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# PROFESSIONALISM

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Your reputation as an attorney began the moment you applied to law school. All of your activity, from the moment you decided to enter the legal professional, can and will be scrutinized by those who will be among your peers long after you have graduated and passed the bar exam.

## ACADEMIC INTEGRITY AND STUDENT CONDUCT

All students are expected to read, understand, and adhere to school policies including **Academic Policies**, the **Student Honor Code**, as published on the University of San Francisco School of Law Web site and **University Policies** as published in the *Fogcutter Student Handbook*, which can also be found online. Cheating, lying, misrepresenting academic credentials, and “puffing” of experience are all examples of unacceptable behavior. If you engage in these activities while in school, you are jeopardizing your ability to graduate from USF, and become a licensed attorney.

You also need to think about your conduct with fellow students, professors, and administrators. Although the sheer number of attorneys in California is large, the legal community is small. You may find yourself working with, for, or against a classmate in the future. Your professors are connected to the legal community, as are many of the administrators at the school. Your conduct and demeanor while at school will be remembered. Common sense, civility, good manners, and respect should be exercised at all times.

## CONDUCT WITH EMPLOYERS

Your conduct with employers will be a determining factor in your job search success, and your opportunities for lateral moves or promotions down the road.

USF School of Law is a member of NALP, the Association for Legal Career Professionals. To cultivate ethical practices and fairness in legal career counseling and planning, recruitment, employment, and professional development, NALP created guidelines for its member institutions. Students are expected to read, understand, and adhere to the *NALP Principles and Standards for Law Placement and Recruitment Activities*. NALP has also published *Student Professionalism During the Interview Season: A Quick Guide to Your Ethical Responsibilities in the Offer and Decision-Making Process*. Copies of these guidelines are included in this handbook. For the most current set of guidelines, go to [www.NALP.org](http://www.NALP.org) and click on the “Principles & Standards” menu.

## 1. TREAT ALL COMMUNICATIONS AS FORMAL COMMUNICATIONS

Once you have begun applying to legal employers, we recommend that you take the following steps:

- a. Update your voicemail greeting to make sure that it sounds professional and clearly identifies you so that the caller knows with certainty that they have reached the correct telephone number.
- b. Change to a professional sounding email address (e.g., *[firstnamelastname]*@gmail.com), with a simple signature that includes contact information and no distracting quotes or other extraneous information.

Email communication has become an accepted mode of communication in the legal profession. Many law students have never used email in a professional setting. Whether communicating with a firm's recruiting staff, supervising attorneys, or clients, you must treat email communication as a *formal* communication. Always include a standard business salutation (e.g., "Dear. Mr./Ms.*[Last Name]*:") and a complimentary close ("Sincerely,/Best regards,"). Don't begin your email with "Hi *[First Name]*," as it may be perceived as unprofessional and too familiar for an applicant.

A copy of the NALP article entitled, *E-Professionalism Dos and Don'ts* is included in this Handbook, and covers other topics related to professionalism in the digital and wireless age.

## 2. RESPOND PROMPTLY

Get in the habit of checking your voicemail and email with regularity. You are generally expected to respond as soon as possible. It is preferable to respond the same day if at all possible. If not, you should respond no later than the next business day. If correspondence requires a lengthy response, you should, at the very least, acknowledge receipt immediately and give a timeline for a more detailed response.

If you know that you will not be able to respond to email and/or voicemail for a period of time, make sure that you update your greeting on your voicemail, and create a "vacation" rule response for your e-mail account that, in simple terms, lets callers or writers know when you will be able to respond. Example: "Thank you for your message. I will not have access to this e-mail account from *[Date]* to *[Date]*. I will respond to your message upon my return."

## 3. BE PUNCTUAL IN ALL THINGS

Plan to arrive at all interviews and events at least 15 minutes early. There is no such thing as arriving "fashionably late" to an interview. It is always a good idea to have a phone number to call in case you are running late, or experience an unexpected delay. Plan ahead and program that phone number into your mobile phone.

