
Succeeding in Your Summer / Part-time Job*

Office of Career & Professional Development
© 2014, U.C. Hastings College of the Law

MAKE THE BEST IMPRESSION

Your interview continues throughout the summer. Your demeanor and work product during the summer is all information the employer will use to evaluate your performance. Take both seriously. You got the job, now do your best to impress!

Be enthusiastic about your experience! When asked how you are enjoying your experience, be enthusiastic! Tell people that you enjoy your work and your contact with the attorneys. Use these exchanges to ask attorneys about their work. Your enthusiasm and interest will be contagious and remembered when the hiring committee is considering giving permanent offers. If your summer/ part-time employment is temporary, it will still ensure a positive referral.

Demeanor and attire are part of the package. Dress in a suit on your first day. Dress in business/professional attire the rest of the summer unless you are specifically instructed to dress casually. Invest in some professional outfits (including shoes). Consider keeping a business jacket in your office/ at your desk in case you unexpectedly are invited to sit in on a client meeting or attend a court hearing. If you work for a judge or in a court house, you may need to wear a suit daily. Demonstrate professional behavior and demeanor—no iPods out on your desk, answer the phone as you would when expecting a call from your supervisor, and keep feet on the floor!

DEVELOP GOOD WORK HABITS

Hours: Don't be the last to arrive in the morning or the first to leave in the evening. Keep reasonable lunch hours, and be a team player.

Prioritize tasks to complete them on time and don't limit yourself to just one project at a time—show that you can multitask! Familiarize yourself with the office's calendaring and time-tracking systems.

Don't rely solely on email to communicate. There are four distinct generations in the workplace and for many, face-to-face communication is how you build relationships, not email. Be alert to how different individuals prefer to communicate. Don't hesitate to speak directly to partners and other associates. If you are using email for work, be formal in your language. Don't use abbreviations ("lol"), make sure your subject line

* A collaboration between the Career Office, the Legal Writing & Research Department and the Office of Externships & Pro Bono.

clearly identifies the purpose/content of the email, ALWAYS run spell-check, and confirm that the email is only going to the intended recipient before hitting send.

Communicate, communicate, communicate. You might be working with more than one attorney on a particular project. In the event you are working with a partner and an associate on a deal, make sure your instructions are clear. For example, an associate told a student not to complete a particular assignment that a partner gave her. The student did not confirm these instructions with the partner, who ended up faulting the student at the end of the summer for not completing the assignment. Verify major instructions with the attorney who will be reviewing your work at the end of each project.

Clarify assignments. If you start a project and realize you're still confused, ask follow up questions either in person or by email to ensure you give the attorney what she needs. It's much worse to guess, and guess wrong on what the attorney wanted.

There is no such thing as a rough draft. Some attorneys will say, "just give me a draft of this by tomorrow" but this doesn't mean it should be less than your best. They might well make revisions to any document you give them, but always make sure the document you turn in reflects your best work.

Always confirm the nature of the assignment before you leave the office by summarizing the assignment back to the supervising attorney: "So what you want is a client memorandum summarizing the state of the law in California on land use and you need this by Monday. Is this correct?"

Bring a pen and paper everywhere. Always bring writing material and a pen with you when going into other attorneys' offices—they may have a project for you or updated instructions that you will want to take down.

Proactively seek out feedback. Don't wait until your mid-summer or end of summer review to find out how assigning attorneys feel about your performance. After completing an assignment, ask to speak with the assigning attorney and express your eagerness to receive constructive comments. Have a few specific questions to ask; "I wasn't sure how to address the facts harmful to the case. How do you typically deal with potentially damaging facts?" Ask to see the filed product so that you can compare it to what you drafted. Even if you disagree with what is said, don't discuss your feelings during the feedback session. This will give you more time to make any necessary changes and will also reflect well on your professionalism. When leaving be sure to thank the attorney for taking the time to give you feedback. Incorporate feedback into your subsequent work. If you ever have questions about how to process specific feedback you have received, check in with the Career Office.

