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THE RELATIVE IMPORTANCE OF SKILLS USED BY ATTORNEYS

*By Robert A. D. Schwartz**

This study presents the opinions of a representative sample of attorneys regarding skills important to the practice of law. The data reflects summaries of opinions of 634 attorneys. While this study does not attempt to draw conclusions that are “statistically significant” as that term is used in the science of statistics, the natural inferences to be drawn from the data can provide meaningful guideposts for members of the legal community.

METHOD

This study was based on a questionnaire sent to 1,200 attorneys listed in the 1972 *California Legal Directory*. The 634 replies represent 52.8 percent of questionnaires mailed and 1.7 percent of the total State Bar membership.

To insure a greater response, the questionnaire was limited

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to a single page.¹ Fifteen skills, selected from a list developed through personal interviews with attorneys, were identified on the questionnaire. The first eight skills listed were those thought to be taught in law schools. The remaining seven are oral and investigative skills that are not usually emphasized by legal educators. Except for "legal research" all of the first eight skills listed on the questionnaire are tested by the State Bar examination.

TABLE ONE
COMPOSITION OF SAMPLE:
YEARS IN PRACTICE

	Number	Percentage	State Bar Survey (1968)
0 - 2	62	9.8	16.7
3 - 5	94	14.8	14.4
6 - 10	133	21.0	19.7
11 - 15	87	13.7	16.2
16 - 20	76	12.0	14.3
Over 20	158	24.9	18.7
No answer	24	3.8	

COMPOSITION OF THE SAMPLE

Table One categorizes the responses of attorneys according to the number of years they have been in practice. The table also reflects a comparison between the composition of a State Bar survey² and the *Golden Gate Law Review* survey. Additionally the table shows that approximately half the attorneys responding have been in practice for ten years or less.

¹See Appendix I for a copy of the questionnaire.

²44 J. St. B. Cal. 141 (March-April 1968).

TABLE TWO
ATTORNEYS SAMPLED: TYPE OF PRACTICE

	No. of responses	Percent of total replies
Criminal	183	28.9
Corporate	217	34.2
Civil	414	65.3
Governmental	92	14.5
Estate Planning, Probate	69	10.9
Miscellaneous	62	9.7

TABLE THREE
NUMBER OF BAR EXAMINATIONS BEFORE SUCCESSFUL

	Number	Percentage
1 Examination	505	79.7
2 Examinations	85	13.4
3 Examinations	26	4.1
More than 3 Examinations	6	.9
No answer	<u>12</u>	<u>1.9</u>
	634	100.0

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Table Two shows the percentage of attorneys responding from the various types of practice identified on the questionnaire. Attorneys were requested to check all the types of practice in which they were involved. Consequently, many attorneys indicated more than one type of practice which resulted in more than 634 responses. The percentages shown, however, are computed based on 634, not on the number of answers.

Table Three demonstrates the number of times each attorney attempted the California Bar examination. More than 93 percent of the sample replied that they were successful on either the first or second attempt. If the pass rate of the examination is 55 percent, this 93 percent figure would mean that over 40 percent of those that fail the first attempt at the Bar examination never try again.

ANALYSIS OF SKILLS

Table Four is the summary of the responses of the entire sample. Because all the skills listed on the questionnaire are obviously useful to attorneys, the results tend to cluster in the "essential" and "important" categories.

Table Four, however, shows that only five of the skills listed were thought to be essential by a majority of the attorneys surveyed. These skills and the corresponding percentage of attorneys who view them as essential are:

Analyzing cases	63.6%
Legal research	56.9%
Knowledge of substantive law	56.1%
Investigating facts of client's case	56.3%
Counseling clients	53.5%

Table Four also shows that "knowledge of common law subjects" and "memorizing legal concepts" are considered the least important of the fifteen skills listed.

