

# Performance Guidelines

2018/2019

## Professional Development

Performance Guidelines Criteria	Junior Associates (1 <sup>st</sup> & 2 <sup>nd</sup> Years)	Mid-Level Associates (3 <sup>rd</sup> – 5 <sup>th</sup> Years)	Senior Associates (6 <sup>th</sup> Years and Above)
<b>Productivity<sup>1</sup></b>			
	Bills at least 1,800 hours without significant time written off due to inefficient or poor performance. The associate's average billing rate will be considered, and the overall profitability of the practice group may be considered.	Bills at least 1,800 hours without significant time written off due to inefficient or poor performance. The associate's average billing rate will be considered, and the overall profitability of the practice group may be considered.	Bills at least 1,800 hours without significant time written off due to inefficient or poor performance. The associate's average billing rate will be considered, and the overall profitability of the practice group may be considered.
<b>Excellence of Work Product</b>			
Legal Analysis	Utilizes available research resources; spots and articulates issues; applies legal rules, concepts, theories and principles to facts; evaluates effectiveness of legal theories and predicts decisions by the relevant authorities.	Utilizes available research resources and delegates research to others when appropriate; spots and articulates issues; applies legal rules, concepts, theories and principles to sophisticated fact patterns; and evaluates legal theories and predicts decisions by the relevant authorities.	Utilizes available research resources and delegates research to others when appropriate; spots and articulates issues; applies legal rules, concepts, theories and principles to sophisticated fact patterns; and evaluates effectiveness of legal theories and predicts decisions by the relevant authorities. Able to incorporate others' work into a finished product.
Written Communication	Prepares logical, cohesive and clear arguments. Drafts clear, concise and error-free written communications, including memorandums of law, business correspondence and e-mail. Applies basic principles and	Takes primary responsibility for most correspondence, pleadings, legal memorandums and transactional documents with minimal editing by supervising lawyer. Work product is clear and concise, free of careless errors	Takes primary responsibility for all written work product on a case or transaction with supervisory responsibility over other lawyers working on less complex matters. Work product is clear and concise, free of careless errors and

<sup>1</sup> In each case, 1800 countable hours are expected for bonus eligibility.

<b>Performance Guidelines Criteria</b>	<b>Junior Associates (1<sup>st</sup> &amp; 2<sup>nd</sup> Years)</b>	<b>Mid-Level Associates (3<sup>rd</sup> – 5<sup>th</sup> Years)</b>	<b>Senior Associates (6<sup>th</sup> Years and Above)</b>
	techniques of legal drafting (e.g., using defined terms and terms of art appropriately). Makes appropriate use of forms. Documents are internally consistent.	and omissions and flaws in logic.	omissions and flaws in logic.
Oral Communication	Listens attentively. Expresses oneself clearly and concisely on straightforward matters both within and outside of the firm.	Listens attentively. Expresses oneself clearly and concisely on straightforward and complex matters both within and outside of the firm. Can identify, articulate and effectively manage different communication style preferences. Demonstrates effective presentation skills.	Listens attentively. Demonstrates effective presentation skills and presence within the firm and before external audiences. Instills confidence in ability to persuasively and effectively represent clients' interests.
Judgment and Creativity	Demonstrates awareness of client needs. Identifies and articulates alternative courses of action and strategies for consideration by supervising lawyer. Adapts quickly to changed or changing situations.	Identifies, articulates and recommends alternatives for advancing client's legal and business objectives based upon evaluation of the relevant facts, issues and risks. Adapts quickly to changed or changing situations.	Identifies, articulates, evaluates and selects alternative, innovative courses of action and strategies for advancing client's legal and business objectives based on evaluation of relevant facts, issues and risks. Adapts quickly to changed or changing situations.
Negotiating	Seeks opportunities to observe negotiations.	Understands and applies a variety of effective negotiation techniques to negotiate language and substantive provisions in ancillary and/or straightforward documents. Demonstrates ability to achieve creative, efficient solutions for clients.	Takes primary responsibility for negotiating substance of complex, operative documents. Adapts negotiation technique as applicable to each particular situation. Routinely achieves creative, efficient solutions for clients.
Time Management	Demonstrates an ability to set work priorities and to plan, organize and manage time. Completes work assignments efficiently and effectively.	Plans, organizes and manages time well, including accommodating client emergencies. Completes work assignments efficiently and	Plans, organizes and manages time well, including accommodating client emergencies. Completes work assignments efficiently and

