



Student Professionalism During the Interview Season:

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

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 some 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 the majority 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 NALP. 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 so that you may make an informed decision about this important first step in your legal career. You as a law student also have certain ethical responsibilities affecting such areas as response dates and how many offers you can hold. It is important for you to remember that a lack of responsiveness can have a negative impact on your reputation and future career.

When, exactly, do I have to respond to offers and what is the reaffirmation requirement?

The NALP timing guidelines are specific to the type of offer a candidate receives and the date the offer was extended. Moreover, it is important that candidates read each offer letter carefully to determine the employer's reaffirmation requirement. The 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 28 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. In addition, the guidelines state that candidates should reaffirm these offers within 14 days from the date of the offer letter if the employer requests such reaffirmation in the offer letter. Employers that have requested this reaffirmation may retract any offer that is not reaffirmed within the 14-day period. Candidates must read offer letters carefully, as each firm will have different reaffirmation requirements.

Employers offering full-time positions to commence following graduation to candidates previously employed by them should leave those offers open until at least October 1 or 28 days following the date of the offer letter, whichever is later. In addition, candidates should reaffirm these offers (dated prior to or on September 2) within 30 days from the date of the offer letter if the employer requests such reaffirmation in the offer letter. Employers that have requested this reaffirmation may retract any offer that is not reaffirmed within the 30-day period.

If an employer makes an offer to a law student candidate not previously employed by that employer before the beginning of the law school's on-campus interview pro-

gram, that offer should not expire until at least 28 days following the first day of the law school's on-campus interview program. Employers offering positions for the following summer to candidates previously employed by them should also leave those offers open until at least 28 days following the first day of the law school's on-campus interview program.

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.

Students should decline offers by direct contact with an employer as soon as possible. As soon as the offer is declined, the employer is able to give that offer to another student. It is unprofessional and reflects poorly upon students if students permit offers to expire.

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.

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 in-

terest or government organization NALP guidelines state "students may request 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.

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. 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 are the best practices for communication with employers?

The way you communicate with employers during the in-

terview season is extremely important — failure to communicate professionally can seriously affect an employer’s perception of you. While you may feel overwhelmed and stressed during this process, it is critical that you keep courtesy in mind and communicate appropriately with employers. If an employer contacts you for any reason, respond with an acknowledgment as soon as possible. Everyone understands that students are busy during this season but sending a simple acknowledgment that you received a voicemail or email does not take much time, while the failure to do so can easily alienate the person who contacted you. During the season, you are likely to receive multiple follow-up calls or emails. If you do not feel that speaking with someone would be helpful to your decision-making process, send an email letting the person know that you received the message, that you appreciated the call or email, and that you will reach out if you have any further questions. Be sure to have a voicemail greeting that is professional in tone and nature. Make sure your email, phone number, and address are as up-to-date as possible.

After you receive an offer from a firm, you may receive invitations to an offer dinner or reception, or to other firm events. You should always RSVP (yes or no) promptly. If you do commit to attending an event, you should show up. If you cannot attend for any reason after you have accepted the invitation, you should let the employer know as soon as possible — do not be a “no show.” Similarly, do not simply show up for an event if you have not RSVP’d in advance.

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 www.nalp.org/principles (or go to 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 www.nalp.org/interpretations (or go to www.nalp.org > *Principles & Standards* > *Interpretations*). ■