

OVERVIEW OF LAWYERING SKILLS AND VALUES

In 1992, the American Bar Association published *Legal Education and Professional Development – An Educational Continuum Report of the Task Force on Law Schools and the Profession: Narrowing the Gap* and identified fundamental lawyering skills and professional values. This handout has been adapted from the information in that report.

Do you wonder just what law firms and legal organizations are looking for in an ideal candidate? The following discussion outlines the skills of essential and exceptional lawyers. Many of these skills you will have acquired before entering law school, so you will just need to identify and nurture them. You will acquire many of these skills at the University of Wyoming College of Law. Others can only be acquired over time and with experience. Employers want to know that you possess at least some of these skills because they are necessary for legal jobs, even in your first summer.

Once you have had a chance to review this list, go back over your cover letters and resume making sure that you have highlighted some of these skills. Make sure you have given concrete examples of their use. Practice your interview technique so that you present yourself well during an interview. Do you have anecdotes which illustrate these skills, or are you simply reciting your job description? Do not make the interviewer work to see what skills you have acquired and honed in the course of each job – spell them out. The key is to show employers how your past experience translates into skills which are transferable into the legal world and which will enable you to make a significant contribution to your place of employment.

I. General Characteristics Important For Lawyering

- Energy
- Initiative
- Creativity
- Motivation
- Follow-through
- Ability to juggle multiple tasks and prioritize
- Ability to learn new information quickly
- Ability to deal with time pressures and tight deadlines
- Ability to work well both independently and on a team

II. Fundamental Lawyering Skills

A. Problem Solving

- Identifying and formulating legal issues
- Generating alternative solutions and strategies
- Developing a plan of action
- Implementing the plan
- Keeping the planning process open to new information and new ideas

B. Legal Analysis and Reasoning

- Identifying and formulating legal issues
- Formulating relevant legal theories
- Elaborating upon/extrapolating legal theory
- Evaluating legal theory
- Criticizing and synthesizing legal argumentation

C. Legal Research

- Knowledge of the nature of legal rules and institutions
- Knowledge of and ability to use the most fundamental tools of legal research
- Understanding of the process of devising and implementing a coherent and effective research design

D. Factual Investigation

- Determining the need for factual investigation
- Planning a factual investigation

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- Implementing the investigative strategy
- Memorializing and organizing information in an accessible form
- Deciding whether and when to conclude the process of fact-gathering
- Evaluating the information that has been gathered

E. Communication

- Assessing the perspective of the recipient of the information
- Using effective methods of communication
- Communicating complex information to an audience that may not be familiar with the concepts involved

F. Counseling

- Establishing a counseling relationship that respects the nature and bounds of a lawyer's role
- Gathering information relevant to the client's problems and concerns
- Determining the relevant legal issues
- Analyzing the various courses of action
- Counseling the client about the different courses of action and the possible outcome of each scenario
- Ascertaining and implementing the client's decision

G. Negotiation

- Preparing for negotiation
- Conducting the negotiation session
- Counseling the client about terms obtained from the other side in the negotiation; implementing the client's decision

H. Litigation and Alternative Dispute Resolution Procedures

- Knowledge of litigation procedures at the trial-court level
- Knowledge of litigation procedures at the appellate-court level
- Advocacy in administrative and executive forums
- Proceedings in other dispute-resolution forums

I. Organization and Management of Legal Work

- Formulating goals and principles for effective practice management
- Developing systems and procedures which ensure that time, effort and resources are allocated efficiently
- Developing systems and procedures to ensure that work is performed and completed at the appropriate time
- Developing systems and procedures for effectively working with other people

J. Recognizing and Resolving Ethical Dilemmas

- The nature and sources of ethical standards
- The means by which ethical standards are enforced
- The processes for recognizing and resolving ethical dilemmas