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## Is It Time to Update Your Associate Performance Evaluation Form?

**W**e at the *Report to Legal Management* endeavor to bring you practical articles that are useful to you as you manage your law firm or other law office. One of the areas in which law firms sometimes don't do as well as they could (especially smaller firms) is that of performance evaluations or appraisals of their associates. Our experience is that many firms use evaluation forms that are not specific to law firm associates, and are sometimes instead modeled on the form being used to appraise the performance of the firm's support staff. We recently helped a firm develop an associate evaluation form, and we thought we would share it with you, for use in your office. We offer this form, set out on the following two pages, and hope that you find it helpful.

Jim Wilber

### ASSOCIATE EVALUATION FORM

[Name of Law Firm]

This form is intended to assist the partners in the process of evaluating the performance of the firm's associates. For each associate, partners will be asked to complete the evaluation form.

The criteria contained in the form are not intended to be exhaustive. Views should be expressed on any aspect of the associate's performance and development that are considered important. Your assessment should be based on your own recent experience during the past six months to one year.

Bear in mind that associates need and deserve to know what areas the partners consider or perceive there to be room for improvement in their performance or progress. It is unfair to the associate not to candidly evaluate his or her performance. No one can improve their performance unless they know in what areas they are expected to improve.

The form asks you to rate the associate in a number of different areas and to supply comments that back up your ratings. Please take the time to give meaningful written comments. Numerical ratings without details backing them up are of little assistance or credibility to associates.

For each category of the evaluation, there is an assessment scale ranging from 1 (lowest) to 5 (highest). The assessment key is as follows:

1. Indicates significant concerns requiring immediate attention.
2. Indicates some concern requiring an effort to improve over time.
3. Indicates acceptable progress being made.
4. Indicates good progress being made.
5. Indicates exceptional performance.

N/A Indicates don't know or too early to assess.

## Associate Evaluation Form

**Name of Associate:** \_\_\_\_\_

**Years of Practice:** \_\_\_\_\_ **Years with the Firm:** \_\_\_\_\_

**Name of Evaluator:** \_\_\_\_\_

During the past six months, I have had the opportunity to have (check one only):

- Direct and extensive knowledge of the associate's work performance
- Direct but not extensive knowledge of the associate's work performance
- Indirect knowledge of the associate's work performance
- Little or no knowledge of the associate's work performance

**PRACTICE ADMINISTRATION:** Lo Hi N/A  
1 2 3 4 5

Does the person keep current and accurate time records?  
Are time entries for services accurate, sufficiently descriptive and otherwise satisfactory? Are billing responsibilities discharged properly?

**Comments:** \_\_\_\_\_

**DRAFTING ABILITY:** Lo Hi N/A  
1 2 3 4 5

Are this person's letters, briefs, contracts, pleadings and memoranda consistently well written and well thought out?  
Is this individual careful to avoid errors (typographical, factual or legal) in documents he or she produces? Does the quality of the work product of this person consistently meet standards appropriate to this firm?

**Comments:** \_\_\_\_\_

**THOROUGHNESS:** Lo Hi N/A  
1 2 3 4 5

Does this individual use appropriate care to ensure that legal and factual issues relevant to the matter being handled are properly explored? Is this person consistently well prepared for hearings, trials, depositions, etc.? Is he or she diligent in documenting significant communications?

**Comments:** \_\_\_\_\_

**ANALYTIC ABILITY:** Lo Hi N/A  
1 2 3 4 5

Has this person demonstrated the ability to identify and properly analyze complex issues?

**Comments:** \_\_\_\_\_

**ADVOCACY SKILLS:** Lo Hi N/A  
1 2 3 4 5

Is the person an effective advocate for clients' positions in negotiations or at trials or in hearings?

**Comments:** \_\_\_\_\_

**EFFICIENCY:** LO HI N/A  
1 2 3 4 5

Does this person generally work efficiently? In most cases, are the number of hours entered on a file within the range of what you would expect? Do clients get "good value" for the services of this person?

**Comments:** \_\_\_\_\_

**ABILITY TO WORK INDEPENDENTLY:** Lo Hi N/A  
1 2 3 4 5

Does this person regularly handle complex and/or significant matters (having regard to his or her years of practice)? Has he or she demonstrated the ability to handle complicated matters competently with minimal supervision? Do you have confidence delegating responsibility for complex matters to this person?