THE PEOPLE FACTOR

Get to know the attorneys who do the type of work you hope to do or want to learn more about. Introduce yourself at events, express interest in working for them or on their projects, and ask them about opportunities to accompany them to court. If you

have a mentor at work, tell her that you are interested in meeting with attorneys in a particular practice area.

Balance work and social events. Go to the majority of events by yourself so that you can circulate with the attorneys. Attend as many events as possible, but make sure you complete your assignments on time. If you need to miss a party to finish work, do so.

Steer clear of office politics. Avoid gossiping about *anyone*. Never, ever bad-mouth your fellow interns or anybody at work! Remember to be especially thoughtful to secretaries and support-staff; they can make or break your summer experience!

Alcohol at events. Use your judgment. Never drink during the day, no matter what anyone else is doing. Never feel pressure to drink. Alcohol at events is another part of your interview. The employer wants to see how you fit in regardless of whether you drink, and see if you would remain professional in a social setting with a client.

Smoking. If you can avoid smoking, do so- cigarette breaks take time and you risk offending a disapproving colleague. If you must smoke, make sure you freshen up with breath mints and perfume or cologne.

Keep personal and professional relationships separate. Firms and other employers are very sensitive to any conduct that might be construed as creating a hostile work environment. Maintain a professional demeanor, even in the face of strong temptations.

WHEN YOU GET AN ASSIGNMENT, ASK THESE QUESTIONS

Do you want a written or oral response? Some attorneys prefer written responses while others just want a quick oral summary of the results of your research. Others prefer a quick oral response to make sure you are on the right track before you begin writing. If you are preparing an oral response, be sure to keep accurate notes of your research and findings so you will be prepared if asked to go back to the subject and produce a piece of written work. Also, have copies of relevant cases or statutes with highlights just in case you are asked for them during your oral response.

Are there any materials that you think I should look at first? Sometimes the attorney knows exactly where the answer is, but forgets to mention it or assumes that you already know. You could save yourself hours in wasted research by finding out up-front that there is a certain treatise on the subject or a case directly on point.

Who will be the audience for this document, just the supervising attorney, or the client, government officials, etc.? When writing a memo, the distinction of who is your audience is very important. If the audience will be the attorneys in the office you might be able to presume a certain level of knowledge, while if the client is the audience you might want to adopt a more informative tone.

Are there procedural rules or standards that affect the approach I should take? For example, a complaint and demurrer address allegations, whereas a motion for

summary judgment or adjudication requires admissible evidence in support of allegations.

What is the jurisdiction for this case?

Do you have a model or a sample of the contract/shareholders' agreement/cable franchise? This will prevent you from reinventing the wheel if similar work has already been done and will show you the style of writing that the assigning attorney prefers.

Is there a page length or limit, 5 pages, 10 pages, etc.? Many motions have page limits, and some attorneys prefer even shorter written work. Ask to save yourself time.

How should I conduct my research -- online or manually? Know the employer's approach to online and manual research. Online research is pricey! Some employers allow virtually unlimited online access for research. Others pass along the cost to the clients, and will want you to be conservative. Check in with the assigning attorney for each project.

Where would I find the complete file? What materials should I review for background/context (e.g., the case file, prior correspondence, etc.).

When do you need to see/hear my findings, brief, etc.? Be sure to get a clear picture from the assigning attorney of the deadline for the project and when you need to report back. If the attorney responds with a euphemism (i.e., "put this on the front/back burner"..."I need it ASAP", "soon," etc.), try to get the attorney to clarify.

How long should I spend on this project? This question saves you time from spending twenty hours researching a particular issue if the assigning attorney believes it should only be a two hour assignment. It also shows you understand lawyers are paid for their time. Bear in mind, however, that most assignments will take longer than you think or were told!

When would be a good time to check back on the progress of the project? Who should I consult with if a question comes up and you (assigning attorney) are not available?

BEGINNING YOUR ASSIGNMENT

Read the file. The file gives you the key facts that will determine your research, analysis and conclusion. Unless you are at the very beginning stage of the litigation or the transaction, the file will also be likely to contain documents with relevant statutes or cases.