TABLE FOUR
TOTAL RESPONSES

QUESTIONS	1	2	3	4	5
	ESSENTIAL PERCENT	IMPORTANT PERCENT	USEFUL PERCENT	NOT USEFUL PERCENT	NO VALUE PERCENT
Knowledge of common law subjects	21.9	28.8	33.6	13.5	2.2
Knowledge of substantive law	56.1	33.0	9.0	.9	.9
Analyzing cases	63.6	25.8	8.3	1.7	.6
Writing legal analysis under pressure	31.1	35.6	25.6	6.2	1.6
Organizing and synthesizing	45.4	38.7	12.8	2.1	1.0
Memorizing legal concepts	4.0	15.0	44.1	29.3	7.6
Quick legal analysis	24.8	42.4	26.8	5.4	.6
Legal research	56.9	30.3	10.4	1.7	.6
Interviewing clients	44.8	38.1	13.9	2.2	.9
Investigating facts of clients case	56.3	27.4	13.4	1.9	.9
Counseling clients	53.5	32.9	10.3	2.7	.6
Eliciting facts under adverse confrontation	33.7	42.6	19.1	4.0	.6
Oral argument of case	29.5	46.3	20.4	2.9	1.0
Negotiating out of court settlements	39.0	42.7	15.6	2.2	.5
Persuasive expression under pressure	37.0	45.1	14.1	2.7	1.1

TABLE FIVE
ATTORNEYS WITH SOME TRIAL PRACTICE

QUESTIONS	1		2		3		4		5	
	ESSENTIAL	PERCENT	IMPORTANT	PERCENT	USEFUL	PERCENT	NOT USEFUL	PERCENT	NO VALUE	PERCENT
Knowledge of common law subjects	22.9		23.2		37.5		14.6		1.8	
Knowledge of substantive law	57.4		33.0		8.2		.7		.7	
Analyzing cases	68.8		22.2		6.8		2.2		.6	
Writing legal analysis under pressure	31.6		35.8		24.1		7.1		1.4	
Organizing and synthesizing	48.0		37.3		11.5		2.2		1.1	
Memorizing legal concepts	5.0		14.9		42.2		30.1		7.8	
Quick legal analysis	26.1		45.7		23.2		4.3		.7	
Legal research	56.7		32.3		8.9		1.4		.7	
Interviewing clients	49.8		34.5		11.7		2.5		1.4	
Investigating facts of clients case	63.3		22.1		12.1		2.1		.4	
Counseling clients	58.6		30.4		7.9		2.9		.4	
Eliciting facts under adverse confrontation	49.6		33.9		13.2		2.5		.7	
Oral argument of case	39.4		45.4		12.8		1.8		.7	
Negotiating out of court settlements	46.3		40.9		10.3		2.1		.4	
Persuasive expression under pressure	46.3		42.3		8.5		1.8		1.1	

The Influence of Trial Experience

Table Five presents the responses of 282 attorneys (44.5 percent of the sample) with some trial practice. Table Six shows the replies of 352 attorneys (55.5 percent of the sample) with no trial experience. Though the tables reflect considerable differences in the responses, the most significant variations are not surprising. For the entire sample (Table Four) “eliciting facts under adverse confrontation” was considered an essential skill by 33.7 percent. However, 49.6 percent of the attorneys with a trial practice considered this skill essential while only 20.6 percent of the attorneys who do not do trial work placed such importance on the skill.

According to the tables “persuasive expression under pressure” is considered an essential skill by 37 percent of the practicing bar (Table Four). Of those attorneys with a trial practice (Table Five), 46.3 percent claim it to be an essential skill and of those attorneys not involved in trial work (Table Six) only 29.5 percent consider it essential.

Table Seven is presented to make it easy for the reader to determine and compare those skills considered essential by attorneys who conduct trial work to those skills considered essential by attorneys not involved in trial work. It is interesting to note that “legal research” is considered equally important by both categories of attorneys.

The Influence of Specialization

There were five different specialties or types of practice identified on the questionnaire. Some attorneys are involved in more than one of these specialties. Nearly 30 percent of the attorneys were involved in criminal practice, 34 percent in corporate work, 65 percent in civil practice, 15 percent in government, 11 percent in probate and estate planning, and 10 percent of the sample named a type of practice not listed. Tables Twelve through Seventeen show the responses of the attorneys in each specialty.³ These