**Comments:** \_\_\_\_\_

**PROFESSIONAL DEVELOPMENT:** Lo Hi N/A  
1 2 3 4 5

Is this person developing a degree of specialization or expertise in an important area of practice? Is this person gaining or has he or she already gained a high level of respect from clients, other lawyers, or the bench? Is this person knowledgeable of the law in his or her preferred areas of practice? Does the person make an effort to stay abreast of developments in the law (for instance, by attending or participating in seminars?) Is this person's area of practice too broadly or too narrowly defined?

**Comments:** \_\_\_\_\_

**CLIENT RELATIONS:** Lo Hi N/A  
1 2 3 4 5

Does this individual maintain a good rapport with clients? Is he/she responsive to client needs? Do clients speak highly of this person? Do clients seek out this individual for new assignments? Does this person project effort and commitment when working on client affairs?

**Comments:** \_\_\_\_\_

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**BUSINESS DEVELOPMENT:** Lo Hi N/A  
1 2 3 4 5

Does the individual demonstrate a commitment to marketing and business development? Does this person make acceptable efforts to generate new business?

**Comments:** \_\_\_\_\_

**JUDGMENT/MATURITY:** Lo Hi N/A  
1 2 3 4 5

Do you consider this individual to be making acceptable progress in developing judgment and maturity as a practitioner as regards both legal and ethical matters?

**Comments:** \_\_\_\_\_

**INITIATIVE:** Lo Hi N/A  
1 2 3 4 5

Does this person show initiative in seeking out challenging or demanding assignments? Does this person routinely do more than is asked for? Does he or she put in the "extra" effort? Do you get the sense this person has a strong desire to learn, develop and refine his or her skills as a practitioner?

**Comments:** \_\_\_\_\_

**RESPONSIVENESS:** Lo Hi N/A  
1 2 3 4 5

Is this person consistent in turning over work in a timely manner? Does the person keep the client and supervising lawyer adequately apprised of the progress of files?

**Comments:** \_\_\_\_\_

**COMMITMENT:** Lo Hi N/A  
1 2 3 4 5

Do you think this individual is dedicated to working hard? Does he or she have a strong work ethic? Does this person demonstrate a willingness to do what is necessary to ensure that the job is done properly and in a timely fashion?

**Comments:** \_\_\_\_\_

**DEDICATION TO FIRM:** Lo Hi N/A  
1 2 3 4 5

Has the person demonstrated a strong dedication to the well-being of the firm? Does he or she willingly participate in firm affairs (practice groups, marketing, management, social, etc.)? Is the person a team player? Does he or she maintain good relations with other associates? Does the person demonstrate a commitment to "promoting" the firm by participation in professional associations, seminars or community activities?

**Comments:** \_\_\_\_\_

**RELATIONS:** Lo Hi N/A  
1 2 3 4 5

Does this individual have a good rapport with partners? Do they generally seem to have confidence in this person's abilities in his or her field of practice? Are partners within his or her work group regularly referring or delegating matters to this person?

**Comments:** \_\_\_\_\_

**PARTNERSHIP TRACK:** Lo Hi N/A  
1 2 3 4 5

Set forth below are the partner admission criteria which have been adopted by [name of law firm] Many of the criteria are contained in evaluation categories mentioned above. Some are not. After carefully reviewing the partnership criteria below, and having regard for this person's number of years in practice and number of years with the firm, do you consider him or her to be "on track" to partnership? **Please circle your rating and in the space below indicate in detail criteria that you think the associate is not meeting.**

**Comments:** \_\_\_\_\_

### Partner Admission Criteria

- Must have more than just a high degree of technical ability; demonstration of the ability to achieve a high quality work product;
- Must have good judgment and be able to exercise it under pressure;
- Must be capable of assuming primary responsibility for major matters for major clients;
- Must be able to impress and handle a range of clients;
- Must have clearly demonstrated the ability to attract and hold clients for the firm by virtue of professional performance and personal qualities;
- Must have demonstrated a willingness to contribute adequately in time and effort to the sound administration of the firm and the firm's non-fee work and other projects;
- Must be a person of good character, integrity and honesty, upon whom, and upon whose word, one can rely;
- Must have the ability to relate well to the firm's other lawyers and staff members;
- Must be able to supervise and lead subordinates;
- Must contribute affirmatively to the economic success of the firm, including consistent performance at or above acceptable levels of chargeable hours, fee revenues and realization; and
- In addition to the above prerequisites, favorable consideration should be given to an associate's community, professional and bar association activities and his or her specialization in an area of specific need to the firm.