

# LAWYERING SKILLS & VALUES

Handout Series #4

Do you wonder just what law firms and legal organizations are looking for in an ideal candidate? The following discussion outlines fundamental lawyering skills.<sup>1</sup> Of course, no one person exhibits all of these skills. Many of these skills you will have acquired before entering law school, so you will just need to identify them. Some skills will be learned here at McGeorge. Others will be acquired only over time. Employers want to know that you possess at least some of these skills because they will be used on the job, even in your first summer.

Once you have had a chance to review this list, go back over your cover letters and resume(s) to make sure that you have highlighted some of these skills. Make sure you have given concrete examples of their use. Go over your interview “infomercial,” i.e., how you present yourself in an interview. Do you have anecdotes which illustrate these skills, or are you simply reciting your job descriptions? Don’t make the interviewer work to see what skills you have acquired and honed in the course of each job--spell them out. The key is to show employers how your past experience translates into transferable skills that will allow you to make a significant contribution to their organization.

## **I. GENERAL CHARACTERISTICS IMPORTANT FOR LAWYERING**

- Initiative
- Motivation
- Creativity
- Energy
- Follow-through
- Ability to juggle multiple tasks and prioritize
- Ability to pick up new information quickly
- Ability to deal with time pressures and tight deadlines
- Ability to work well in a team

## **II. FUNDAMENTAL LAWYERING SKILLS**

### **A. Problem Solving**

- Identifying and formulating legal issues

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<sup>1</sup> This handout has been adapted from materials prepared by Hastings College of the Law, Office of Career Services.

- Generating alternative solutions and strategies
- Developing a plan of action
- Implementing the plan
- Keeping the planning process open to new information and new ideas

**B. Legal Analysis and Reasoning**

- Identifying and formulating legal issues
- Formulating relevant legal theories
- Elaborating upon/extrapolating legal theory
- Evaluating legal theory
- Criticizing and synthesizing legal argumentation

**C. Legal Research**

- Knowledge of the nature of legal rules and institutions
- Knowledge of and the ability to use the most fundamental tools of legal research, including Westlaw, Lexis, digests, annotated codes, etc.
- Understanding the process of devising and implementing a coherent and effective research design

**D. Legal Writing**

- Editing and proof-reading
- Organization (IRAC)
- Objectiveness
- Persuasiveness
- Clarity
- Efficiency
- Grammar, punctuation and spelling

**E. Factual Investigation and Interviewing**

- Interviewing clients, witnesses, experts, etc.
- Determining the need for factual investigation
- Planning a factual investigation
- Implementing the investigative strategy
- Memorializing and organizing information in an accessible form
- Deciding whether and when to conclude the process of fact-gathering
- Evaluating the information that has been gathered

**F. Communication**

- Assessing the perspective of the recipient of the information
- Using effective methods of communication
- Communicating complex information, in plain English to an audience that may not be familiar with the concepts involved

**G. Counseling**

- Establishing a counseling relationship that respects the nature and bounds of a lawyer's role
- Gathering information relevant to the decision to be made

- Analyzing the decision to be made
- Counseling the client about the decision to be made
- Ascertaining and implementing the client's decision

**H. Negotiation**

- Preparing for negotiation
- Conducting the negotiation session
- Counseling the client about terms obtained from the other side in the negotiation; implementing the client's decision

**I. Litigation and Alternative Dispute Resolution Procedures**

- Knowledge of litigation procedures at the trial-court level
- Knowledge of litigation procedures at the appellate-court level
- Advocacy in administrative and executive forums
- Proceedings in other dispute-resolution forums

**J. Organization and Management of Legal Work**

- Formulating goals and principles for effective practice management
- Developing systems and procedures which ensure that time, effort and resources are allocated efficiently
- Developing systems and procedures to ensure that work is performed and completed at the appropriate time
- Developing systems and procedures for effectively working with other people

**K. Marketing and Client Development**

- Selling
- Presenting
- Building professional relationships
- Fund raising

**L. Recognizing and Resolving Ethical Dilemmas**

- The nature and sources of ethical standards
- The means by which ethical standards are enforced
- The processes for recognizing and resolving ethical dilemmas

Now that you can identify lawyering skills and values, be sure to explain to potential employers the ways in which you have already begun to develop your lawyering skills, even if that development has occurred in a nonlegal setting.