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		effectively.	effectively.
<b>Teamwork</b>			
Interpersonal Skills	Maintains good relations with attorneys, staff and clients. Makes a good impression on others; controls emotions. Works well, alone and with others, under pressure.	Maintains good relations with attorneys, staff and clients. Makes a good impression on others; controls emotions. Works well, alone and with others, under pressure.	Maintains good relations with attorneys, staff and clients. Makes a good impression on others; controls emotions. Works well, alone and with others, under pressure.
Delegation	Appropriately utilizes the firm's support staff and other resources.	Identifies tasks more appropriately done by others and clearly articulates expectations of delegates with respect to each particular task. Develops skills of more junior associates.	Delegates and supervises work in a manner that balances the development of more junior associates and paralegals with efficient completion of the task at hand.
Feedback	Maintains open communication with secretary; communicates deadlines and priorities.	Evaluates the quality of, and effectively (and efficiently) edits, others' work. Can articulate and implements techniques for giving both supportive and constructive feedback.	Effectively supervises and mentors others.
Dedication and Motivation	Completes all assignments efficiently and accurately and is willing to make sacrifices where necessary. Takes advantage of all opportunities to develop professionally, including attending department lunches and training workshops, outside CLE classes, etc.	Takes "ownership" of all matters. Anticipates client needs and solves problems. Sacrifices when necessary to complete assignments on time. Takes advantage of all opportunities to develop professionally, including attending department lunches and training workshops, outside CLE classes, etc.	Anticipates client needs and solves problems. Willing to make commitments or sacrifices necessary to satisfy client demands. Takes advantage of all opportunities to develop professionally, including attending department lunches and training workshops, outside CLE classes, etc. Appears willing and able to fulfill the demands of partnership.
Professional Responsibility	Aware of and complies with duties and responsibilities owed to the client and the firm. Aware of lawyers' obligations to participate	Is alert to basic conflicts rules and procedures. Aware of and complies with duties and responsibilities owned to the client	Demonstrates an understanding of conflicts rules and procedures. Aware of and complies with duties and responsibilities owned to the

<b>Performance Guidelines Criteria</b>	<b>Junior Associates (1<sup>st</sup> &amp; 2<sup>nd</sup> Years)</b>	<b>Mid-Level Associates (3<sup>rd</sup> – 5<sup>th</sup> Years)</b>	<b>Senior Associates (6<sup>th</sup> Years and Above)</b>
	in the community.	and the firm. Able to make preliminary recommendations on ethical issues. Fulfills obligation to the community by donating time to outside organizations.	client and the firm. Serves as a role model to others. Makes recommendations to supervisors on how to deal with difficult ethical situations.
Navigating the Firm	Demonstrates basic understanding of the firm's structure and governance. Complements firm and department culture. Can identify and articulate the firm's major practice areas, including major clients, industries, specialties and cultures.	Can articulate and operate effectively within the firm's structure and governance. Can identify and articulate the firm's culture, including its norms, values, practices and beliefs. Can identify and describe the firm's major practice areas, including major clients, industries, specialties and cultures.	Is a role model to more junior associates in getting things done within the firm.
Contributing to the Life of the Firm	Attends hiring lunches, mentors more junior and summer associates (where appropriate). Attends department lunches and meetings.	Volunteers to work on a firm committee. Mentors junior associates (formally or informally). Assists with hiring, including conducting in-house and on-campus interviews. Volunteers acquired knowledge and experience at department lunches, meetings, etc.	Substantially contributes to a committee or other effort within the firm. Assists with hiring, including conducting in-house and on-campus interviews. Actively participates in department lunches, meetings, etc.
Law Firm Economics	Understands the importance of and implements impeccable timekeeping habits.	Maintains impeccable timekeeping habits. Can identify and articulate of the basics of law firm accounting and finance. Demonstrates an understanding of the basis for, and puts into context, Sullivan's policies and procedures.	Demonstrates an understanding of the basics of law firm accounting and finance. "Thinks like an owner" regarding Sullivan finances. Manages own practice to generate the maximum benefit both for self and for Sullivan.
<b>Business and Client Development</b>			
Developing and Maintaining Relationships	Identifies and maintains a network of existing contacts and adds new	Expands network beyond friends and family to include professional	Has developed and implements a business development plan.

