



## Episode 108 - Dealing with Summer Associate Offers with Ex-BigLaw Recruiter

Alison Monahan: Welcome to the Law School Toolbox podcast. Today, we're talking with ex BigLaw recruiter, Sadie Jones, about the processing of getting, or not getting, an offer at the end of your time as a summer associate. Your Law School Toolbox host today is Alison Monahan, and typically I'm here with Lee Burgess, my cohost. We are here to demystify the law school and early legal career experience so that you'll be the best law student and lawyer you can be. We're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the Catapult Career Conference. I also run [The Girl's Guide to Law School](#). If you enjoy the show, please leave a review [on iTunes](#), and if you have any questions, don't hesitate to reach out to us. You can always reach us via our [contact form on LawSchoolToolbox.com](#), and we would love to hear from you. With that, let's get started.

Welcome back. Today, we're talking with ex big law recruiter, Sadie Jones, about the process of getting or not getting an offer at the end of your time as a summer associate. Let's start off with the basics. How does this process work in theory?

Sadie Jones: Usually, there is a summer associate committee that monitors the summer associates as the summer goes by and keeps track of reviews of work and any feedback on behavior or interactions with people or positive or negative feedback. Then, at the end of the summer, they collect all this data and have a meeting and decide about giving offers or not giving offers to the summer associates.

Alison Monahan: What does it mean to get an offer?

Sadie Jones: An offer normally would come when you're 2L, and it's an offer to return as a full-time associate after you graduate from law school.

Alison Monahan: That could also be after a clerkship or something like that?

Sadie Jones: Yeah, they're usually flexible. If you have a clerkship or let's say you want to come back for a year and then go to a clerkship, they're going to try to work with you on that.

Alison Monahan: What are some other possible outcomes if you don't get this offer?

Sadie Jones: There is the cold offer, which I have actually never worked at a firm that gave cold offers.

Alison Monahan: What does that mean?

Sadie Jones: A cold offer would be an offer in writing to come back, but they would tell you, between you and the firm, that they don't actually want you to come back. It's essentially saying we're going to give you this offer so that if you go out into the legal marketplace you can say, "I have an offer from this firm that I was a summer associate at," but they don't actually want you to come back. I did-

Alison Monahan: Right. They're pretty under the table. I mean, these happen. I mean, we'll talk later, I actually got one, but everybody pretends they don't happen. I mean, what's the point of them? Why would a firm do this?

Sadie Jones: I think that a lot of firms think it's the nicer way to no offer somebody, because at least you can tell other firms that you did have an offer. Most of the places I worked have felt like we're going to be honest about it either way, and it's very hard to not give somebody an offer. Being on this side of it, the firm side of it, it's a painful process to go through, the fact that you're going to give somebody possibly a black mark going forward in their career. But when we would talk about it, it was just, do they deserve an offer or not deserve an offer, and is it fair to the people who got an offer that you're going to give an offer to someone else who you feel like didn't deserve it? The cold offer really does give some more options, I guess, to the summer associate in terms of their future.

Alison Monahan: Right. Well, I mean, the flip side of is it also can make the firm look better because it allows them to report a higher offer rate than they actually gave.

Sadie Jones: Correct, and I've been at a lot of firms where we did give, let's say, one no offer during the summer. But I would say most firms either give all offers or give all offers/cold offers so that they can say they have 100% offer rate.

Alison Monahan: Yeah, exactly. I think people have to be a little bit skeptical when they see these offer rates. I mean, sometimes people, when they're choosing which firm to go to, "Oh, well this one had a 100% offer rate and this one only had a 95% offer rate." It's, you know what, you don't actually really know what's going on behind the scenes, so something just to be aware of. Then, obviously, as you mentioned, you could get the no offer, which is literally like, "We don't want you to come back."

Sadie Jones: Correct. Like I said, I've been in quite a few hiring committees where that's the end result, and it is very difficult because I will say that the firm wants everyone to get an offer. When you walk in the first day, they expect every summer associate is going to leave with an offer.