The same holds true for all events to which you are invited. Always arrive on time or a little early. If you are invited to attend an event, and an “RSVP” is requested, you are expected to reply either affirmatively or negatively to the invitation. Not responding, or responding after the RSVP deadline is considered to be rude. If you indicate that you will be in attendance, you should attend, and only cancel under exigent circumstances. Be sure to send a note of apology if you cannot attend. This should be sent before the event if possible, or immediately after the event.

Punctuality also applies to work assignments and deadlines. Make sure that you meet all deadlines and communicate frequently with supervisors about expectations.

#### 4. HONOR YOUR COMMITMENTS

Employers are investing time and resources and sacrificing potential revenue during the hiring process. Be mindful of this, and follow the guidance below:

- **Don’t cancel interviews at the last minute or without cause.**
- **Don’t accept an interview timeslot if you know that you are unavailable, even if you intend to try to make yourself available.**
- **Don’t ask an employer to reschedule an interview due to a conflict that has arisen in your schedule.**
- **Don’t accept an offer of employment and then rescind that acceptance.**

There is additional information about considering offers of employment in this Handbook (see below). It is best not to accept an offer on the spot, especially if you are still weighing your options. Typically, an employer will send a written offer letter or email which you will want to review prior to accepting. You should, however, respond to offers from judges/justices within 24 hours.

For additional guidance about employment offers and acceptance, refer to:

- *NALP Principles and Standards for Law Placement and Recruitment Activities*
- *Student Professionalism During the Interview Season: A Quick Guide to Your Ethical Responsibilities in the Offer and Decision-Making Process*
- *Considering Offers of Employment: How to Accept or Decline*

#### 5. DRESS LIKE AN ATTORNEY...BUT NOT BETTER THAN AN ATTORNEY

- **Proper Fit.** Make sure that your clothing fits properly. Don’t be afraid to receive a consultation from a professional at a department or specialty store. Professional shoppers can work within your budget, make sure that your clothing fits you properly, and help you select items that are appropriate for your work setting.
- **Good Condition.** Clothes should not be frayed, stained or smell (the usual culprit is cigarette smoke). Fabrics should be pressed and ironed. Shoes should be polished.

- **Conservative.** You do not want to be remembered for your outfit or your accessories. Choose conservative color schemes, limit your jewelry, and carefully consider whether you think it is appropriate to don an Armani suit or Rolex. An interview is not the time to display high fashion. You want to dress *like* the attorneys with whom you will be interviewing, but you do not want to outdo them, or look like you don't need the job because of your designer suit or watch.
- **Piercings and Tattoos.** You will ultimately be representing your employer, and working with other attorneys and clients. Keeping that in mind, it is probably best to remove visible body piercings (with the exception of earrings for women), and cover, if possible, all tattoos.
- **Cologne, Perfume and Makeup.** If you must apply it, use it sparingly. Some individuals have heightened sensitivity to fragrances. The safest approach is to skip it for the interview. Makeup should be applied conservatively. Consider getting a consultation if you are worried about appropriate application.
- **Gum and Mints.** Make sure your teeth are clean and your breath is fresh, but ditch the gum and mints before an interview, and use them with caution during social events.
- **Facial Hair and Hair Length and Color.** For men, clean shaven is the safer approach. Otherwise, facial hair must be neatly trimmed. Hair styles should be conservative and tidy for both men and women, and length should be on the shorter side for men. If used, hair coloring should be conservative and unnoticeable.
- **Business Professional vs. Business Casual.** When interviewing, you should always wear business professional clothing. For most social events (which often occur after the normal work day) business professional and business casual is appropriate. Business casual is usually not as casual as most assume. It is normally just a slight step down from business professional attire. Don't be afraid to ask for guidance from a professional or the Office of Career Planning.

## 6. RESPECT YOUR ELDERS...AND EVERYONE ELSE, ESPECIALLY STAFF

There are several generations still active in the workforce. At a firm or other legal employer, you will find a mix of these generations, each with their own expectations based upon their varied life experiences.

Even if an employer has a reputation for having a "relaxed" atmosphere, err on the side of caution, and address everyone by "Mr." or "Ms." until you are given permission to address that individual by her/his first name.