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	contacts. Makes an effort to develop relationships with Sullivan colleagues in other offices and departments. Has joined and actively attends meetings of one professional and one community organization.	contacts. Assumes a leadership role in a professional and/or community organization.	Continues to expand networks while strategically choosing to focus on specific target clients. Has strong relationships firmwide. Is developing reputation as high-visibility leader in professional group and/or community organization.
Client Service	With appropriate supervision, provides timely and accurate information to clients (internal and external). Develops reputation for highest degree of responsiveness and reliability.	Can articulate what clients seek in a law firm. Assumes more direct contact with clients, keeping supervising attorney apprised. Demonstrates ability to handle difficult situations tactfully. Anticipates clients' needs; becoming adept at exceeding clients' expectations.	Instills full respect and confidence of clients; is seen as a leader on client service teams. Is able to identify and anticipate client needs for Sullivan's services.
Sales Skills/Knowledge of Firm, Practice and Business	In addition to working on learning legal skills, learns about the different services and expertise the firm offers. Seeks opportunities to learn about clients' industries and competitive environments.	Begins to understand differentiating factors as an individual lawyer, as a practice group and as a firm. Understands the identity and nature of the firm's largest clients. Starts to identify opportunities for additional service to client.	As part of a cohesive business development plan, develops and implements strategies for approaching potential clients. Has identified internal business development mentors and is becoming comfortable asking for business from both internal sources and prospective clients.

# Performance Guidelines by Year

## JUNIOR ASSOCIATE (1<sup>ST</sup> AND 2<sup>ND</sup> YEARS)

In each of the core Sullivan competencies (Productivity, Excellence of Work Product, Client Service, Client Teamwork, Sullivan Teamwork and Business Development), a successful Sullivan junior associate:

### Productivity

Productivity Bills at least 1,800<sup>1</sup> hours without significant time written off due to inefficient or poor performance. Overall profitability of practice group may be considered.

### Excellence of Work Product

Legal Analysis Utilizes available research resources; spots and articulates issues; applies legal rules, concepts, theories and principles to facts; evaluates effectiveness of legal theories and predicts decisions by the relevant authorities.

Written Communication Prepares logical, cohesive and clear arguments. Drafts clear, concise and error-free written communications, including memorandums of law, business correspondence and e-mail. Applies basic principles and techniques of legal drafting (e.g., using defined terms and terms of art appropriately). Makes appropriate use of forms. Documents are internally consistent.

Oral Communication Listens attentively. Expresses oneself clearly and concisely on straightforward matters both within and outside of the firm.

Judgment and Creativity Demonstrates awareness of client needs. Identifies and articulates alternative courses of action and strategies for consideration by supervising lawyer. Adapts quickly to changed or changing situations.

Negotiating Seeks opportunities to observe negotiations.

Time Management Demonstrates an ability to set work priorities and to plan, organize and manage time. Completes work assignments efficiently and effectively.

### Teamwork

Interpersonal Skills Maintains good relations with attorneys, staff and clients. Makes a good impression on others; controls emotions. Works well, alone and with others, under pressure.

Delegation Appropriately utilizes the firm's support staff and other resources.

<sup>1</sup> In each case, 1,800 countable hours are expected for bonus eligibility.



Feedback	Maintains open communication with secretary; communicates deadlines and priorities.
Dedication and Motivation	Completes all assignments efficiently and accurately and is willing to make sacrifices where necessary. Takes advantage of all opportunities to develop professionally, including attending department lunches and training workshops, outside CLE classes, etc.
Professional Responsibility	Aware of and complies with duties and responsibilities owed to the client and the firm. Aware of lawyers' obligations to participate in the community.
Navigating the Firm	Demonstrates basic understanding of the firm's structure and governance. Complements firm and department culture. Can identify and articulate the firm's major practice areas, including major clients, industries, specialties and cultures.
Contributing to the Life of the Firm	Attends hiring lunches, mentors more junior and summer associates (where appropriate). Attends department lunches and meetings.
Law Firm Economics	Understands the importance of and implements impeccable timekeeping habits.