Alison Monahan: Right, and I think sometimes people have a misimpression about that. They think it's a survivor-type thing where they have to prove their worth and only a certain percentage of people are going to get this offer. But I think it's worth pointing out that the firm doesn't hire you unless they think that you're a good

fit and they want you to succeed. It's not like you have to go out of your way to go above and beyond to get this offer, it's the expectation, right?

Sadie Jones: Absolutely. I think you have to go above and beyond to get a no offer at most firms. You have to really stand out as having made some really big mistakes.

Alison Monahan: Yeah, or the firm has to be incredibly disorganized and have two partners thinking you're working for them, but that's a different story. We'll get to that later.

What can people do as they're finishing up the summer to ensure that they maximize their chance of getting an offer? I mean, there's this assumption you're going to get one. Hopefully, you've been doing pretty decent work. What can they do, or what have you seen people do that really jeopardizes their chances at this point, finishing out the summer?

Sadie Jones: I would say that you should never be in a situation where, let's say, it's your last week of work and you're not sure if you're going to get an offer or not. You should have had a midsummer review. You should have gotten feedback. That's the responsibility of the firm to give you messages throughout the summer that you need to fix certain things, so there really should never be a case where it's the last week and you don't know or you feel really unsure about it or you feel like you've gotten no bad feedback but you're still worried about it.

I would say, in terms of the end of the summer, make sure that you're wrapping up all your assignments. Make sure that you are talking to people, that you're leaving an impression that's positive, that if people are asking you to do farewell lunches and dinners that you're trying to fit that in. Really, the most important thing is that you don't leave anyone hanging. I think that is a way that you can make yourself look bad right at the end, not finish something and have to have an associate finish it for you after you leave. I've seen that.

Alison Monahan: Yeah, I've had that happen as associate, and you're like, really?

Sadie Jones: Yeah-

Alison Monahan: You couldn't have burned the midnight oil-

Sadie Jones: Yeah.

Alison Monahan: ... one night to get this done. Come on.

Sadie Jones: Yeah. That should just never happen. I would say be really organized and don't take on too much at the end that you feel like you may not be able to finish.

Alison Monahan: Right. From the associate perspective, I think documenting things, making sure it's easy to find stuff, if you have Bates numbers on your documents or

whatever, making a list of okay, this is the stuff that I worked on, this is where you can find it. Things like that just really go a long way towards leaving a very good impression instead of leaving the impression that maybe you're somebody you don't ever want to work with again.

Sadie Jones: Absolutely, and don't ever, ever save anything locally on your computer. Make sure everything is saved to the system, because I've also seen that really annoy partners.

Alison Monahan: Right, I would assume they're going to wipe your computer after you leave, right?

Sadie Jones: Exactly, and then I have been in situations where something comes up a few months later and then we call the summer associate and they say that, "Oh, I saved it on my computer. I thought you'd be able to find it."

Alison Monahan: Well, that's just terrible. That's terrible practice anyway. You should never, ever do that.

Sadie Jones: Absolutely.

Alison Monahan: I mean, never. You should never do that as an associate or summer associate or anyone, never save something locally.

Sadie Jones: Absolutely, unless it's something you actually don't ever want to see again.

Alison Monahan: Right, exactly, but then it's like well, why are you saving it anyway on your work computer?

Sadie Jones: Good point. I mean, I would say just be organized and know what you need to do and how you need to get things done so that also you're not working your last couple days. Your last couple days should just be wrap-up and saying goodbye to people and cleaning out your office. It shouldn't be frantically trying to finish an assignment.

Alison Monahan: Right, cleaning off all the stuff that shouldn't be on your computer to begin with.

Sadie Jones: Exactly.

Alison Monahan: Absolutely. Yeah, so I think plan ahead, get organized, get your stuff done, and then I think those last few days should ideally be for going around to the partners you've worked with or just maybe people you've chatted with, "Oh, this was such a great opportunity, I'm so happy I was here, I'd really love to keep in touch," blah, blah, blah.

Sadie Jones: I think that, no matter how you feel about the firm or feel about your summer or whether or not you think you want to work there, you should always want to get an offer and want them to like you and want to leave things really positively.

