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The State of the Summer Program

Whether you have a job or are still searching, be ready for whatever happens in this crazy economy by creating your own successful summer program

by G.M. Filisko

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McDermott Will & Emery is frank about changes to its 2009 summer program. "We are hiring smaller classes in all our U.S. offices," explains Lydia R.B. Kelley, a partner in the firm's Chicago office and cochair of its recruiting committee. "We are still considering the length of our summer program. Workflow is a concern. We want to keep our summer associates productive but not dilute our associates' work. There is a balance to be struck."

Luce Forward, with roughly 200 lawyers in six offices throughout California, is also candid—to a point. It confirms it has cancelled its 2009 summer class. However, the firm declined to discuss any details, including whether it is providing job-search assistance or severance to the students who have been let go before they even reported for work.

Firms that are willing to discuss the status of their 2009 summer class are in the minority. Many—including six BigLaw firms contacted for this story—will not comment on the issue. That lack of transparency has left students on pins and needles worrying about their future. Will their offer to work at a law firm this summer still be available when their start date rolls around? If it is, will firms judge them more harshly than ever before?

Fret not. No matter where you land this summer, you can take control of your career and create a summer experience that moves your career forward.

First, the news

Though some law firms have created a wall of silence in this economic downturn, not all have. Nor have legal career counselors. What both are reporting is clear: summer programs will often be smaller and sometimes shorter, and there will be fewer extravagant outings in favor of more reasonably priced events. In some cases, smaller, shorter, and budget-conscious programs reflect the retrenchment taking place throughout the economy. In other cases, firms say program changes have little to do with the economy—but with continued conservative management.

One person who has seen changes in summer programs is Robert C. Levine, assistant dean of career development at Nova Southeastern University—Shepard Broad Law Center in Fort Lauderdale, Florida. Levine's informal survey of students who participated in his school's on-campus interviewing program reveals that some firms have quietly altered their 2009 summer programs.

"We had a similar number of students who received offers this year compared to last," explains Levine. "But a few firms have shortened their program by a week or two. And one firm basically told a student, 'We still want you, but we are not going to have our program in this particular office. If you want to continue with the offer, you will have to do it at this other office.' Based on our advice, the student is going to the other office."

Also seeing firms downsize their programs is Tim Swensen, assistant dean and director of the career services office at the University of Dayton School of Law in Ohio. "I do not think there is any question that at least in our region—which includes Cincinnati, Dayton, and Columbus—there have been cutbacks in summer programs," says Swensen. "Big firms that would take 8–12 associates are cutting back to 4–8. They have definitely scaled back from where they were two to three years ago."

Keating Muething & Klekamp, a 115-lawyer firm in Cincinnati, is among those scaling back. Keating's 2009 class will be less than half the size of its 2008 class. "We decided in the fall of last year to have a smaller class," explains D. Brock Denton, who chairs the firm's hiring committee. "That just reflects a conservative outlook given the current economic environment." In 2008, the firm had 13 summer associates. This year, that number will drop to 6.5, with six students working the entire summer, and another working for less than the full summer.

Dickinson Wright, with six offices in Michigan and a seventh in Washington, D.C., will also have a slightly smaller class, but not because of economic concerns. The firm will have the same number of second-year summer associates but fewer first-years. "Overall, we are reducing our 1L hiring a little bit," says Daniel Quick, a member in the firm's Bloomfield Hills, Michigan, office. "But it is less of an intentional effort to reduce the class than the applicant pool and how it panned out."

On the West Coast, Hanson Bridgett, a 150-lawyer firm with four offices in Northern California, typically averages five to nine summer associates each year. This year will be no different, says Sandra Rappaport, a partner in the San Francisco office who heads attorney hiring. "Our firm has always had a fairly small summer program," says Rappaport. "Last summer we had eight summer associates—that was one of our larger classes. We tend toward five to six, and we will have five this year."

All three firms say that because they have never gone overboard with extravagant social events for summer associates in the past, they

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have not cut their budgets for 2009. However, Hanson Bridgett may still tighten expenses. "We have never done huge, over-the-top summer activities," explains Rappaport. "We want to have activities for social interaction and do not want to limit that. But like all firms, we are trying to be cost-conscious. So there may be some discussion of the level of restaurants we will go to."

Greater expectations?

Class size and the social budget are only a small part of the story of the 2009 summer class. More important is whether the contracting economy will cause firms to scrutinize summer associates' work more closely than ever before. To some career counselors, the answer is obvious.

"Summer associates are absolutely under more pressure to perform well," says Julie A. Fleming, a lawyer and founder of Life at the Bar, a lawyer coaching and consulting firm in Atlanta. "The old rule that a full-time offer is a summer associate's to lose is no longer true given layoffs and the continuing and increasing economic pressure many firms are experiencing now."

Some firms deny that, saying they have always been tough taskmasters and expect to make offers to all summers who perform well. "We hire only the number of summers we anticipate we will need for full-time positions," says Keating's Denton. "Our intent is to hire the best, and assuming they do a good job and perform as we expect, we will have a spot for them. I do not think we will evaluate them any differently."

But the troubled economy has reinforced for firms that the burden of proof is on summer associates. "Our message has always been we have room for you, but you have to prove you are somebody we will want as an attorney and a partner one day," explains Hanson Bridgett's Rappaport. "In an economy like this, we will get that message across, and there is no doubt if somebody is on the bubble and has not performed very well on the bulk of things, that person is not going to get the benefit of the doubt."

Whatever firms' message to their summer class, career counselors say students are concerned that the worst of law firm downsizing is not yet over. They fear they will get caught between firms' current staffing plans and the economic reality firms may face as Labor Day nears.

