full use of their education. For example, an individual with a Juris Doctor could be considered underemployed if they were working as a bartender, as the skills and knowledge acquired from attaining a law degree are not necessary for work as a bartender. There is often an aspect of unfulfilled interest in greater work/more work/greater required skill level that exists in underemployment.



Value as Measured by Metrics

Most companies have moved away from measuring their value in terms of goodwill and

immeasurable feedback and toward finding ways to wrap metric-driven measures around services and experiences offered. Law is no different. Law firms in the recent economy have found themselves asked more frequently by clients to explain their bills. Blanket hourly costs are now being broken down into more distinct pieces. In order to explain the actual costs being passed along to clients and customers, employers are finding more ways to measure actual work output. Graduates, thus, are moving into work environments that they are unfamiliar with in many ways and in which their work is measured both in the traditional billable hour, which is an adjustment in and of itself, but in terms of various other metrics as determined by the employer. Their value as employees is discussed in terms of these metrics, as well, in regards to retaining them or moving them up the ladder of success.

 ²⁴ Kimbro, Stephanie. (2013 February). Using
Technology to Unbundle in the Legal Services
Community. Harvard Journal of Law & Technology
Occasional Paper Series.



Writing Sample

A writing sample is nearly always requested of applicants for jobs in the legal field, because thorough

research and accurate and precise writing are important skills expected of a law student, law school graduate, or lawyer. A writing sample is only offered when requested, and should be selected for relevancy to the specific career opportunity under discussion. One should maintain multiple writing samples in advance of a request for one, and should be aware of constraints around writing samples, such as client confidentiality, firm or agency policy, and conventions about writings done with or on behalf of others. Writing done under supervision of another lawyer may require that individual's permission to use the writing as a sample. Though samples are usually expected to be legal writings, articles and other publications are often excellent writing samples to offer as well.



Ze/Zee²⁵

The traditional choices for gendered pronoun choices are He versus She, and Him versus Her. However, it is

important to recognize that gender does not exist in an either/or format, and, in fact, spans a spectrum. For individuals who do not identify as either a "he" or "she," a third option, "Zee" or "Ze" is available.

Stetson University College of Law's Office of Career Development first utilized this language in the Career Toolkit Workbook, and this use of the alternate gender pronoun was shared with the panelists at the 2013 LGBT Bar Safe Space Training that occurred at the 2013 NALP Conference. The panelists, D'Arcy Kemnitz, Lori Lorenzo, and Shannon Price Minter, embraced this use of he/she/ze in the CSO literature and have included it in a short list of items to include in a list of best practice recommendations to NALP.

 $^{^{25}}$ LGBT Bar Safe Space Training, NALP 2013 Conference, Tampa, FL