Alison Monahan: Yeah, exactly. This is not the time to turn bridges you don't need to burn.

Sadie Jones: Correct.

Alison Monahan: You can always turn the offer down later, but it's definitely better to have it in your back pocket than to go out with a flourish, a bang, and then end up having to deal with repercussions, which are not going to be very good.

Sadie Jones: Yep, and I've seen that happen.

Alison Monahan: Yeah, I mean, particularly because there's partying sometimes. I mean, I've definitely seen that get a little out of control, people showing up in the same outfit that they were in the day before when they've clearly partied all night and it's like two days before the end of the summer, and you're like really?

Sadie Jones: Well, you know what I think? I think by the end of the summer you're more comfortable with people so you let your guard down a bit, but what you need to remember at all time is that you're on a job interview, no matter where you are in the situation, and people are watching you, and they remember, and they say things to hiring partner and the recruiter and all sorts of people.

Alison Monahan: Right, I mean, the recruiter's basically there to keep an eye on things and see who they might not want to put in front of a client one day.

Sadie Jones: Yes.

Alison Monahan: All right. Well, what suggestions do you have for people who think that there may be potential issues or they know that there are potential issues? Maybe a project they worked on didn't go very well, maybe they have a personality conflict. Is there anything they can do to try to clear the air before this meeting happens and the offers actually go out?

Sadie Jones: Absolutely. I think, number one, don't be defensive about your mistakes. Own them, and ask them for feedback about how you could do things differently. Ideally, if something happened on assignment, and assuming it wasn't the last assignment, I would ask for maybe more work with that person and try to show them that you could turn it around, and note specifically what the issue was. I would say, own your mistakes and try to do whatever you can to show that you're willing to change and open to what their feedback is, and ask for feedback.

Alison Monahan: I mean, is this something you would recommend people set up a meeting with the recruiting coordinator, or who should I talk to if I think there's an issue?

Sadie Jones: I would assume that you have some kind of summer mentor who's an associate or a partner, or usually one of each. I would probably go to your associate mentor and talk to them about it. Or I would talk to someone on the summer committee, or you can talk to the recruiter too, but I always think that your mentor is the best place to start because they're supposed to be on your side about this, and I feel like most firms are going to pick good, supportive people to be your mentors and someone going to be honest with you. I would say to them, look, this happened, whatever your perspective is on it, and then whatever you've heard about it, and ask them what would they do in that situation.

Alison Monahan: But I assume this person's not going to be in that hiring meeting, probably?

Sadie Jones: Correct. But, I mean, I've been at firms where the mentors actually are on the summer committee, and I've been at firms where they're not, but usually they're someone who's associated with the summer committee, so I feel like they can get the message across, and the message hopefully comes back to you. Some of this is on the firm and that they're doing things properly, but I think for your part all you really can do is ask for feedback and be honest and express how much you want to work there and how whatever thing happened, that you're wanting to turn things around.

Alison Monahan: Right, and what about ... I mean, I know at one of the firms I was at, there was a situation where a summer basically had behaved really inappropriately towards a number of people at the firm. Other than not doing that, is there anything that person can do at the end?

Sadie Jones: I think that's hard, because some of those people are not very self-aware.

Alison Monahan: Yeah.

Sadie Jones: I've been in similar situations where things just continued to happen, even after they were given feedback.

Alison Monahan: Yeah, this was a pretty clear pattern.

Sadie Jones: I think, in that case, you should probably prepare for what would happen if you didn't get an offer.

Alison Monahan: Yeah, I think this person actually got fired a few days before the end of the summer.

Sadie Jones: I've been places where that happens.

Alison Monahan: Yeah. I think the message here is, don't be that person.

Sadie Jones: Yeah. I mean, take a good look at yourself and what you're doing and are you comfortable with how you're acting.

Alison Monahan: Right, I mean, and it's not just behavior towards other lawyers. It's behavior towards other, anyone at the firm.

Sadie Jones: Or even you're out and about and you're rude to someone who works at the venue.

Alison Monahan: Right.