³See Appendix II

TABLE SIX
ATTORNEYS WITH NO TRIAL PRACTICE

Q U E S T I O N S	1		2		3		4		5	
	ESSENTIAL	PERCENT	IMPORTANT	PERCENT	USEFUL	PERCENT	NOT USEFUL	PERCENT	NO VALUE	PERCENT
Knowledge of common law subjects	21.1		33.3		30.5		12.5		2.6	
Knowledge of substantive law	55.0		33.0		9.7		1.1		1.1	
Analyzing cases	59.4		28.6		9.4		1.4		1.1	
Writing legal analysis under pressure	30.7		35.3		26.7		5.5		1.7	
Organizing and synthesizing	43.3		39.8		14.0		2.0		.9	
Memorizing legal concepts	3.1		15.1		45.7		28.6		7.4	
Quick legal analysis	23.7		39.7		29.7		6.3		.6	
Legal research	57.0		28.8		11.7		2.0		.6	
Interviewing clients	40.7		41.0		15.7		2.0		.6	
Investigating facts of clients case	50.7		31.6		14.5		1.7		1.4	
Counseling clients	49.4		34.9		12.2		2.6		.9	
Eliciting facts under adverse confrontation	20.6		49.7		23.8		5.2		.6	
Oral argument of case	21.4		47.0		26.7		3.8		1.2	
Negotiating out of court settlements	33.1		44.1		19.9		2.3		.6	
Persuasive expression under pressure	29.5		47.3		18.6		3.4		1.1	

TABLE SEVEN

ESSENTIAL SKILLS

Skill	All (Table Four)	With some trial (Table Five)	With no trial (Table Six)
Knowledge of common law subjects	21.9%	22.9%	21.1%
Knowledge of substantive law	56.1	57.4	55.0
Analyzing cases	63.6	68.8	59.4
Writing legal analysis under pressure	31.1	31.8	30.7
Organizing and synthesizing	45.4	48.0	43.3
Memorizing legal concepts	4.0	5.0	3.1
Quick legal analysis	24.8	26.1	23.7
Legal research	56.9	56.7	57.0
Interviewing clients	44.8	49.8	40.7
Investigating facts of clients case	56.3	63.3	50.7
Counseling clients	53.5	58.6	49.4
Eliciting facts under adverse confrontation	33.7	49.0	20.6
Oral argument of case	29.5	39.4	21.4
Negotiating out of court settlements	39.0	46.3	33.1
Persuasive expression under pressure	37.0	46.3	29.5

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tables are presented in an Appendix without comment because meaningful correlations between types of practice are not easily drawn, and readers interested in data exclusively from one type of practice will be better equipped to ferret out the information they desire.

The skill considered essential by the highest percentage of attorneys in each type of practice is revealed in Table Eight. "Analyzing cases" is considered essential by more attorneys in the criminal, civil, and governmental fields than any other skill listed on the questionnaire. Corporate attorneys listed "legal research" as essential more often than the other skills. It is noted that attorneys in governmental fields considered "legal research" nearly as important as "analyzing cases". Attorneys involved in probate or estate planning revealed that they consider "counseling clients" essential more often than the other skills.

The Influence of Experience

As indicated previously, the sample was classified by years of practice to compare the distribution of the sample with a previous survey made by the State Bar in 1968. This classification reflected some interesting changes in the importance placed on skills as experience increases.

Table Nine displays the skill deemed most essential by each experience category. Note that more attorneys with five or less years of experience consider "legal research" the most essential skill while attorneys with between six and fifteen years of practice consider "analyzing cases" the most essential. Among attorneys in practice between sixteen and twenty years, "counseling clients" is considered essential by the greatest number.

The veteran, in practice over twenty years, considers the "knowledge of substantive law" the most essential skill in his arsenal. Note that even though "knowledge of substantive law" is considered an essential skill by 56.1 percent of all the attorneys surveyed (Table Four) it is not the most essential skill to any

TABLE EIGHT
MOST ESSENTIAL SKILL BY
TYPE OF PRACTICE

Type of Practice	Skill Deemed Most Essential	Percent Marking "Essential"
Criminal	Analyzing cases	62.2
Corporate	Legal research	62.2
Civil	Analyzing cases	65.2
Governmental	Analyzing cases; legal research	63.0; 62.0
Probate & Estate Planning	Counseling clients	62.3
Miscellaneous	Investigating facts	61.9
All attorneys	Analyzing cases	63.6

