

# Providing References for newer lawyers: A Partners Guide

By Karen MacKay

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Over the past number of weeks I have reviewed a great number of reference letters prepared by senior lawyers for articling students who are not hired back. While the students are all very different, the reference letters all look pretty much the same. Partners describe who they are and what they do, they describe the kind of work the student did during articles and close with a few comments and an invitation to call. Rarely is there anything unique.

Not everyone thrives in every environment. A young lawyer who struggles in your firm might just thrive in another. A lawyer who is not partner material in your firm may become a valued member of your firm's alumni – a formidable competitor, source of referrals or even a client. Providing a quality reference can be instrumental in helping an individual make a positive transition. Like so many things you do, you don't learn this in law school.

Like many interpersonal relationships, by the time you make the decision to invite a young lawyer to leave your firm, you may not be communicating at all. Things are tense and egos are fragile. Remember though, careers are long and paths cross again and again – no where more

so than in a legal career. Rise above it and have a conversation. Negotiate the reference – talk about what you'll say – there should be no surprises.

You have an obligation to protect yourself and your firm – you must be honest. That said, you will also want to do what you can to assist the associate in finding their success – albeit elsewhere. Both written and oral references should be sincere and should highlight those aspects of the individual's character, competence and capability that are unique.

Sitting in front of a blank page, where do you start? First, a reference should set out the *nature of your relationship* with the individual: are you the practice group leader, the individual's mentor or did you work together on a non-billable project? Second, it should also describe the *nature of the work* you did together: Did you work on client matters? If so, how much: extensively, from time-to-time or occasionally. Third, you should *comment on the individual's character, competence and capability*. Finally, welcome further contact and provide your coordinates.



Beyond the scope of specific client work the following are some traits and capabilities that you might consider.

- ◆ ***Approachability*** – is the individual approachable; warm, pleasant, gracious; builds rapport easily; is a good listener.
- ◆ ***Business Acumen*** – knows how businesses work; knowledgeable in business trends, practices and information; reads the business section of the newspaper; understands business concepts, strategies and tactics; can spot business issues as well as legal issues.
- ◆ ***Client Focus*** – is dedicated to meeting the expectations and requirements of internal and external clients; manages expectations; earned trust and respect of internal and external clients.
- ◆ ***Communication Skills*** – the extent to which the individual can communicate orally and in writing; consider style, clarity and thoroughness.
- ◆ ***Composure*** – is calm under pressure; does not become defensive or irritated when times are tough; is considered mature; accountable.
- ◆ ***Intellectual Capability*** – is bright, intelligent and quick; deals with concepts and complexity comfortably.
- ◆ ***Listening*** – attentive and active listener; can accurately restate the instruction; pays close attention to what is being said.
- ◆ ***Logic/Reasoning/Analytical Ability*** – thinks through issues, uses logic to resolve problems; considers appropriate options; recommends solutions; looks beyond the obvious and doesn't stop at the first answer; is thorough.
- ◆ ***Peer Relationships*** – is seen as a team player and is cooperative; easily gains trust and support of peers; encourages collaboration; can be candid with peers; seeks positive ways to solve problems.
- ◆ ***Perseverance*** – pursues everything with energy and drive; doesn't give up; can handle resistance and set backs; keeps going when frustrated.
- ◆ ***Priority Setting*** – spends time on what's important; quickly zeros in on the critical issues; can sense what will help or hinder accomplishing a goal or task; is focused; manages time well and meets deadlines.



- ◆ **Technical Learning** – picks up technical things quickly; quickly learns new areas or aspects; grasps concepts quickly and applies learning to assignments; asks good questions.
- ◆ **Timeliness** – gets work done in a timely manner; manages client expectations; meets deadlines.

Writing a reference letter is much like writing anything worthwhile. Begin with a formula, be honest yet creative and shine the best light possible on a talented young lawyer. He or she will appreciate it and remember!

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