Sadie Jones: I've seen that happen, or rude to a waiter.

Alison Monahan: Yeah, that's what I think was a lot of hitting on secretaries and things like that, like very aggressively.

Sadie Jones: Yeah, don't hit on secretaries.

Alison Monahan: Well, it was actually I think they got away with it as long as it was secretaries, but when they started hitting on other summers it really escalated quickly.

Sadie Jones: Yeah, I think the key here is to remember it's a job interview-

Alison Monahan: Yeah.

Sadie Jones: ... at all times.

Alison Monahan: Yeah, absolutely. It's like, if you want to date someone, ask them out after the summer.

Sadie Jones: Yeah, wait till later.

Alison Monahan: Wait till you have that offer in hand. Just focus on the offer.

Sadie Jones: Yes.

Alison Monahan: All right. Well, let's talk a little bit more about cold offers. I mean, it sounds like you don't have a whole lot of experience with this, but I actually got one, and [I wrote a whole post about it](#), so people can go and look that up if they want to hear more. I mean, I'll say in that case-

Sadie Jones: I know a little bit about it, and I actually had heard of a firm where somebody was given a cold offer and then accepted it-

Alison Monahan: Nice.

Sadie Jones: Which is, technically you can do that. I think that's a bad idea because I-

Alison Monahan: That's a terrible idea. You should never do that.

Sadie Jones: Yeah, and this person did not last very long, so if you are given a cold offer, it's not actually an invitation to return to the firm.

Alison Monahan: No. Definitely not. Yeah, I mean, in my case basically the firm was so disorganized they had assigned me two partners to work for more or less full-time, and I was already working like more than full-time for one of them. In a situation like that, and it turns out, actually, I spoke with another summer at the firm who was in a similar situation and, I mean, to be honest, that's just a really shitty situation to find yourself in, but I'm not really sure there's that much you can do to save it.

Sadie Jones: I don't think so, either, and I think you also have to take the perspective that it probably wasn't the right fit either way.

Alison Monahan: No.

Sadie Jones: Do you want to work at a place that did that to you? They obviously don't want to have you there, so I think you just have to say okay, what is my plan going forward? How am I going to leverage this-

Alison Monahan: Right.

Sadie Jones: ... into another position, because isn't really a job offer?

Alison Monahan: No, exactly. I mean, that was my feeling the day that I left. I mean, I remember walking through the lobby on my final day as I was leaving and just thinking, you could not pay me enough money to ever set foot in this place again.

Sadie Jones: Better for you to know that now than to work there for a few years and-

Alison Monahan: Yeah, exactly. I mean, I was like this is great because I never want to come back. But yeah, I mean, the whole scenario was really weird. I remember getting this call. I was on a train visiting my friend or something. I got this call from someone on the hiring committee, and they're like, "Well, we really don't think this is the right fit for you, but we don't necessarily not want to make an offer, but we don't want to make one if we think you would accept it, so, you know, what do you think about that?" I was like, "Let me be very clear. You could not possibly pay me to come back and work for you. You can just put me down as a definite no." They're like, "Great. We'll put you down as a definite no."

Sadie Jones: Well, that seems like you cleared the air pretty quickly.

Alison Monahan: Actually, I remember just literally laughing, and I was like, "You can just put me down as a no. Like, I think we can just agree this did not work out and we're not going to move forward together, thank you."

But I mean, at the time, even though I was very clear I didn't want to work there, it still leaves you with this thing of well, what am I going to do next?

Sadie Jones: I think the key, in that situation or not getting an offer, is that this is important and you're taking it seriously, but it is not the end of the world-

Alison Monahan: Right.

Sadie Jones: ... and you will have options.

Alison Monahan: Right. If someone doesn't get an offer officially or if they get a cold offer, how can they handle that? I mean, obviously they've got to find a job. But is this a permanent black mark, and how are the two different?

Sadie Jones: I think absolutely not, it's not a permanent black mark. They are different in that if you don't get an offer, you don't have the piece of paper in hand that says you got an offer. On the other hand, another firm may not directly ask you, so you don't really know. Some firms don't even think to do it. I would, as a recruiter.