## Business and Client Development

Developing and Maintaining Relationships	Identifies and maintains a network of existing contacts and adds new contacts. Makes an effort to develop relationships with Sullivan colleagues in other offices and departments. Has joined and actively attends meetings of one professional and one community organization.
Client Service	With appropriate supervision, provides timely and accurate information to clients (internal and external). Develops reputation for highest degree of responsiveness and reliability.
Sales Skills/Knowledge of Firm, Practice and Business	In addition to working on learning legal skills, learns about the different services and expertise the firm offers. Seeks opportunities to learn about clients' industries and competitive environments.

## MID-LEVEL ASSOCIATES (3<sup>RD</sup> – 5<sup>TH</sup> YEARS)

In each of the core Sullivan competencies (Productivity, Excellence of Work Product, Client Service, Client Teamwork, Sullivan Teamwork and Business Development), a successful Sullivan

mid-level associate:

### Productivity

**Productivity** Bills at least 1,800<sup>1</sup> hours without significant time written off due to inefficient or poor performance. Overall profitability of practice group may be considered.

### Excellence of Work Product

**Legal Analysis** Utilizes available research resources and delegates research to others when appropriate; spots and articulates issues; applies legal rules, concepts, theories and principles to sophisticated fact patterns; and evaluates legal theories and predicts decisions by the relevant authorities.

**Written Communication** Takes primary responsibility for most correspondence, pleadings, legal memorandums and transactional documents with minimal editing by supervising lawyer. Work product is clear and concise, free of careless errors and omissions and flaws in logic.

**Oral Communication** Listens attentively. Expresses oneself clearly and concisely on straightforward and complex matters both within and outside of the firm. Can identify, articulate and effectively manage different communication style preferences. Demonstrates effective presentation skills.

**Judgment and Creativity** Identifies, articulates and recommends alternatives for advancing client's legal and business objectives based upon evaluation of the relevant facts, issues and risks. Adapts quickly to changed or changing situations.

**Negotiating** Understands and applies a variety of effective negotiation techniques to negotiate language and substantive provisions in ancillary and/or straightforward documents. Demonstrates ability to achieve creative, efficient solutions for clients.

**Time Management** Plans, organizes and manages time well, including accommodating client emergencies. Completes work assignments efficiently and effectively.

### Teamwork

**Interpersonal Skills** Maintains good relations with attorneys, staff and clients. Makes a good impression on others; controls emotions. Works well, alone and with others, under pressure.

<sup>1</sup> In each case, 1,800 countable hours are expected for bonus eligibility.

Delegation	Identifies tasks more appropriately done by others and clearly articulates expectations of delegates with respect to each particular task. Develops skills of more junior associates.
Feedback	Evaluates the quality of, and effectively (and efficiently) edits, others' work. Can articulate and implements techniques for giving both supportive and constructive feedback.
Dedication and Motivation	Takes "ownership" of all matters. Anticipates client needs and solves problems. Sacrifices when necessary to complete assignments on time. Takes advantage of all opportunities to develop professionally, including attending department lunches and training workshops, outside CLE classes, etc.
Professional Responsibility	Is alert to basic conflicts rules and procedures. Aware of and complies with duties and responsibilities owned to the client and the firm. Able to make preliminary recommendations on ethical issues. Fulfills obligation to the community by donating time to outside organizations.
Navigating the Firm	Can articulate and operate effectively within the firm's structure and governance. Can identify and articulate the firm's culture, including its norms, values, practices and beliefs. Can identify and describe the firm's major practice areas, including major clients, industries, specialties and cultures.
Contributing to the Life of the Firm	Volunteers to work on a firm committee. Mentors junior associates (formally or informally). Assists with hiring, including conducting in-house and on-campus interviews. Volunteers acquired knowledge and experience at department lunches, meetings, etc.
Law Firm Economics	Maintains impeccable timekeeping habits. Can identify and articulate of the basics of law firm accounting and finance. Demonstrates an understanding of the basis for, and puts into context, Sullivan's policies and procedures.