TABLE NINE
MOST ESSENTIAL SKILL BY
YEARS OF PRACTICE

Years of Practice	Skill Deemed Most Essential	Percent Marking "Essential"
0 - 2	Legal research	54.8
3 - 5	Legal research	66.0
6 - 10	Analyzing cases	67.4
11 - 15	Analyzing cases	67.8
16 - 20	Counseling clients	69.3
Over 20	Knowledge substantive law; analyzing cases	69.0; 68.6

TABLE TEN
MOST ESSENTIAL SKILL(S) BY TYPE OF PRACTICE AND YEARS OF EXPERIENCE

Years of Experience	Criminal	Corporate	Civil	Governmental	Estate & Probate
0 - 2	Analyzing cases	Legal research	Legal research	Legal research	Legal research Investigating facts of client's case
3 - 5	Analyzing cases	Legal research	Analyzing cases	Legal research	Negotiating out of court settlements
6 - 10	Counseling clients	Organiz. & Synth.	Analyzing cases	Counseling clients	Organiz. & Synth. Legal research
11 - 15	Interviewing clients	Analyzing cases Counseling clients	Analyzing cases	Analyzing cases Legal research	Organiz. & Synth. Knowledge of Subst. Law
16 - 20	Knowledge of Subst. Law	Analyzing cases	Counseling clients	Analyzing cases	Counseling clients
Over 20	Analyzing cases Legal research	Analyzing cases	Knowledge of Subst. Law	Analyzing cases Legal research	Analyzing cases

SKILLS USED BY ATTORNEYS

category herein discussed except those attorneys in practice over twenty years.

Table Ten reflects the skills considered the most essential by each specialty at each level of experience. Only attorneys in the probate and estate planning fields show results different from that demonstrated in Table Four.

Oral Skills

There were four oral skills listed on the questionnaire; “interviewing clients”, “counseling clients”, “eliciting facts under adverse confrontation”, and “oral argument of case”. Table Eleven shows the percentage of attorneys in each specialty and experience category who considered these skills essential. Generally, the table demonstrates that oral skills become more important as the attorney gains experience. This trend ceases after twenty years of practice.

One can see also that probate and estate planning attorneys consider “interviewing clients” and “counseling clients” to be much more important than the other two oral skills. Attorneys involved in criminal law, however, seem to place some degree of importance on all four oral skills.

USES FOR THE DATA

One does not write a conclusion to a study such as this. Nor is the data provided for data’s sake. The data is provided because it can be of importance in a number of ways.

To the law student it can provide guidelines to aid in determining what skills he must develop in order to successfully pursue a chosen type of practice. Or, it may allow the student to choose a legal specialty best suited to that student’s talent.

To the academician the study might provide a guide to relevance in legal education. It is certainly worth the time of any legal teacher to determine if there are important skills required of

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TABLE ELEVEN
ORAL SKILLS RATED AS ESSENTIAL

Years of Practice	Interviewing Clients	Counseling Clients	Eliciting Facts Under Adverse Confrontation	Oral Argument of Case
0 - 2	36.1%	41.0%	29.0%	29.0%
3 - 5	35.1	42.6	36.6	33.3
6 - 10	45.1	54.7	39.7	31.3
11 - 15	52.3	55.8	38.8	31.4
16 - 20	52.6	69.3	36.0	29.3
Over 20	46.8	55.4	25.8	23.1
Type of Practice				
Criminal	51.6%	54.9%	42.8%	38.3%
Corporate	39.6	56.8	26.3	22.9
Civil	47.2	56.4	33.5	28.7
Governmental	40.2	54.4	26.4	23.1
Probate & Estate	56.5	62.3	22.1	19.1
All Attorneys	44.8	53.5	33.7	29.5

attorneys that are ignored by legal education in the name of tradition.

To the practitioner the study might provide guidance for career planning. It can point out which skills will be important to attorneys in particular types of practice as they gain experience.

To bar examiners the study could shed light on the validity of the examination. The skills deemed important by attorneys would seem to be the logical subject matter of a test that purports to test competency for the practice of law.

