



**Here's some advice—
drawn from a successful
experience with a major
law firm—for creating
an effective professional
development program
and learning culture.**



By Heather Bock and Lori Berman

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Learning and Billable Hours

—Can They Get Along?

Unsure of what to expect, Howrey associate Melinda Lackey looked around the room nervously and wondered, not for the first time, why her firm had brought her and 19 other first-year lawyers to Washington, D.C., for a two-and-a-half day academy on how to take depositions from witnesses. An hour later, she was in front of her peers, taking the deposition of a hostile witness played by a professional actor. “It was,” remembers Lackey, “an eye-opening experience. I learned more in those two-and-a-half days than in my entire depositions course in law school.”



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Sidebar 1 | The Howrey Academies

We conduct five academies. The junior, midlevel, and advanced academies focus on honing technical skills such as oral advocacy or, like Lackey's first academy, taking depositions. The final two academies focus on leadership skills, effective client relationships, and business development. Academies are short on lecture and long on practice.

As Andreas Stargard, a senior associate in our Washington, D.C., office who has attended all our academies, said to us, "I think the best academies—at least for me personally—were the Client Relationship & Business Development Academy and the Leadership Academy because the subject matter isn't something you learn routinely just by doing your job. Discovery and skills like that can be picked up in the normal course of doing your job; experience teaches you those skills. But where are you going to learn how to manage an irate client? Or how to find additional business for the firm?"

"The academies promote learning partly because they create a safe environment for testing new tactics and building skills; yet, at the same time, I was surprised at how realistic they are," continues Stargard. "For instance, in the Client Relationship & Business Development Academy, I was confronted by an actor playing the roles of a happy client, an angry client, and a lackadaisical client. They are great at simulating what you have to deal with when you get in front of a spectrum of real clients. Things such as how do you contain the emotions? How do you bring the conversation back on track? How do you advise the client effectively without triggering adverse emotions? How do you convince the client to deal with the reality of the case or situation?"



The firm's partners knew they wanted their young associates to acquire the right skills for today's fast-changing legal environment and to have training experiences like Melinda Lackey described. But how? We were hired by Howrey—a recognized leader in antitrust, global litigation, and intellectual property law—seven years ago to create a learning culture in an industry whose understanding of training hasn't gone much beyond ad hoc seminars on practical legal issues.

Training for competencies

Our first step was to work with the firm's partners to develop a competency model that defines the technical and interpersonal skills required by the firm's associates at each stage of their progression toward partner. This competency model created our training road map. It also improved the firm's business strategy by focusing on the skills its lawyers needed to succeed in an increasingly competitive environment. We developed resources to help associates hone all of the competencies they—and the firm—needed to be successful.

At the heart of Howrey's training program is a series of multiday academies. Early in their careers, associates attend academies devoted to more technical skills, such as the one on depositions that Melinda attended. As they demonstrate mastery of these skills, they move on to academies that address interpersonal skills, such as effective team work, managing others, working with clients, and business development. None are part of the typical law school curriculum, but each is important to success in the courtroom and with clients.

Instructional design

Attending our programs takes away from billable client time, vacation time, and pro bono work. So, for the

associates (participants), who are under pressure to produce billable hours, the training has to have a clear return on the time they invest in it. And we have to hold their interest and provide a safe learning environment where they feel free to take risks, try new approaches, and make mistakes. For our partners (firm owners), creating an effective learning culture relies on their involvement. The training isn't something our department can develop and hand over to the firm; it has to be their program, not ours. We are there to facilitate and contribute technical expertise, but the firm has to buy in.

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Howrey's curriculum draws from the latest research in adult learning and our previous work in the professional services industry. Instructional design is foundational to the learning programs we've built.

