

# How Latham & Watkins Is Using Online Training to Expand the Legal Pipeline

By Benjamin Joyner

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Last month, Latham & Watkins announced the launch of a new online Data & Technology Transactions Job Simulation, the 10th in its series of publicly available job simulations. Hosted on online training platform Forage, the simulations are free of charge and aimed at prospective law students and lawyers.

Designed to expose law school and firm candidates to the practice areas and workflows of a large firm, the series is intended to ensure that candidates from varied geographic and socioeconomic backgrounds can gain an accurate picture of legal work.

Legaltech News spoke with Michèle Penzer, global chair of Latham's recruiting committee, and Gail Crawford, global chair of Latham's data and technology transactions practice and co-chair of the firm's privacy and cyber practice, to discuss the origins of the job simulation series, the contents of the new release, and the opportunities presented by online training.



Courtesy photos

**Gail Crawford, left, global chair of the data and technology transactions practice and co-chair of the privacy and cyber practice at Latham & Watkins, and Michèle Penzer, right, the firm's global chair of the recruiting committee.**

*This conversation has been edited for length and clarity.*

**What led Latham & Watkins to create the series of job simulations?**

**Penzer:** We view the job simulation program as a pipeline to the profession program, and that's something that we've been quite focused on for a number of years. We're really interested in making sure that a very broad array of people have a sense of what it means to be a lawyer, and particularly what it means to be a lawyer in a big law firm.

We're really targeting two populations: students in law school who may not have a good sense of what it means to be a lawyer in a big law firm, that may not know much about Latham & Watkins but want to learn some more. But also to target people who are really thinking about whether they should even pursue a career in the law.

Folks who are not in law school yet and don't really have any idea of what it means to be a lawyer, many of them may be first-generation professionals, may not have lawyers in their family, don't really have people to talk to to figure out what this career may entail. And we have found that these programs are a great way to give people insight into what that may mean for them.

**Should law schools be doing a better job of providing training that gives students exposure to real skills and discrete lines of work? Or are firms with expertise and experience in these practice areas better positioned to provide this sort of training?**

**Penzer:** I think we're well positioned. But I don't think that it's something that law schools cannot be doing. In fact, I think it would be great if they did more of this to tell you the truth, because I've heard many students say that they would love to get a flavor of what different practices are like before they actually dive in as a summer associate or as a full-time associate once they graduate. So I don't think the two are exclusive.

I think we are incredibly well positioned to do it, because this is what we do for a living,

day in, day out. But if law schools wanted to pick up the mantle and do similar things, use our programs for their students, we're happy to have them do that.

**Crawford:** I obviously come from the U.K., and we saw the big law schools collaborate with the big corporate firms to put together a final year of law school course that was really suited to work in those sorts of law firms, which is very different from a High Street firm. So I think that collaboration could be invaluable.

**Historically, law has tended to operate on an apprenticeship model. Do you think that will fade over time, or that online training such as this can better supplement traditional legal education and training?**

**Penzer:** This is a great supplement. I don't think it's ever going to supersede the actual hands-on training that you get once you start practicing. Law school gives a great grounding in what people need to become lawyers, but a lot of what you need to learn, you will learn on the job. And so to us, this is a wonderful supplement.

Real client matters are obviously the best way to get a good sense of what it's all about. But these programs are a great way to get your feet wet and start to get a flavor of what it means to be a lawyer in them.

**Crawford:** It's as close as you can get to that on-the-job experience without being the on-the-job experience, which obviously is limited, and we want to open this up to as many people as possible to really attract all backgrounds into the profession.

### **What led to the choice of data and technology transactions as the latest offering?**

**Crawford:** Technology and data sit hand in hand, and that is a huge focus for the firm. We see ourselves as the leading technology firm in the world, and as such we really wanted to have a technology- and data-focused program. I think it's also a very interesting area for people coming up through law school. We've got a number of others that were already there, and the intent is to fill out that roster effectively. But the program itself is very much based around a commercial contract, and that ultimately is a skill that is invaluable across a huge number of areas of law.

### **What are the discrete tasks that are part of the simulation?**

**Crawford:** It takes you through a simulation of a commercial negotiation. So background, facts, questions you would need to ask. You can't just dive in. You need to fully understand the facts, what you would need to think about, and it ultimately ends with marking up an actual agreement.

It's the negotiation and the process of negotiating a commercial contract, so a very, very helpful skill. They tend to last about three hours, so it's quite an involved process. There's a lot of information that's given, and then you walk through how to interrogate that information, apply it to the facts, those sort of base skills.

### **Do you think the skill set demanded of transactional attorneys is changing over time?**

**Crawford:** The base skill set is the base skill set, and it is sort of transferable. Skills,

understanding a scenario, being able to focus on what's important, what's not important, being able to mark that up clearly in the document, being able to get your point across in terms of negotiation, those are just base skills that transactional lawyers need to have. And they're really important, and frankly, can't be replaced by [artificial intelligence], because that ability to get your point across and to win over the other side is very much just soft and human skill, and one that we work very hard to develop.

It's a hard thing to teach because you have to be able to read the room, or read a Zoom, actually, in the modern world. But what makes you invaluable in the technology space is a real understanding of the technology. So being able to converse with the clients and really understand, if it's a development agreement, for example, the development stages of the product and what that means in terms of licensing it out.

### **What role do you see these online programs playing in recruiting? Are they a method of identifying candidates? Or do you hope that potential candidates will get some exposure to the practice area, get some exposure to Latham, and self-select into applying?**

**Penzer:** It's really more the latter. We've had, I think, 90,000 people participate in these programs since they've been launched, which is a lot of people. And so rather than look specifically at who has been doing it ourselves, we really view it more as the pipeline to the profession, but also as a way to get Latham's name out. We have found

that there are a lot of people who take these different programs, who maybe didn't know a lot about Latham, but now Latham is on their radar screen.

**Crawford:** It's two-way because they have a better understanding of what would be expected of them and what the work would be like. But it's really helping sort of build that brand and help individuals understand what this job really is. I mean, I came to law because I watched 'A Few Good Men' and thought Tom Cruise standing in the courtroom was my job. And it was actually quite different to that, but it worked out well.

**Does providing online programs such as this give you a greater ability to reach candidates from underrepresented or disadvantaged backgrounds?**

**Penzer:** That's the beauty of these programs, and the fact that they are online. They're available to everyone everywhere, and that's why we've had so many people participate. We do track, we ask questions about

background to try to get a sense of how many people doing this are first-gen professionals, etc. And we've found that we've gotten really great reach with these things, because they're available to everyone.

We're reaching people who we otherwise may not have had much contact with, who otherwise not only may not have known about Latham, but may not have had a good sense of what it really means to be a lawyer. To Gail's point, people know what they see in the movies or on TV, but don't have a great sense of what some other elements of legal practice are all about, particularly, frankly, on the transactional side.

**Crawford:** This is online, so it can reach a huge number of people. And we can push it out. We have done this sort of training, often in an office, in a room, but the same sort of simulation training with our teams for many, many years. So I see this as being able to take what we do with people who make it here and push it out to that much wider audience, to try and diversify the intake.