Be deferential in your dealings with attorneys, from the most senior, to the most junior, and respect constraints on their busy schedules. Expect them to offer short, often terse replies to inquiries. Be mindful of the effect of interruptions on their productivity, and

avoid creating additional work for them. Even responding to what *you* perceive as a simple email requires the attorney to sacrifice precious time in an already busy schedule.

When dealing with support staff, remember that they are specialists in what they do, and treat them with respect. It is foolish to lose a job opportunity because you were rude to a secretary. Be nice, make an effort to remember their names, and remember that they probably have many more years of experience than you. In their book, *The Modern Rules of Business Etiquette*, authors Donna and David Gerson offer the following advice:

From the managing partner to the filing room clerk, every single person deserves to be treated with respect. The sign of a true lady or gentleman lies in the ability to treat every single person with the same level of deference, regardless of rank. Everyone deserves direct eye contact, a smile, and a handshake.

## 7. BEHAVE LIKE A *PROFESSIONAL*, NOT ALWAYS LIKE AN ATTORNEY

Remember, your behavior will be observed at all times, even during social events.

- **Alcohol.** You will find yourself at events where attorneys are drinking and drunk. While it is probably OK to enjoy one cocktail or one glass of wine, it is not OK for you to become intoxicated. It is fine to mirror the activity of your peers, but not necessarily their behavior. If it would feel awkward to not have a drink in hand, you can try the following:
  - Order a drink, and simply sip it for a good long while.
  - Ask for a sparkling water, or club soda with lime as a suitable “mocktail” substitute for a gin and tonic.

Sodas, water, and other soft drinks are fine options. You will probably not be questioned about your choice of beverage. If you are driving, no one should question your decision to not drink. While on the subject of drinking, here is an additional tip: hold the drink in your left hand to avoid having a “clammy” handshake.

- **Humor and Jokes.** Tread carefully here. If you are not a natural joke teller it is probably best to avoid an unsuccessful attempt at humor. If you do tell jokes here are some topics to avoid: race, religion, politics, gender, and sexual preference.
- **Profanity.** Some attorneys could make sailors blush with their language. You do not need to follow their example, and you should NEVER use profanity while in an interview situation.



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# Student Professionalism During the Interview Season:

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## A Quick Guide to Your Ethical Responsibilities in the Offer and Decision-Making Process

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Fall interviewing season is stressful. Thinking about offers and decisions may seem like the least of your worries — and yet how and when you respond to offers makes a tremendous difference. Your offer could even expire if you don't focus on your response deadline. Equally important, your professionalism in responding to offers sets the tone for your relationship with employers who have expressed an interest in you. But what should that professionalism include? And what are all those “NALP timing guidelines” or “Principles and Standards for the Timing of Offers and Decisions” your career services office keeps talking about?

Here are a few of the questions law students most often ask about these ethical standards. These answers provide you with a quick guide to the essentials of navigating the fall interviewing season with professionalism.

### **What are the NALP timing guidelines and why are they important?**

Virtually all ABA-accredited law schools and most of the largest legal employers of lawyers in the United States (large law firms, governmental agencies, and some corporations and public service organizations) belong to the NALP — The Association for Legal Career Professionals. One of the fundamental reasons NALP was formed in 1971 was to promote fairness and informed decision-making during the recruitment process. Together, the law schools and employers belonging to NALP have developed and agreed to abide by the “NALP Principles and Standards,” a set of guidelines that offers an ethical framework for all participants in the recruiting process.

Under the NALP timing guidelines, employers are required to leave offers open for specified lengths of time to allow you to complete your interviewing schedule and make an informed decision about this important first step in your legal career. You also have certain ethical responsibilities affecting such areas as response dates and how many offers you can hold.

### **When, exactly, do I have to respond to offers?**

The NALP timing guidelines specify that employers offering full-time positions to commence following graduation to candidates not previously employed by them — and employers offering positions for the following summer to candidates not previously employed by them — should leave those offers open for at least 45 days following the date of the offer letter or until December 30, whichever comes first. Offers made after December 15 for the following summer should remain open for at least two weeks following the date of the offer letter.