Alison Monahan: I mean, it seems like something you would at least ask about.

Sadie Jones: People sometimes just assume, so I am surprised. But I think what you need to do is have a plan and say this is my story and this is how I'm moving forward and this is how I'm going to portray the entire situation, and I think you just need to figure out what your game plan is and where you're going to look for work. We had somebody once who ended up in a really great clerkship and is very successful now.

Alison Monahan: That was my strategy. I mean, at the time you couldn't apply for clerkships until after your 2L year, so that was a pretty convenient option because you applied in early September, I knew I didn't really have an offer to go back to this firm. I mean, in my case I'd actually summered a different place my 1L year, so I had a 1L summer offer. I could have always gone there, frankly liked them a lot better. But, I mean, my strategy was well, I should just find a clerkship, and then after, during the clerkship, I can apply to firms in a different city or wherever. I couldn't really decide where I wanted to work, but I figured that would give me the leverage to really ... nobody's really asking about my 2L summer at that point. It's not so much of an issue.

Sadie Jones: Absolutely. I also think that, especially when the economy was down or things go up and down, there are more no offers, and there's lots of reasons for that. I think what you really need to do is have a game plan moving forward. Where am I going to apply? I'm not going to let this get me down. This isn't going to make me not be a lawyer. No, I don't think that this is the end of your legal career.

Alison Monahan: No, I think that would be a gross overstatement.

Sadie Jones: But I had so many summer associates say things like that to me.

Alison Monahan: Right, well-

Sadie Jones: What I would say is, that's not the right attitude to take if you want to be a lawyer. You need to figure out what's next.

Alison Monahan: Yeah, I mean, that's just not a productive attitude in general. I mean, there are lots and lots of options. You don't have to work at a big firm.

Sadie Jones: Absolutely.

Alison Monahan: I'm assuming that other types of jobs probably care a little bit less. Again, if you're applying outside of the big law market, they might not even to think to ask about an offer. What if someone wants to lie on their resume and say they got an offer when they didn't?

Sadie Jones: I would absolutely never do that, because maybe nine times out of ten they don't call the firm or ask, but maybe they do-

Alison Monahan: Right.

Sadie Jones: ... and maybe the firm says something. I think it's just never a good idea, because something like that will stay with you. Lying about it will stay with you more than not getting an offer.

Alison Monahan: Right. Yeah. I mean, have you seen resumes come in from someone who didn't get an offer? How do people phrase that?

Sadie Jones: How do they phrase it on their resume-

Alison Monahan: Right.

Sadie Jones: ... if they didn't get an offer?

Alison Monahan: I mean, do they just put I worked at X and then-

Sadie Jones: Correct.

Alison Monahan: ... wait for the firm to ask?

Sadie Jones: I've actually never seen anyone write no offer on their resume.

Alison Monahan: Well, obviously, they're probably not going to put that. But, I mean, people who got an offer, do they put that? I mean, is there an assumption?

Sadie Jones: Actually, they do sometimes. They don't necessarily. I think it depends sometimes, also, like they were a 1L, although a 1L usually gets an offer to return. I would always be suspicious if it didn't say offer to return on their resume. I do think you need to say where you worked. I wouldn't leave it off your resume.

Alison Monahan: Yeah.

Sadie Jones: Another thing people do, and all that does is have them ask you, "Well, where did you work during the summer?"

Alison Monahan: Right.

Sadie Jones: You can't say you didn't do anything. I think what you really need to do is have your story prepared. I wouldn't put it out there, because maybe they won't ask and maybe you never have to say it-

Alison Monahan: Yeah.

Sadie Jones: ... but I would make sure that you're never caught off guard with that question.

Alison Monahan: Right. I mean, I think you just put it on your resume, I was a summer associate at firm X in city X, these are the projects I worked on. Presumably, when you're applying, you're going to have to have, either in your cover letter or at least in the initial interviews, some reason that you're applying. I mean, it's more convenient if it's a different city or something like that, but I mean, I think it's fair.