## Business and Client Development

Developing and Maintaining Relationships	Expands network beyond friends and family to include professional contacts. Assumes a leadership role in a professional and/or community organization.
Client Service	Can articulate what clients seek in a law firm. Assumes more direct contact with clients, keeping supervising attorney apprised. Demonstrates ability to handle difficult situations tactfully. Anticipates clients' needs; becoming adept at exceeding clients' expectations.
Sales Skills/Knowledge of Firm, Practice and Business	Begins to understand differentiating factors as an individual lawyer, as a practice group and as a firm. Understands the identity and nature of the firm's largest clients. Starts to identify opportunities for additional service to client.

## SENIOR ASSOCIATES (6<sup>TH</sup> YEARS AND ABOVE)

In each of the core Sullivan competencies (Productivity, Excellence of Work Product, Client Service, Client Teamwork, Sullivan Teamwork and Business Development), a successful Sullivan senior associate:

### Productivity

Productivity Bills at least 1,800<sup>1</sup> hours without significant time written off due to inefficient or poor performance. Overall profitability of practice group may be considered.

### Excellence of Work Product

Legal Analysis Utilizes available research resources and delegates research to others when appropriate; spots and articulates issues; applies legal rules, concepts, theories and principles to sophisticated fact patterns; and evaluates effectiveness of legal theories and predicts decisions by the relevant authorities. Able to incorporate others' work into a finished product.

Written Communication Takes primary responsibility for all written work product on a case or transaction with supervisory responsibility over other lawyers working on less complex matters. Work product is clear and concise, free of careless errors and omissions and flaws in logic.

Oral Communication Listens attentively. Demonstrates effective presentation skills and presence within the firm and before external audiences. Instills confidence in ability to persuasively and effectively represent clients' interests.

Judgment and Creativity Identifies, articulates, evaluates and selects alternative, innovative courses of action and strategies for advancing client's legal and business objectives based on evaluation of relevant facts, issues and risks. Adapts quickly to changed or changing situations.

Negotiating Takes primary responsibility for negotiating substance of complex, operative documents. Adapts negotiation technique as applicable to each particular situation. Routinely achieves creative, efficient solutions for clients.

Time Management Plans, organizes and manages time well, including accommodating client emergencies. Completes work assignments efficiently and effectively.

### Teamwork

Interpersonal Skills Maintains good relations with attorneys, staff and clients. Makes a good impression on others; controls emotions. Works well, alone and

<sup>1</sup> In each case, 1,800 countable hours are expected for bonus eligibility.

with others, under pressure.

Delegation	Delegates and supervises work in a manner that balances the development of more junior associates and paralegals with efficient completion of the task at hand.
Feedback	Effectively supervises and mentors others.
Dedication and Motivation	Anticipates client needs and solves problems. Willing to make commitments or sacrifices necessary to satisfy client demands. Takes advantage of all opportunities to develop professionally, including attending department lunches and training workshops, outside CLE classes, etc. Appears willing and able to fulfill the demands of partnership.
Professional Responsibility	Demonstrates an understanding of conflicts rules and procedures. Aware of and complies with duties and responsibilities owned to the client and the firm. Serves as a role model to others. Makes recommendations to supervisors on how to deal with difficult ethical situations.
Navigating the Firm	Is a role model to more junior associates in getting things done within the firm.
Contributing to the Life of the Firm	Substantially contributes to a committee or other effort within the firm. Assists with hiring, including conducting in-house and on-campus interviews. Actively participates in department lunches, meetings, etc.
Law Firm Economics	Demonstrates an understanding of the basics of law firm accounting and finance. "Thinks like an owner" regarding Sullivan finances. Manages own practice to generate the maximum benefit both for self and for Sullivan.

## Business and Client Development

Developing and Maintaining Relationships	Has developed and implements a business development plan. Continues to expand networks while strategically choosing to focus on specific target clients. Has strong relationships firmwide. Is developing reputation as high-visibility leader in professional group and/or community organization.
Client Service	Instills full respect and confidence of clients; is seen as a leader on client service teams. Is able to identify and anticipate client needs for Sullivan's services.
Sales Skills/Knowledge of Firm, Practice and Business	As part of a cohesive business development plan, develops and implements strategies for approaching potential clients. Has identified internal business development mentors and is becoming comfortable asking for business from both internal sources and prospective clients.