

**Summary of the National Conference of Bar Examiners
Job Analysis Survey Results**

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Summary of the National Conference of Bar Examiners Job Analysis Survey Results

In 2011 and 2012, Applied Measurement Professionals, Inc. (AMP), conducted a job analysis at the request of the National Conference of Bar Examiners (NCBE). The purpose of the study was to describe the job activities of a newly licensed lawyer in sufficient detail to provide a job-related and valid basis for the development of licensing examinations offered by NCBE.

This summary of the AMP report, *A Study of the Newly Licensed Lawyer*, is divided into the same four sections of a survey that was developed and sent to lawyers, but is reordered here as follows: I. Knowledge Domains, II. Skills and Abilities, III. General Tasks, and IV. Specific Practice Area Tasks. It retains the specific practice area task inventories appearing in the AMP report.

The following pages are organized by section, as outlined above. After the line number for each entry, the first column shows the average significance rating indicated by the respondents (i.e., “Considering importance and frequency, how significant is this entry to your performance as a newly licensed lawyer?”) on a scale of 4 (“Extremely significant”) to 1 (“Minimally significant”). The second column shows the percentage of respondents who indicated that the knowledge domain, skills and ability, or task is performed or used by them in their work. The final column provides a reference back to the full AMP report.

Section I. Knowledge Domains

Line No.	Average Significance*	Percent Performing**	Knowledge Domains	Survey Number
1	3.08	86%	Rules of Civil Procedure	Knowledge 1
2	3.06	88%	Other Statutory and Court Rules of Procedure	Knowledge 3
3	3.01	81%	Rules of Evidence	Knowledge 33
4	2.95	87%	Professionalism	Knowledge 37
5	2.91	89%	Research Methodology	Knowledge 7
6	2.91	84%	Statutes of Limitations	Knowledge 34
7	2.83	93%	Rules of Professional Responsibility and Ethical Obligations	Knowledge 10
8	2.83	86%	Statutory Interpretation	Knowledge 48
9	2.73	81%	Document Review/Documentary Privileges	Knowledge 15
10	2.67	84%	Contract Law	Knowledge 6
11	2.50	61%	Tort Law	Knowledge 12
12	2.50	54%	Criminal Law	Knowledge 14
13	2.47	54%	Rules of Criminal Procedure	Knowledge 2
14	2.40	71%	Other Privileges	Knowledge 16
15	2.38	49%	Personal Injury Law	Knowledge 11
16	2.34	70%	Agency Procedural Rules	Knowledge 5
17	2.33	67%	Law of Business Organizations	Knowledge 13
18	2.32	71%	Administrative Law and Regulatory Practice	Knowledge 4
19	2.31	62%	Principles of Electronic Discovery	Knowledge 43
20	2.30	56%	Real Property Law	Knowledge 32
21	2.29	76%	Constitutional Law	Knowledge 8
22	2.27	49%	Practice Management	Knowledge 85
23	2.26	57%	Basic Accounting	Knowledge 86
24	2.23	52%	Family Law	Knowledge 9
25	2.21	46%	Wills, Probate and Estate Planning	Knowledge 19
26	2.20	67%	Freedom of Information Act/Public Records	Knowledge 45
27	2.19	45%	Insurance Law	Knowledge 83
28	2.18	58%	Alternative Dispute Resolution	Knowledge 71
29	2.16	55%	HIPAA/Privacy Law	Knowledge 57
30	2.15	67%	Legislative Knowledge	Knowledge 30
31	2.11	50%	Landlord-Tenant Law	Knowledge 20
32	2.10	54%	Data Privacy	Knowledge 66
33	2.10	45%	Labor and Employment Law	Knowledge 84
34	2.08	48%	Debtor Creditor	Knowledge 51
35	2.08	49%	Civil Rights	Knowledge 54
36	2.07	65%	Choice of Law and Conflicts of Law	Knowledge 46
37	2.06	53%	Employment Law	Knowledge 17
38	2.06	32%	Uniform Child Custody Jurisdiction and Enforcement Act	Knowledge 61
39	2.04	48%	Secured Transactions	Knowledge 23
40	2.04	43%	Employment Discrimination Law	Knowledge 69
41	2.01	52%	Sales and Leases of Personal Property	Knowledge 24
42	2.01	48%	Bankruptcy	Knowledge 50
43	1.97	53%	Tax Law	Knowledge 35
44	1.96	52%	Negotiable Instruments	Knowledge 25
45	1.96	39%	Securities Law	Knowledge 52
46	1.96	42%	ADA	Knowledge 68
47	1.95	44%	Trust Law	Knowledge 36
48	1.95	41%	Worker's Compensation	Knowledge 62
49	1.95	40%	Consumer Protection Law	Knowledge 65

* 1-4 with 4 being extremely significant.