I mean, I think people understand that there's not always a great fit your first-

Sadie Jones: I agree.

Alison Monahan: ... summer associate experience, and I think that's always a fair, well, this just wasn't the right fit for me because of X, Y and Z. Hopefully, those are objective, I'm more interested in litigation, which you guys are better known for, and this was a more corporate firm, or whatever, some sort of objective reason. Then, if it really gets down to brass tacks and they're like, "Well, did they hate you?"

Sadie Jones: I was going to say that ...

Alison Monahan: Go ahead.

Sadie Jones: Well, and I think, I agree, I was going to say fit would be my number one explanation. Usually that is the explanation, for whatever reason-

Alison Monahan: Right.

Sadie Jones: ... it's not a fit. And same, I think practice group is another main area to go to.

Alison Monahan: Yeah.

Sadie Jones: I don't think you need to give a ton of information, and I don't think they're going to ask for a ton of information.

Alison Monahan: No, I mean, I think presumably they're interviewing you because they think that you're actually are a good fit for their firm. I think the less you go into the gritty details of what may or may not have happened in your previous summer that didn't go so well, probably the better for everyone.

Sadie Jones: Absolutely. I also think you have to focus on your credentials, you probably had pretty good credentials that you got the summer associate job, so I think you need to focus on the positive and what you have to offer.

Alison Monahan: Yeah. You can always go back to fit. Just wasn't a good fit. Really, it just wasn't a good fit.

Sadie Jones: Absolutely, and I think maybe it does help you figure out a place you want to be more.

Alison Monahan: Yeah.

Sadie Jones: Like a really different kind of firm.

Alison Monahan: I think another thing is you don't want to talk badly about the firm you worked at, even if it was not the greatest experience, because this is a small community. People talk to each other. You may be talking who was law school friends with a person that you're talking badly about. Just don't do that.

Sadie Jones: I agree, and I think that they're not going to want to talk badly about you either.

Alison Monahan: Right. It's nobody wants to deal with this. Everybody just wants it to away. They want you to find a different job, go on about your life, and not bother them.

Sadie Jones: Yeah, and I think that is why some people do do the cold offer, because they're hoping that person will end up in a better situation.

Alison Monahan: Yeah. Sure. All right, well, what if somebody gets an offer and everything seemed to go okay, but they really weren't very happy at the firm and actually do think it's a bad fit legitimately for the long-term? Should they turn that down initially, or how does that work, and then does it look bad to re-interview at other firms?

Sadie Jones: I would say that you should hold the offer for as long as you can hold the offer while you're looking for something else.

Alison Monahan: How long is that generally?

Sadie Jones: You don't want to give up that opportunity. Usually, I believe, according to the NALP guidelines, it's sometime in October, November. They tend to switch these dates.

Alison Monahan: Of your 3L year.

Sadie Jones: Correct. You have a few months until you have to decide, and then if you're looking for a clerkship, even applying, you can get an extension. Also, usually most firms will give you an extension if you tell them you're still trying to figure things out, but what I would say is be honest. If you absolutely know you're never going to go there and you're pretty confident you're going to find another job, maybe you turn them down. Or maybe you tell them the truth, I'm not sure that this was the right fit, I kind of want to see what else is out there. They're not going to have a problem with that.

Alison Monahan: Really?

Sadie Jones: I don't think so. I would always rather somebody be honest with us.

Alison Monahan: I mean, I assume you can tell if they're dragging their heels and they're not really responding to your emails-

Sadie Jones: Yeah, or sometimes-

Alison Monahan: ... that looks worse.

Sadie Jones: ... absolutely. Sometimes you know that they want a certain practice group. Maybe they say, I have these concerns. Then, the firm can go back and say well, we know we can put you in litigation. Maybe they can deal with some of the questions you have. If it's just personality or location or things like that, they can't really be changed. I also think maybe you want to move to a different city where they have an office. You don't know what options there are going to be, but I would immediately start looking for something else if you really feel like it's not the right fit. You should have your story for the new firm, even if you got an offer, about why you're not taking that and why you're looking elsewhere.

