

Bulletin



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President (and they certainly are). What I did not expect was the discovery of a renewed interest in the profession and learning about aspects that I had previously ignored because they didn't apply to what I needed to get my job done. Now, when I speak to firm leadership, I am the "expert" on the industry and looked to for guidance on a much broader array of topics.

Listening is something we all strive to do better. When leading a board discussion effective listening takes on a completely new level of importance. It's the time to encourage others to be heard. I can't say that I have mastered this, but I find myself wanting to listen more. It has led to greater collaboration and better results and I see that playing out back in my day job.

One of the best parts for me was having the chance to observe and learn from the other members of the board, particularly the Presidents during my President-Elect and Immediate Past President terms. Terry Galligan and Mina Jones Jefferson had very

different leadership styles, and gave me a chance to see how different approaches can be effective. Sometimes, we just want to get the job done and don't think about the approach that will lead to the best result. I find myself doing more preparation in advance, thinking about what style of leadership is required. I have learned that you don't have to be the smartest or the loudest in the room to be an effective leader.

Overall, the experience of being President is a time commitment and it is manageable. It is an experience that you are well prepared for and shouldn't be dissuaded from by the fear of what you don't know, can't do or availability of time. Your association needs you to step up and embrace the challenge.

It is well worth it — not because you will get back much more than you put in, but because you will walk away from the experience better prepared to take on the challenges that most certainly await you. And you won't even know it's happening. ■

Creating Space in BigLaw for Indigenous Law Students

By Kristy Foreman

Kristy Foreman is a lawyer and the Assistant Director of Talent Management at Miller Thomson LLP, based in their Vancouver, BC, office. This article was submitted on behalf of the NALP Canadian Section.

Indigenous people are significantly under-represented in the legal profession. Even in 2017, they continue to face social and economic challenges in pursuing legal education. In the last 40 years, approximately 1,000 Indigenous people have graduated with a law degree in Canada. If Indigenous people were proportionately represented, there would be over 3,300 practicing lawyers today. This shortage of Indigenous lawyers suggests that there is still a long way to go before there is an equitable and diverse legal profession.

When asked if a career in BigLaw was on her radar in her first year of law school, Shawnee Monchalin was quick to respond, "Not a chance." Shawnee is a 2L Indige-

nous law student at Allard School of Law at the University of British Columbia (UBC) in Vancouver, Canada.

Why would a bright, ambitious law student like Shawnee shy away from the opportunities that BigLaw affords? As she shared with me, "I didn't think I would feel comfortable or welcome. I thought I would be restrained from connecting with my community. I thought I would feel pressure to be someone I'm not."

Shawnee's apprehension about BigLaw is reflective of the historical injustices perpetuated against Indigenous peoples in Canada and around the world over centuries.

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Truth and Reconciliation

In 2015, Canada’s Truth and Reconciliation Commission Report issued a call-to-action to communities, educational institutions, and businesses to advance the process of reconciliation with Indigenous peoples. The Commission called upon the corporate sector to adopt the United Nations Declaration on the Rights of Indigenous Peoples to ensure that Indigenous people have equitable access to jobs, training and educational opportunities.

In 2017, Miller Thomson was the first BigLaw firm in Canada to create its own Indigenous Internship Program. Miller Thomson is one of the largest law firms in the country, with 550 lawyers and 12 offices. The firm established two internships, one in Toronto and one in Vancouver. After interviewing all 15 students who applied, the firm hired Shawnee Monchalin from UBC and Jeremie Lachance from the University of Toronto.

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Shawnee

Growing up in Ontario, Shawnee’s Huron Algonquin Metis heritage was a mystery to her. Shawnee’s paternal grandfather and grandmother grew up on different First Nations reservations and left when they became adults. They met off-reserve and decided to hide their Indigenous roots to avoid discrimination.

When Shawnee moved to Vancouver to attend UBC, she decided to connect with her past and learn about her culture. She has since embraced the Indigenous community and is passionate about giving back. She is the Vice-President of the Indigenous Law Students Association and intends to practice Aboriginal Law when she is called to the bar in 2020.

Jeremie

Jeremie also grew up disconnected from his Indigenous heritage. His mother was born a member of the Little River Band of Ottawa Indians and was adopted by a non-Indigenous family. As an adult, he recognized that he was missing an opportunity to gain an in-depth understanding of his heritage.

Jeremie took the initiative to reconnect with the Indigenous community by volunteering with the Aboriginal Front Door Society in the downtown eastside of Vancouver. Jeremie provided much needed services to homeless Indigenous people, like his mother’s biological father who died two years ago.

Beyond the Internship

According to both Jeremie and Shawnee, their experience has set them up for success as they reach the halfway point of their legal education.

“I have a completely different way of thinking about the law.” Shawnee explained.

“Now when I’m presented with a new concept, I always think ‘how would a lawyer ask me to do something with this?’ or ‘what questions do I need to ask to understand this on a practical level?’”.

Jeremie appreciated the exposure to different areas of the law, such as commercial, sports, and labor law. He had always assumed that he would be a solicitor because of his business education, but he is now considering a career focusing on sports arbitration.