The instructional design we use includes case studies, team sessions, interactive theater, action learning, movie-making, and videotape review, to name a few. We draw from learning techniques outside the industry norm. For example, we improve the key skill

of oral advocacy by partnering with the Shakespeare Theater. They help our associates practice voice and diction and understand the language of gestures, then put it all into practice by performing a scene from a Shakespearean play. To improve the associates' creative thinking skills, we ask them to produce a 30-second video around topics such as "The World's -----est Lawyer." Our writing instruction also draws from disciplines outside of the legal arena. Our in-house writing instructor holds a Great Writing Series, which discusses selections from classic authors and how attorneys can apply their style and persuasive techniques to their own writing.

In addition to the in-person training sessions, Howrey associates access online learning resources through Howrey U, the firm's virtual university. And, associates receive one-on-one assistance through the firm's supervising partner program whereby partners provide coaching and help associates manage their careers.

Team, peer, and action learning

In response to the needs of the changing legal industry, Howrey pioneered a curriculum last year with more than 300 hours of training for new associates during their first year with the firm. One of the more innovative components of this curriculum—designed to give new associates an extra push—was the introduction of action learning teams.

Each action-learning team includes five to seven first-year associates, as well as a partner who sponsors the project and a senior associate who advises the associates. Teams are assigned a project related to an important firmwide issue. Associates are able to contribute in areas to which they typically would not be exposed. For example, because most of Howrey's clients are multinational firms,

a recent team assignment revolved around the Foreign Corrupt Practices Act. The team was tasked with developing a way to share guidelines and best practices with Howrey attorneys and clients in other countries to make sure clients comply with the act. Another team analyzed the business implications on different industries for a critical patent case ruling; its analysis was also shared with clients.

These action-learning teams built cohesion learning about the law, but also learning how to work together. Each team had 90 days to understand its sponsoring partner's needs, research the issue, and create a deliverable that met those needs. During this process, they also received feedback on their interpersonal, communication, organization, meeting management, leadership, and client relationship skills.

Industry innovation

Most of what we've implemented is not revolutionary when measured against the learning techniques of progressive corporations, but it is revolutionary in the legal sector.

One area of innovation was our use of films to foster interpersonal skills among members of a trial team. Law students may be exposed to the

basics of trial work in school, but they don't learn key interpersonal skills, such as teamwork, communication, and empathy needed to function as a team member. *Howrey Ghost Stories* explored how the dynamics among the members of a typical client team can affect a case.

Success from different perspectives

We check periodically with the firm's partners to make sure that they understand the benefits of such an extensive training curriculum. Beth McCallum, a Washington, D.C., partner, says, "The return on involvement among both associates and partners is, in my opinion, very well understood. If you want to talk about associate acceptance, we have waitlists for every academy and other programs Heather's department puts on. If you want to talk about partner acceptance, I know my partners understand the benefit—the time they invest in the training is returned to them in the ability to delegate higher-level tasks to associates who've been through the program. So it frees up partners' time for other duties, provides clients with better service, makes recruiting easier, and further polishes the firm's already bright reputation. We are truly proud of having a

Sidebar 2 | The Value of Peer Learning

Emphasizing peer learning is valuable because partners don't always have the time to give young associates the feedback they need. In addition, feedback is less intimidating coming from a peer rather than a partner. But feedback is not synonymous with criticism. So our peer learning groups provide associates with the skills to give and receive constructive feedback. We want them to develop a high degree of comfort with turning to their peers for honest, constructive feedback on challenges from how they present themselves in meetings to how they approach a particular point of law.



Start with defining the skills of your professionals that will enhance the firm's competitive stance. Which ones are necessary for your firm's success in the marketplace? Then map your curriculum to the firm's strategy for each stage of its professionals' career ladder. Align the talent management processes—recruiting, training and development, advancement, and compensation—so they are mutually reinforcing.



learning culture. I'd say, yes, it's a success by any measure."

The training is a success from Lackey's perspective, too, as she told us, "There aren't many law firms that would allow a second- or third-year associate to actually argue a case or question a witness. I've been through those experiences thanks to the academies. And it's made me a better lawyer. I spend most of my time writing motions for partners. So when I learn what you need to effectively argue a case or a motion, I'm better able to write with an effective oral argument in mind.