Alison Monahan: How bad does it look if someone takes an offer and then later doesn't show up at the firm?

Sadie Jones: I think that's worst-case scenario. I don't think that makes you look very good. I think it hurts everybody, because maybe that was a job one of your classmates could get at that firm. Maybe that firm was only hiring three people, and it really affects their practice groups and where people get placed and workload and all of those kinds of things. I think you need to be on top of your career and knowing what you want to do. I think if you accept the offer you say, I'm going

to be there for at least a year. I'm going to go, I'm going to show up on the first day, and I'm going to give it a shot.

Alison Monahan: And so, if you're applying for clerkships, I mean, that process is a little more amorphous now, I mean, then you accept the offer and say basically well, I'm applying for clerkships, and if I get a clerkship I would need to do that for a year. I mean, is that acceptable or should you not accept at that point and hold it? How does that work?

Sadie Jones: I would probably talk to the firm individually about your situation. They would probably want you to not accept and just get an extension, or that's been my experience, because usually they want you to, if you get the clerkship, ask the judge whether they're comfortable with you accepting the offer.

Alison Monahan: True.

Sadie Jones: The ethical considerations here matter a lot, and if your judge says they're not, they won't let you accept the offer, usually they'll keep it open for another year.

Alison Monahan: Yeah, I think usually, generally firms are pretty flexible.

Sadie Jones: They want you to be at a clerkship.

Alison Monahan: Yeah, I mean, judges are-

Sadie Jones: Absolutely.

Alison Monahan: ... judges are usually pretty flexible, firms are usually pretty flexible, and everybody understands that this is a good thing for you to do for your career development, it's a good thing for you to do for your firm practice. The judges understand that you need to have a job after you graduate, I mean after you finish your clerkship. I mean, nobody wants this to fall apart for you, typically.

Sadie Jones: Yeah, it's in everyone's best interest that you have everything lined up. I've also heard that a lot of judges are looking for people with some experience-

Alison Monahan: Sure.

Sadie Jones: ... so I know people applying and getting clerkships in their 3L year, that will be for after they've worked at the firm for a year or two. Usually, firms are fine with that too. I would say, don't hide stuff like that. I have summer associates ask me, "Should I not tell them, because is this going to make me look bad?" No, it's not going to make you look bad. It's going to make you look good that you got a clerkship, and they'll hope that you'll go and then you'll still come back.

Alison Monahan: Right, I mean, and that frankly can be a pretty good way to transition out of a firm after a year or two, which the firm also understands, but they're hoping

that you come back. Again, all this is pretty standard. People do this all the time. You're not the first person to ever work at a firm for a year and then go clerk. I mean, a lot of people are doing that because I think the pay is better, and judges like having someone with some experience. All these things are, I mean, everybody's pretty flexible around them.

Sadie Jones: Absolutely, and I think that sometimes the individual summer associate loses perspective that everyone's so concentrating on them and what they're going to do, and the firm's really looking at everybody and all of their needs, and you're one person.

Alison Monahan: You're not going to make or break, you're an incoming first-year associate.

Sadie Jones: Yeah. I would say you don't want to overshare, but you want to be as honest as you can, because that leaves everybody feeling better about the situation.

Alison Monahan: Right. I think people just want to know where they stand. I think I recall, I mean it's been a while, but I think I had, the offer that I had from my 1L firm, they also obviously wanted to know what my plans were. I think I just told them look, I'm going to do this clerkship for a year. Let's be in touch during that year. I haven't decided if I'm going to go work in New York or if I'm going to work in California, so you're only in New York, so that obviously plays into it. I actually pre-clerked as a summer before my clerkship, so I had a 3L offer as well.

Again there, this was this conversation about well, I want to be in ... after I decided to move back to San Francisco and I really wanted to be in the city, and their office was in Redwood City or something, South Bay. I mean, it seems crazy now, but I was like well, I don't want to commute. They were thinking of opening an office in San Francisco, so it was this ongoing conversation about well, this is what I'm looking for, and if you do this I would be very happy to work with you, but if you don't, I don't want to work there, so just let me know what's going on. It was really a conversation on both sides about they hadn't decided where they were going to open their office, and blah, blah, blah.