Both students feel strongly that other firms should create their own opportunities for Indigenous law students.

“A lawyer’s career is shaped by the experiences and opportunities they are exposed to early in their career.” Jeremie pointed out. “I hope that more firms see the value in meaningfully increasing the diversity of their workplaces by offering these types of opportunities to Indigenous students.”

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Shawnee hopes that other firms develop their own programs, but not just to check a box. She says that the program must be meaningful and designed to integrate Indigenous students, otherwise it will just perpetuate the assumptions they already have about BigLaw.

Firms may wish to consider the following 7 tips when starting up a program for Indigenous law students:

1. **Make the business case:** Draft a proposal to the executive committee of the firm. Highlight that the program will raise the firm’s profile at law schools among all law students who value diversity, not just Indigenous students. Such a program may also be seen as valuable by clients who have their own diversity benchmarks. Before submitting the proposal, ensure that the firm’s diversity & inclusion committee has endorsed the program.
2. **Perception matters:** Other diversity-focused internship programs have been

unsuccessful because of the negative perception of other law students. To change this perception, an Indigenous student program must be perceived by non-Indigenous students as a separate initiative for recruitment purposes. If the program is viewed as replacing a summer position that could otherwise have gone to a non-Indigenous student, there may be pushback that could derail the program. Miller Thomson avoided this situation by hiring the 1L interns in addition to its usual cohort of 2L summer students. If a firm typically hires both 1L and 2L students, this situation could be avoided by creating a hiring process separate from summer student on-campus interviews.

3. **Make the hiring process meaningful:** If possible, interview all Indigenous students who apply. Even the students who were unsuccessful in the Miller Thomson process appreciated having the opportunity to be exposed to a BigLaw interview in advance of on-

campus interviews. It is important to have in-person interviews wherever possible to increase the students’ comfort level and effectiveness. Ensure that the interview questions and format are respectful and culturally sensitive. Offer a cost-of-living stipend in addition to the salary to make the program accessible to students who do not live in the cities where the positions are located.

4. **Focus on integration and mentorship:** The Miller Thomson interns participated alongside other summer students in a national orientation program and in

teambuilding events to integrate them into the firm. Both students said that having a circle of mentors to rely on for support was critical. Shawnee said that one of her mentors was her “rock” who increased her feelings of comfort at the firm. Jeremie said that his mentors helped him feel like he had a long-term future at the firm.

5. **Strike a balance:** It is important to walk the line between providing additional support and treating the Indigenous students the same as the other summer students. Both Shawnee and Jeremie

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did not want there to be a labelled distinction once they arrived at the firm, but they did want the lawyers to understand they had only completed one year of law school and may need more time or detailed instructions.

6. Promote the program: Leverage your firm’s marketing department, social media, website, law school career services offices, and recruiting events. Ensure that the firm’s lawyers are familiar with the program and can promote it to clients. Shawnee and Jeremie are the best ambassadors for the Miller Thomson program. They are both returning to the firm for a second summer in 2018. Jeremie plans to promote the program to prospective Indigenous students at his law school. Shawnee plans to mentor the next 1L Indigenous law student to provide the same support that she received. In September of 2017, Miller Thomson was the only law firm among 8 corporate finalists for the *Canadian HR Award for Excellence in Diversity and Inclusion*. The firm won the award in

large part because of its Indigenous law student program.

7. Evaluate & evolve: Seek feedback on the program and adapt it to fit the students’ cultural and learning needs. For example, based on Shawnee and Jeremie’s feedback, Miller Thomson decided to eliminate the “internship” label to reduce the distinction between their Indigenous and non-Indigenous summer students.

Diversity initiatives like an Indigenous law student program can pave the way for students who would not otherwise have thought to pursue a career in BigLaw. It is important to recognize that the recruitment, integration and retention of Indigenous people in BigLaw will take time and does not end with the creation of an Indigenous law student program. But it is a start.

As Shawnee points out, “This program demonstrates not only a more diverse work environment, but also the dedication to create a space where Indigenous students like myself can learn, teach and thrive.” ■

Keep it Fresh, Keep it Focused! Innovative Techniques to Improve Lawyer Learning

By Karen Febeo and Kristin Heryford

Karen Febeo is Chief Talent Officer at Goulston & Storrs in Boston, MA. Kristin Heryford is Manager of Professional Development at Cooley LLP in San Diego, CA. This article was submitted on behalf of the NALP Lawyer PD Section.

We all want to create engaging and meaningful learning opportunities for our lawyers that prepare them to advance within our firms and serve our clients most effectively, yet all too frequently we face a number of hurdles to efficiently training our associates. Client demands, the pressure related to billable hours, the “always on” mentality created by the market, and advances in technology have all converged to change the way many lawyers view training and have created a disincentive for associates to spend their valuable time in a non-billable training session. Not to mention

the challenges created by quantity over quality, a lecturer that did not adequately prepare and drones on, the interesting discussion that has no practical takeaways, or those who think the only way is “the way it has always been done.” We all know that these are not the hallmarks of impactful learning opportunities for our lawyers. So, what can we do?

All hope is not lost. There are ways to leverage both new-school and old-school educational techniques to improve the quality

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