If the study does not serve the functions just outlined, it certainly demonstrates a willingness of the legal community to cooperate in such a study. With such cooperation there is no need to leave developments in legal education and bar examinations to speculation and accident.

APPENDIX I

QUESTIONNAIRE

A/ How many years have you been in practice?.....

B/ Did you pass the Bar exam on the first attempt?.....2nd.....3rd.....

C/ What type of practice do you have? (circle or underline)

1. criminal
2. corporate
3. civil
4. governmental
5. community service
6. trial
7. other (please name)

Would you please rate the following on a scale from one to five, by putting an X in the appropriate box.

- 1—*essential* to the practice of law.
- 2—*important* to the practice of law.
- 3—*use ful* to the practice of law.
- 4—*not particularly useful*.
- 5—*of no value* to the practice of law.

	1	2	3	4	5
Knowledge of traditional common law subjects.					
Knowledge of substantive law.					
Legal research.					
Analyzing cases.					
Writing or drafting legal analysis under pressure.					
Organizing and synthesizing.					
Memorizing legal concepts.					
Quick legal analysis.					
Interviewing clients.					
Investigating facts of clients case.					
Counseling clients.					
Eliciting facts under adverse confrontation.					
Oral argument of case.					
Negotiating out of court settlements.					
Persuasive expression under pressure.					

List any addition to the above, found to be helpful in your practice, and rate according to the above scale.

APPENDIX II

TABLE TWELVE
ATTORNEYS WITH CRIMINAL LAW PRACTICE

QUESTIONS	1 ESSENTIAL		2 IMPORTANT		3 USEFUL		4 NOT USEFUL		5 NO VALUE	
	#	PCT	#	PCT	#	PCT	#	PCT	#	PCT
Knowledge of common law subjects	27	14.8	39	21.4	76	41.8	32	17.6	8	4.4
Knowledge of substantive law	94	51.6	62	34.1	19	10.4	3	1.6	4	2.2
Analyzing cases	112	62.2	48	26.7	13	7.2	6	3.3	1	.6
Writing legal analysis under pressure	48	26.4	69	37.9	47	25.8	14	7.7	4	2.2
Organizing and synthesizing	74	40.9	71	39.2	27	14.9	6	3.3	3	1.7
Memorizing legal concepts	10	5.5	33	18.0	74	40.4	52	28.4	14	7.7
Quick legal analysis	47	26.0	85	47.0	38	21.0	10	5.5	1	.6
Legal research	101	55.2	57	31.1	18	9.8	5	2.7	2	1.1
Interviewing clients	94	51.6	62	34.1	18	9.9	4	2.2	4	2.2
Investigating facts of clients case	106	58.2	47	25.8	22	12.1	5	2.7	2	1.1
Counseling clients	100	54.9	53	29.1	20	11.0	8	4.4	1	.5
Eliciting facts under adverse confrontation	77	42.8	72	40.0	22	12.2	6	3.3	3	1.7
Oral argument of case	70	38.3	83	45.4	21	11.5	5	2.7	4	2.2
Negotiating out of court settlements	82	44.8	78	42.6	15	8.2	7	3.8	1	.5
Persuasive expression under pressure	81	44.3	74	40.4	20	10.9	4	2.2	4	2.2

APPENDIX II (cont.)