Sadie Jones: Well, and I think that goes along with what I was saying about having a mentor, too. Whether it's your assignment or someone you've taken on, there should be somebody at the firm that you're keeping in touch with that you feel comfortable with, and the firm will definitely try to reach out to you, so I would always keep up relationships. Even if you turn down their offer, I would keep up relationships-

Alison Monahan: Oh, yeah, absolutely.

Sadie Jones: ... because like you said, you don't know what's going to happen.

Alison Monahan: Right, and that conversation too was well, if a year from now or two years from now you open this office and I'm still in San Francisco and still want to work with

you, we could do that. It's not always this cut and dried, this is the only answer, you've got to make your decision forever right now about everything. I mean, people are making choices on both sides.

Sadie Jones: Absolutely, and I think they just, everyone wants it to be the right fit or positive for everybody.

Alison Monahan: Right, well it's far worse to have a bad associate than a bad summer associate experience.

Sadie Jones: Completely. It's worse on both parts.

Alison Monahan: Absolutely. All right, well, one final question. If you got an offer and you do plan to accept it or you've already accepted it, how much do your 3L grades matter? Can the firm pull the offer if you do badly, and what level of badly would count?

Sadie Jones: I've never seen an offer pulled for that reason. I think it is unlikely that they're going to pull your offer unless you fail out, don't graduate.

Alison Monahan: Right.

Sadie Jones: But I would also say that you certainly shouldn't slack off or give up or think it doesn't matter, because they are going to see your final grades. I would always ask for a complete transcript, and it will raise some questions because people are going to see that transcript, probably the hiring partner or a mentor or someone in your practice group, and it's not going to make you look very good that you didn't keep things up. I think what you should do is try to maintain the same level that you maintained throughout the rest of school. On the other hand, if you have a personal issue, something comes up, we had someone once in her 3L year to take some time off. Firms understand that. I would just talk to them about it. I did have someone whose grades went down quite a bit who came to me proactively and said, "I had an illness." I think that's really helpful, because it's like you've acknowledged it. Like I said from the beginning, just be honest.

Alison Monahan: Right.

Sadie Jones: But I certainly don't think you should let things go.

Alison Monahan: Yeah, I mean, you don't want to go from A minus, B plus to straight C's for the entire year and never say anything and just be like, here's my final transcript. I mean, you're definitely going to get some questions about that, probably.

Sadie Jones: Yeah, I think they're going to ask, but I do think it's unlikely they're going to rescind your offer based on that, unless they think you just don't care anymore.

Alison Monahan: Right. Well, I mean, I think that's the message it sends is okay, great, I'm in, I just don't have to worry about this. I mean, a few B's is probably fine, but you don't want to have-

Sadie Jones: Yeah.

Alison Monahan: ... C's and D's.

Sadie Jones: Well, and I think something to keep in mind is, you're going to be going right into bar study, so you're going to have to, you want to stay in the right school mindset for where you're going to have to be.

Alison Monahan: Absolutely. Well, unfortunately, with that we are out of time. Thank you so much for joining us.

Sadie Jones: Thank you.

Alison Monahan: To everyone listening out there, hopefully you wrap up your summer on a nice high note and don't do anything stupid and get an offer. If you get a cold offer, you can write to me, and I'll give you some advice on what to do about it. If you enjoyed this episode of Law School Toolbox podcast, please take a second to leave a review and rating [on iTunes](#) or your favorite listening app, because we would really appreciate it, and be sure to subscribe so you don't miss anything. If you have any questions or comments, please don't hesitate to reach out to Lee and Alison at [Lee@LawSchoolToolbox.com](mailto:Lee@LawSchoolToolbox.com) or [Alison@LawSchoolToolbox.com](mailto:Alison@LawSchoolToolbox.com), or you can always contact us via our website [contact form at LawSchoolToolbox.com](#). Thanks for listening, and we'll talk soon.

**Resources:**

- [What It's Like to Get a Cold Offer](#)