If you are doing **manual research** on a California problem, check Witkin, Cal. Jur., a case digest (West or McKinney's), or a practice guide. Also check the annotated California Codes, which are well indexed. All will lead you to statutes and cases and some will provide explanation. Practice guides are particularly important in California; they survey the law and also explain the procedure.

Use **hybrid legal research** if a problem is unfamiliar and check with the firm or office librarian, if there is one. Start on the internet, using Google or another search engine to find out about the topic. Then switch to Westlaw or Lexis for the official law. If you are racking up too much time online, complete your research manually.

For **federal manual research**, check a treatise, case digest, or practice guide or commercial outline. The Nutshell series is good on federal topics. Unfortunately, there is no case gathering set like Witkin or Cal. Jur. for federal research but the two national encyclopedias, Am. Jur. and Corpus Juris Secundum, can be helpful.

Know what you are doing when researching online. Lexis will allow you to do general subject research, but Westlaw works best when you enter the database or databases that correspond(s) to the print set of books where you would do manual research. Use your knowledge of how legal information is organized to do the most efficient research on the computer. Don't hesitate to call the 1-800 numbers for research assistance. The most seasoned attorneys take advantage of this resource!

WHAT IF.....??

What if my supervising attorney mentions a case name and I don't recognize it?

Ask your supervising attorney if s/he has an exact cite. If not, ask the jurisdiction and approximate year of the case. You can use the citation information to help find the case manually or online. Be sure you have the correct spelling of the names of the parties. You can use the case name to find a decision online or in a manual table of cases.

My supervising attorney has asked me to update my research. How do I do this?

Use the computer if at all possible. Shepardize on Lexis or KeyCite on Westlaw. If there is no computer access:

- For statutes, check the pocket parts and advance sheets for the Codes.
- For cases, Shepardize manually and check the supplements and advance sheets for the Shepard's volumes. Be sure you don't skip the most recent updating pamphlets.
- You can also Shepardize other sources, including statutes, administrative regulations, and law review articles.

My supervising attorney told me to check the cites in a document. What does s/he mean?

Pull up each case, statute, or other reference on the computer to see if the cite is accurate and the authority actually says what the writer claims it says. One of the biggest surprises of summer work is the extent to which counsel misrepresent the significance of a case. If you are asked to check for form, ask whether to use the Bluebook, California Style Manual, or ALWD Manual. Although ALWD and the Bluebook are very similar, the California Style Manual is as different as night from day in terms of order of elements, punctuation, spacing, use of parentheses, etc.

My supervising attorney asked me to check the local rules of court to see if our brief was in compliance. What are they?

- Local rules provide the requirements for content, format, page length, filing deadlines, number of copies, and many other matters. They are available online or in paperback versions found in every law office. However, often the most effective approach is to pick up the phone and call the clerk of the court to ask for specific information.
- All courts in California are subject to the California Rules of Court that are both statewide and local (by county). Each local court is free to publish its own rules as long as they are consistent with statewide rules.
- All federal courts are subject to the Federal Rules of Civil Procedure. However, each federal district and circuit court may adopt local rules and forms.

I have to research the administrative regulations on a topic. What is that?

- Administrative regulations are adopted by state, federal, or local agencies to implement a statute. They fall within the authority of the executive branch. Statutes tend to be broad, whereas administrative regulations tend to be very specific. Call the agency for clarification; if it has a legal staff, they can help.
- California administrative regulations are gathered together in Barclay's Official California Code of Regulations, which is well indexed and available on line. It is updated by the California Regulatory Notice Register, the California Regulatory Law Bulletin, and the California Regulatory Law Reporter. California regulations are available on Westlaw.
- Federal regulations are published in the Code of Federal Regulations and updated regularly by the Federal Register. The CFR is well indexed and is available on line.

My supervising attorney did not like my first memo, even though I thought I did just what we were told to do in Legal Writing and Research. What should I do? It's time to change gears. Every employer has his or her own ideas about how a memorandum should be organized and how information should be presented. Your approach to one assignment is likely to be very different from the structure of analysis you use for another assignment. Ask to see examples of past memos for guidance as to style, structure, and depth. Many offices have notebooks or brief banks with samples of work they like.

Good luck, be your best professional self, and have fun!!!!