TABLE THIRTEEN
ATTORNEYS WITH CORPORATE LAW PRACTICE

QUESTIONS	¹ ESSENTIAL		² IMPORTANT		³ USEFUL		⁴ NOT USEFUL		⁵ NO VALUE	
	#	PCT	#	PCT	#	PCT	#	PCT	#	PCT
Knowledge of common law subjects	53	24.5	62	28.7	75	34.7	22	10.2	4	1.9
Knowledge of substantive law	122	56.2	73	33.6	21	9.7	0	.0	1	.5
Analyzing cases	130	60.2	70	32.4	13	6.0	3	1.4	0	.0
Writing legal analysis under pressure	81	37.5	69	31.9	52	24.1	11	5.1	3	1.4
Organizing and synthesizing	99	46.7	86	40.6	24	11.3	3	1.4	0	.0
Memorizing legal concepts	10	4.6	39	18.1	86	39.8	64	29.6	17	7.9
Quick legal analysis	56	25.8	101	46.5	49	22.6	10	4.6	1	.5
Legal research	135	62.2	58	26.7	22	10.1	1	.5	1	.5
Interviewing clients	86	39.6	103	47.5	24	11.1	3	1.4	1	.5
Investigating facts of clients case	117	54.2	70	32.4	23	10.6	5	2.3	1	.5
Counseling clients	121	56.8	75	35.2	11	5.2	5	2.3	1	.5
Eliciting facts under adverse confrontation	56	26.3	101	47.4	45	21.1	11	5.2	0	.0
Oral argument of case	49	22.9	100	46.7	56	26.2	9	4.2	0	.0
Negotiating out of court settlements	76	35.3	97	45.1	38	17.7	3	1.4	1	.5
Persuasive expression under pressure	71	32.9	108	50.0	31	14.4	4	1.9	2	.9

APPENDIX II (cont.)

TABLE FOURTEEN
ATTORNEYS WITH CIVIL LAW PRACTICE

QUESTIONS	¹ ESSENTIAL		² IMPORTANT		³ USEFUL		⁴ NOT USEFUL		⁵ NO VALUE	
	#	PCT	#	PCT	#	PCT	#	PCT	#	PCT
Knowledge of common law subjects	99	23.9	116	28.0	139	33.6	53	12.8	7	1.7
Knowledge of substantive law	244	58.9	141	34.1	24	5.8	2	.5	3	.7
Analyzing cases	268	65.2	105	25.5	30	7.3	5	1.2	3	.7
Writing legal analysis under pressure	118	28.7	148	36.0	110	26.8	28	6.8	.7	1.7
Organizing and synthesizing	173	42.6	169	41.6	53	13.1	10	2.5	1	.2
Memorizing legal concepts	19	4.6	64	15.5	176	42.6	121	29.3	33	8.0
Quick legal analysis	102	24.8	173	42.1	114	27.7	20	4.9	2	.5
Legal research	231	55.9	124	30.0	49	11.9	7	1.7	2	.5
Interviewing clients	195	47.2	158	38.3	48	11.6	10	2.4	2	.5
Investigating facts of clients case	232	56.2	119	28.8	52	12.6	9	2.2	1	.2
Counseling clients	230	56.4	134	32.8	33	8.1	10	2.5	1	.2
Eliciting facts under adverse confrontation	137	33.5	182	44.5	73	17.8	14	3.4	3	.7
Oral argument of case	118	28.7	195	47.4	82	20.0	13	3.2	3	.7
Negotiating out of court settlements	173	42.1	171	41.6	59	14.4	7	1.7	1	.2
Persuasive expression under pressure	150	36.5	182	44.3	64	15.6	11	2.7	4	1.0

APPENDIX II (cont.)

TABLE FIFTEEN
ATTORNEYS WITH GOVERNMENTAL PRACTICE

QUESTIONS	¹ ESSENTIAL		² IMPORTANT		³ USEFUL		⁴ NOT USEFUL		⁵ NO VALUE	
	#	PCT	#	PCT	#	PCT	#	PCT	#	PCT
Knowledge of common law subjects	20	21.7	27	29.3	34	37.0	8	8.7	3	3.3
Knowledge of substantive law	42	45.7	37	40.2	12	13.0	1	1.1	0	.0
Analyzing cases	58	63.0	20	21.7	14	15.2	0	.0	0	.0
Writing legal analysis under pressure	23	25.3	34	37.4	29	31.9	5	5.5	0	.0
Organizing and synthesizing	40	44.0	38	41.8	11	12.1	2	2.2	0	.0
Memorizing legal concepts	7	7.6	14	15.2	44	47.8	21	22.8	6	6.5
Quick legal analysis	26	28.3	39	42.4	23	25.0	4	4.3	0	.0
Legal research	57	62.0	27	29.3	7	7.6	1	1.1	0	.0
Interviewing clients	37	40.2	35	38.0	18	19.6	2	2.2	0	.0
Investigating facts of clients case	49	53.3	24	26.1	12	13.0	6	6.5	1	1.1
Counseling clients	49	54.4	32	35.6	6	6.7	3	3.3	0	.0
Eliciting facts under adverse confrontation	24	26.4	41	45.1	20	22.0	6	6.6	0	.0
Oral argument of case	21	23.1	45	49.5	25	27.5	0	.0	0	.0
Negotiating out of court settlements	26	28.6	43	47.3	21	23.1	1	1.1	0	.0
Persuasive expression under pressure	30	32.6	42	45.7	18	19.6	2	2.2	0	.0

APPENDIX II (cont.)