"My arguments used to make a lot of sense on paper with their complex, long sentences. But when I try to argue that kind of writing out loud, I realize it's full of fluff, takes too long, and isn't effective for the judge. The only way I could learn that is by having to make oral arguments in the academies. Once I understood what makes a good oral argument, I became better at writing them. I learned to cut to the chase. In turn, the partner I'm writing for has a better chance of convincing the judge of our viewpoint. Everyone wins—me, the firm, the client."

Howrey's learning culture: lessons learned

A learning culture is a work in progress; but after seven years, we're on solid footing. We hope that what we're doing at Howrey—which has made a difference in the firm's service to its clients and its ability to recruit outstanding associates—can be a model for other large law firms. But there are important lessons here for any learning professional tasked with implementing a training program for professional employees in an environment where a learning culture has not been introduced and where training has been conducted in a hit-or-miss fashion.

What we learned at Howrey confirms what we already knew about the

Sidebar 3 | Now Running: *Howrey Ghost Stories*

Howrey Ghost Stories explores team dynamics among a partner who decides how the case should be handled, a senior associate who manages the day-to-day work, and a midlevel associate brought on to help as the case nears trial and deadlines become more pressing. Supporting roles include the role of the client and a "ghost," an invisible observer who offers commentary. The ghost was the only professional actor; all other roles were played by Howrey lawyers. The midlevel associate role was cast as a bright young lawyer who had done great work in her prior assignments. The drama was provided when she aggressively tried to make her mark on the case, a move that threatened the senior associate. Yet everyone on the team had to remain committed to working in the client's best interest.

After each of the film's four segments, characters gave an unscripted interview on camera with the narrator. The actors were free to say whatever they wanted about their character's motivations and what they thought of the behaviors of other characters.

When *Howrey Ghost Stories* emerged from the editing room, we released an episode a week on the firm's intranet. At the end of each episode, viewers voted on their favorite character, suggested alternative actions for certain key turning points in the team's interpersonal relationships, and plugged into additional training modules to pursue a particular issue in more depth.

The premiere created tremendous positive buzz. Ashley Bass, who played the team's midlevel associate, told us that after the premier some co-workers told her they had just faced a situation like one of the story lines in *Ghost Stories*. But, having seen the film, they chose to handle the situation differently than they had in the past.



Sidebar 4 | Peer Recognition

Another success measure is the recognition from the legal industry and our peers in the professional development field. Our Professional Development Department won an annual ASTD BEST award. Howrey U, Howrey's virtual university, received the National Association of Legal Professionals (NALP) Annual Award of Distinction for training and development and the Association for Continuing Legal Education (ACLEA) John Day Memorial Award for Professional Excellence in Technology. This year we won the Chief Learning Officer (CLO) Learning Team Award. Heather also received the Chief Learning Officer Vanguard Award and HR Leadership Excellence Award.



process. Start with defining the skills of your professionals that will enhance the firm's competitive stance. Which ones are necessary for your firm's success in the marketplace? Then map your curriculum to the firm's strategy for each stage of its professionals' career ladder. Align the talent management processes—recruiting, training and development, advancement, and compensation—so they are mutually reinforcing. For example, when recruiting, some competencies are more cost effective to select for than train for. Finally, focus as much on instructional design as on content. The training has to be engaging, or learning won't take place. Our most innovative instructional design ideas—such as Ghost Stories and action learning—have come from brainstorming how can we get associates to learn, not what they need to learn.

Conclusion

We're at the point now in our development of a learning culture at Howrey to be able to identify the most important elements for creating a learning culture, even if you're starting with a blank sheet of paper. In our opinion, the four key steps are

- defining the skills, competencies, and behaviors your firm needs for continued success
- developing a curriculum that spans the professional's career so they learn the skills everyone agrees are appropriate to their level in the firm
- focusing on instructional design techniques that engage the learner, especially by embedding the learning in relevant firm issues
- involving every level of the business in creating and sustaining a learning culture.

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