Employers offering full-time positions to commence following graduation to candidates previously employed by them — and employers offering positions for the following summer to candidates previously employed by them — should leave those offers open until at least November 15.

Regardless of what the guidelines say, be sure you understand by what precise date your offer expires. If you have any uncertainty as to when the employer needs to have your response, do not hesitate to contact them and clarify the exact expiration date.

### **Do NALP's timing guidelines ever allow employers to require my decision sooner?**

First, it is important to note that the NALP guidelines were formulated specifically to promote fairness amid the pressures of the fall interviewing season. When offers are made at other times of the year, the NALP guidelines simply state that offers should remain open for at least two weeks after the date made.

Second, the NALP timing guidelines state that employers with 40 or fewer attorneys in all offices are required to keep offers made through December 15 open for at least three weeks and offers made after December 15 open for at least two weeks. Because smaller employers generally cannot forecast their hiring needs a year in advance and must staff their offices as needs arise, they are less likely to participate in fall interviewing, but you should be aware of this provision.

## How many offers can I consider at once?

Pursuant to NALP Principles and Standards Part V.A.3, a student should not hold open more than five offers of employment at any one time. For each offer received that places a student over the offer limit, the students should, within one week or receipt of the excess offer, release an offer.

This is one of the most important provisions of the NALP guidelines. How would you feel if you knew that you had not yet received an offer because another student was holding six offers? If you hold excess offers you are preventing employers from extending those offers on a timely basis to others in their pool of candidates.

If you are genuinely having trouble deciding among a number of employers, ask yourself why. Do you need to do further research on the employers? Should you have another conversation with one or more of your contacts at a firm? Do you need to revisit a firm to be sure it's right for you? While you should be cautious about assuming employers will be willing or able to pay for endless visits, you will find that employers are anxious to facilitate your decision-making process and to help you determine whether they are the right "fit."

Some students hesitate to reject an offer — even when it is clearly not of interest — because they are reluctant to "break the bad news" to an employer. As sorry as employers might be to receive your rejection, they will respect your professionalism — and your awareness of their firms' interests — if you reject on a timely basis and do so by phone or email (not "snail mail"). Employers need to be able to extend new offers as promptly as possible, and there are other students waiting and hoping to receive those offers.

## What if I need more time to decide?

The NALP guidelines state that candidates are expected to accept or release offers or request an extension by the applicable deadline. Offers that are not accepted by the offer deadline expire. Again, professionalism should govern any requests for extensions of time. Employers need to know whether they have met their hiring needs. Consider requesting an extension only when there is a compelling reason to do so.

For candidates pursuing an opportunity with a public interest or government organization NALP guidelines state "students may re-

quest that an employer extend the deadline to accept the employer's offer until as late as April 1 if the student is actively pursuing positions with public interest or government organizations. Students may hold open only one offer in such circumstances. Employers are encouraged to grant such requests." (Principles & Standards Part V.B.2 & C.2)

If your decision is affected by the plans of your significant other, NALP has developed "Interpretations" of the Principles and Standards that encourage employers to grant extensions, but keep in mind that the Interpretations are not requirements.

## What if the employer I am interviewing with is not a NALP member or is not abiding by the NALP guidelines?

Compliance with the NALP Principles and Standards is voluntary. However, most NALP member employers and most law schools do take the Principles and Standards seriously because they respect the need for ethical guidelines to promote fairness in the interviewing and offer process. Violations of the NALP guidelines should be reported to your career services office.

## How can I learn more?

- Read the full text of the Principles and Standards at <http://www.nalp.org/content/index.php?pid=16> (or go to [www.nalp.org](http://www.nalp.org) > *Principles & Standards* > *Full Text of NALP Principles & Standards*).
- A set of Interpretations of the Principles and Standards were developed to guide employers; they are not requirements but may help you understand how employers are most likely to interpret the Principles and Standards. The Interpretations can be found at <http://www.nalp.org/content/index.php?pid=24> (or go to [www.nalp.org](http://www.nalp.org) > *Principles & Standards* > *Interpretations*).
- For links to articles about the effects of the judicial clerkship hiring timelines on other hiring timelines, see <http://www.nalp.org/content/index.php?pid=210> (or go to [www.nalp.org](http://www.nalp.org) > *Career Paths* > *Judicial Clerkships*).