TABLE SIXTEEN
ATTORNEYS WITH PROBATE AND ESTATE PRACTICE

QUESTIONS	1 ESSENTIAL		2 IMPORTANT		3 USEFUL		4 NOT USEFUL		5 NO VALUE	
	#	PCT	#	PCT	#	PCT	#	PCT	#	PCT
Knowledge of common law subjects	16	23.2	27	39.1	17	24.6	7	10.1	2	2.9
Knowledge of substantive law	39	56.5	25	36.2	5	7.2	0	.0	0	.0
Analyzing cases	42	60.9	21	30.4	6	8.7	0	.0	0	.0
Writing legal analysis under pressure	26	37.7	24	34.8	13	18.8	5	7.2	1	1.4
Organizing and synthesizing	30	44.1	26	38.2	10	14.7	2	2.9	0	.0
Memorizing legal concepts	1	1.5	13	19.1	30	44.1	19	27.9	5	7.4
Quick legal analysis	17	24.6	30	43.5	16	23.2	6	8.7	0	.0
Legal research	42	60.9	21	30.4	6	8.7	0	.0	0	.0
Interviewing clients	39	56.5	24	34.8	5	7.2	1	1.4	0	.0
Investigating facts of clients case	38	55.1	25	36.2	6	8.7	0	.0	0	.0
Counseling clients	43	62.3	22	31.9	3	4.3	1	1.4	0	.0
Eliciting facts under adverse confrontation	15	22.1	35	51.5	15	22.1	3	4.4	0	.0
Oral argument of case	13	19.1	40	58.8	12	17.6	3	4.4	0	.0
Negotiating out of court settlements	24	35.3	26	41.2	16	23.5	0	.0	0	.0
Persuasive expression under pressure	17	25.0	40	58.8	9	13.2	2	2.9	0	.0

APPENDIX II (cont.)

TABLE SEVENTEEN
ATTORNEYS WITH LABOR, DOMESTIC, TAX OR INTERNATIONAL LAW PRACTICE

QUESTIONS	1 ESSENTIAL		2 IMPORTANT		3 USEFUL		4 NOT USEFUL		5 NO VALUE	
	#	PCT	#	PCT	#	PCT	#	PCT	#	PCT
Knowledge of common law subjects	13	31.0	8	19.0	12	28.6	9	21.4	0	.0
Knowledge of substantive law	19	45.2	15	35.7	6	14.3	1	2.4	1	2.4
Analyzing cases	24	57.1	12	28.6	4	9.5	1	2.4	1	2.4
Writing legal analysis under pressure	17	40.5	13	31.0	8	19.0	3	7.1	1	2.4
Organizing and synthesizing	17	41.5	16	39.0	6	14.6	0	.0	2	4.9
Memorizing legal concepts	1	2.4	6	14.3	20	47.6	11	26.2	4	9.5
Quick legal analysis	9	21.4	15	35.7	14	33.3	3	7.1	1	2.4
Legal research	22	52.4	16	38.1	1	2.4	2	4.8	1	2.4
Interviewing clients	18	42.9	18	42.9	4	9.5	2	4.8	0	.0
Investigating facts of clients case	26	61.9	10	23.8	4	9.5	0	.0	2	4.8
Counseling clients	24	57.1	13	31.0	3	7.1	1	2.4	1	2.4
Eliciting facts under adverse confrontation	8	19.5	20	48.8	10	24.4	3	7.3	0	.0
Oral argument of case	12	28.6	18	42.9	11	26.2	1	2.4	0	.0
Negotiating out of court settlements	17	40.5	16	38.1	7	16.7	2	4.8	0	.0
Persuasive expression under pressure	12	28.6	21	50.0	7	16.7	2	4.8	0	.0