"Firms are likely to deny that they will review associates more closely, and they may be accurate—they always want excellence," says Swensen. "But if the reality is that you have hired five people and, as the summer is coming to a close, you get the sense you will need only three to four, what do you do? Clearly, you extend offers to the top three to four or the ones who have demonstrated excellence in the practice areas you will need. I am hearing that concern, and that may prove to be a reality-based anxiety."

Bring your A game

Because this economy makes predicting the future a lesson in futility, career counselors recommend that you assume firms will take a harder look at every summer associate this year. You must step up your game accordingly.

Before you walk in the door, remember why you are there. It is not to make money and have fun. "Your goal should be to do A-plus work," says Denton. "It is also to build a group of supporters who think your work is good and at the end of the summer will be strong advocates for hiring you."

Start by making a good first impression. "It is probably safe to say that it is more important than ever that summer associates ramp up as quickly as possible," says McDermott's Kelley. "That encompasses a lot of things—getting your bearings on your floor so that you know where you are going; knowing your assistant right away so the assistant can be an asset to you; having a process down for getting assignments so that you have a pad and pen and are ready to go. If you do that in the first week of your summer associate stint, that will help you more than if you get there halfway through the summer. It will position you as best as possible, where that may not have been as critical 10 years ago."

Make sure you build solid, professional relationships with everyone you meet. "The key this summer is being much more thoughtful not just in your work but with the individuals you are working with," says Ari L. Kaplan, a New York City lawyer and president of Ari Kaplan Advisors, a career and business development consultancy. "Demonstrate the kind of person you are and that you are someone people would want to work with by listening more closely to what is motivating them."

For example, Kaplan suggests creating Google alerts (www.google.com/alerts) for lawyers you have met or would like to meet. By typing in their names, their biggest clients' names, or hot topics in their practice areas, you will be alerted each time there is an Internet mention of those keywords. That will provide you with an opportunity for a substantive connection.

Another way to create bonds is to remember milestones like birthdays and anniversaries. "Also listen for time-specific clues that allow you to maintain a relationship," explains Kaplan. "For example, if you are in a client meeting, listen for comments from the client about an upcoming deadline unrelated to the legal matter so the lawyer with whom you are working can use that as a chance to wish the client luck. Maybe the client is having an anniversary at the company, or maybe the company is launching an initiative. Any connection is valuable."

As you get to know firm lawyers, look for a mentor. "One thing I tell students, and I have recommended it this go-around more than ever before, is to find a mentor at the firm," advises Swensen. "Ask that person, 'What is going to differentiate a good summer from an excellent one because I want to be excellent?' Then follow up with your behavior. If you are just trying to brownnose, that is a lost cause. You have to back up your comments with actions."

Finally, keep track of the firm's health during and after your summer stint so you can be ready for the worst-case scenario. "Be attentive to financial conditions of the community and the firm," advises Fleming. "Do everything possible to secure a full-time offer, but also get a sense of the likelihood that the offer will actually turn into a position after graduation. Notice any movement of firm lawyers—for example, if a key partner or a successful team moves to another firm—and evaluate the impact of those movements on the firm's financial health."

Learn from others' mistakes

In addition to things you *should* be doing during your summer gig, there are things you absolutely *should not* do. Here are real-life examples of bad moves by summer associates that you should avoid repeating.

- **Dressing too casually.** "We have had to talk to summer associates about attire," says Kelley. "It does surprise us what some people think is appropriate for lawyers to be wearing, and when we bring it to their attention, they are usually mortified. Flip-flops and sunglasses on the head are not good attire." Nor are bright lime green pants, which Denton encountered on a summer associate at Keating's office.
- **Mooching freebies.** "We have had situations where summers have been taken out someplace for drinks and on their way out ordered a bunch of food to go," says Rappaport. "We have also had them order the most expensive bottle of wine on the menu. That shows questionable judgment."

Communicating improperly. "Do communicate, and return phone calls," advises Quirk. "We have had cases in which a partner

- **Communicating improperly.** Be communicative, and return phone calls, advises Quick. "We have had cases in which a partner has called and left a message asking to speak to an associate, and the associate has fired back a quick e-mail. In the associate's mind, he has fulfilled the communication requirement. But he has not met the lawyer's expectation."
- **Showing a lack of commitment.** "One summer associate asked for the day off to go fishing on his birthday," says Denton. "We told him to go right ahead."
- **Displaying cockiness.** "We have seen a lot of summers who believe they are entitled to anything they want and behave as though, of course, they are going to get an offer," says Rappaport. "Do not expect that your wish is our command. And this year, more than ever, be careful not to have a sense of entitlement."

We all make mistakes, so if you fall victim to a blunder, your recovery is critical. "The only thing that is really necessary is to deal with the mistake in a straightforward way with the person with whom it happened," says Quick. "I have seen summers get into trouble when they try to cover it up or are less than honest in their excuse. That creates trust issues. Dealing with the mistake straight up and being sincere take you almost all the way home."

If mistakes lead to your not getting an offer this summer, remember that the experience is a setback, not a defeat. "Unfortunately, some people in our program do not get offers," explains Quick. "We tell them that life is not over, nor is their professional career. People who did not get summer offers have gone on to have incredible careers. One of my 2007 summers who did not get an offer is now clerking for a Michigan Supreme Court justice. You may not go directly from point A to B. You might have a way station in between."

Despite today's wretched economy, one thing remains constant. The summer associates most likely to walk away with an offer are those who are conservative in their behavior yet aggressive in doing good work and building sincere relationships. "Be a self-starter," recommends Denton. "Try not to just go through the motions. Think through every project, and do your best job. Network and get to know as many people as possible within the firm. Make the most of your experience, and immerse yourself in every opportunity you get throughout the firm."

G.M. Filisko is a lawyer and freelance writer in Chicago.

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