# E-Professionalism Dos and Don'ts

by Tracy Evans and Amy E. Gerwitz

Because businesses have entered the world of e-commerce — and government has entered the world of e-government — “e-professionalism” seems like a natural title for the professionalism challenges career services and recruiting administrators are facing today. Electronic professionalism encompasses so many different areas it is almost overwhelming at first. The signs of the rapid expansion of the role of electronics in our lives over the past decade include e-mail, cell phones, texting, BlackBerrys, Bluetooth, iPods, Portable Play Stations, web search engines, websites, blogs, and, the most colossal of them all, social networking sites.

These new gadgets and websites offer such creative ingenuity they are hard to pass up. E-mail and the Internet give us immediate access to information and communication; social networking sites allow us to meet new people without leaving our home; and cell phones speak for themselves. The latest in technology brings much pleasure and gratification to students and professionals alike, but comes with consequences as well. We teach our students how to be professional in interviews, at social functions, and in an office setting. However, what happens in cyber space and beyond is spinning out of control and so is our ability to manage it.

These e-professionalism dos and don'ts offer some basic guiding principles to maintaining professionalism in the electronic and information age. Save them, read them regularly, and suggest that your students do the same.

## Top Ten E-Professionalism Dos

1. Do a regular online search of your name (Google, Yahoo, Ask). If necessary, consider hiring a company to “clean up” your online image.
2. Keep your online profiles private, letting in only those you trust and know personally. Check friends' profiles on a regular basis to monitor what pictures and comments are being posted about you.
3. Record a professional voicemail message at home and on your cell phone. Employers may think you have a beautiful voice if you choose to sing your message, but they won't be impressed with your professionalism. This includes using a professional sounding ringtone on your phone.
4. Treat your e-mails like professional correspondence or conversations, using correct grammar and only saying those things you would say to someone face to face. Avoid using slang or abbreviations in your e-mail communications.
5. Professional online networks such as LinkedIn are a great way to market yourself in a professional manner.
6. Personal web pages are a great way to market yourself, but be sure they stay clean and safe.
7. Do use the Internet to research potential employers or professionals you'll be interacting with so that you are informed about

them professionally and personally when you meet them.

8. Always follow up on electronic communications. As convenient as they may be, they are sometimes unreliable.
9. Check your e-mails and voicemails on a regular basis — especially if you set some aside hoping to spend more time on them later, as these are easy to forget.
10. Use your work computer for professional purposes only; save online shopping and playing games for home.

## Top Ten E-Professionalism Don'ts

1. Don't risk putting inappropriate content on the Internet, including on social networking sites, blogs, message boards, YouTube, etc. Don't assume that just because you don't put inappropriate content online, others can't or won't do so, and their content may include your name or pictures, etc.
2. Don't assume that even though your profile settings are private, employers and others may not see them.
3. Don't assume that employers are not conducting electronic background checks on you; they are and will continue to do so.
4. Don't over blog unless the content is professional. In particular, don't put anything about your employer in a blog; employees have been fired for this.

5. Don't put inappropriate content in your home or business e-mail; messages may be circulated to others.
6. Don't have an inappropriate e-mail address such as *hotmama@aol.com*, and don't use the same e-mail address on your résumé that you use for your online presence unless the online presence is completely appropriate and positive.
7. Don't click "send" on an e-mail without double-checking to make sure you are sending it to the correct recipient and without rereading the content, especially for "reply to all" messages.
8. Don't wear a Bluetooth accessory in a meeting, at a lunch, or in other business settings. Not only is it unattractive, it is also distracting and rude.
9. Don't text in the middle of meetings, lunches, etc. If communicating with someone is that important, excuse yourself from the conversation and text in private.
10. Don't wear your iPod while working; leave it at home or save it for personal time.

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