** % reporting this is performed and/or expected of them

Section I. Knowledge Domains

Line No.	Average Significance*	Percent Performing**	Knowledge Domains (cont.)	Survey Number
50	1.93	39%	Healthcare Law	Knowledge 58
51	1.93	36%	Juvenile Law	Knowledge 59
52	1.90	39%	Immigration Law	Knowledge 22
53	1.90	41%	Intellectual Property	Knowledge 38
54	1.88	44%	Social Security	Knowledge 67
55	1.86	41%	Government Contract Law	Knowledge 78
56	1.84	42%	ERISA and Other Employee Benefits Law	Knowledge 18
57	1.83	45%	Non-Profit Organizations	Knowledge 49
58	1.83	43%	Employee Benefits	Knowledge 53
59	1.83	35%	Public Employees Discipline and Termination	Knowledge 70
60	1.81	40%	Investment Securities	Knowledge 31
61	1.80	38%	Housing Law	Knowledge 21
62	1.79	43%	Funds Transfers	Knowledge 29
63	1.79	36%	International Law	Knowledge 56
64	1.79	30%	Patent Law	Knowledge 77
65	1.78	35%	Construction Law	Knowledge 64
66	1.76	43%	Bank Deposits	Knowledge 28
67	1.76	38%	Unemployment Compensation	Knowledge 63
68	1.75	42%	Letters of Credit	Knowledge 27
69	1.75	33%	Public Contract Law	Knowledge 81
70	1.69	35%	Mental Health Law	Knowledge 79
71	1.68	32%	Energy	Knowledge 40
72	1.66	28%	Hospital Law	Knowledge 76
73	1.65	32%	Natural Resources	Knowledge 41
74	1.63	32%	Land Use Planning	Knowledge 44
75	1.62	38%	Bills of Lading, Warehouse Receipts, and Other Documents of Title	Knowledge 26
76	1.62	34%	Environment	Knowledge 39
77	1.57	30%	Education Law	Knowledge 47
78	1.56	24%	Indian Law	Knowledge 42
79	1.55	33%	Antitrust	Knowledge 55
80	1.55	29%	Science and Technology Law	Knowledge 82
81	1.51	27%	Public Utility Law	Knowledge 74
82	1.45	22%	Indian Child Welfare Act	Knowledge 60
83	1.42	26%	Transportation Law	Knowledge 72
84	1.42	26%	Communication Law	Knowledge 80
85	1.35	21%	Admiralty Law	Knowledge 73
86	1.25	21%	Bioethics	Knowledge 75

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Section II. Skills and Abilities

Line No.	Average Significance*	Percent Performing**	Skills and Abilities	Survey Number
87	3.77	100%	Written communication	Skill/Ability 2
88	3.67	99%	Paying attention to details	Skill/Ability 29
89	3.60	99%	Listening	Skill/Ability 10
90	3.58	99%	Oral communication	Skill/Ability 1
91	3.58	99%	Professionalism	Skill/Ability 3
92	3.56	99%	Using office technologies (e.g. word processing and email)	Skill/Ability 19
93	3.55	98%	Critical reading and comprehension	Skill/Ability 16
94	3.55	97%	Synthesizing facts and law	Skill/Ability 17
95	3.54	99%	Legal reasoning	Skill/Ability 8
96	3.46	99%	Knowing when to go back and ask questions	Skill/Ability 21
97	3.46	99%	Organizational skills	Skill/Ability 26
98	3.44	99%	Working within established time constraints	Skill/Ability 13
99	3.44	99%	Interpersonal skills	Skill/Ability 27
100	3.43	98%	Issue spotting	Skill/Ability 24
101	3.31	98%	Decisiveness	Skill/Ability 18
102	3.30	99%	Answering questions succinctly	Skill/Ability 25
103	3.29	89%	Judgment	Skill/Ability 15
104	3.28	99%	Computer skills	Skill/Ability 22
105	3.26	98%	Electronic researching	Skill/Ability 5
106	3.26	95%	Diligence	Skill/Ability 31
107	3.24	94%	Advocacy	Skill/Ability 9
108	3.22	96%	Fact gathering and evaluation	Skill/Ability 7
109	3.15	97%	Consciousness of personal and professional limitations	Skill/Ability 36
110	3.13	96%	Planning and strategizing	Skill/Ability 32
111	3.10	96%	Information integrating	Skill/Ability 23
112	2.98	97%	Working collaboratively	Skill/Ability 12
113	2.97	87%	Negotiation	Skill/Ability 20
114	2.93	96%	Resource management	Skill/Ability 11
115	2.92	91%	Interviewing	Skill/Ability 28
116	2.87	74%	Courtroom presence	Skill/Ability 33
117	2.85	95%	Creativity	Skill/Ability 35
118	2.84	86%	Attorney client privilege - document reviewing	Skill/Ability 30
119	2.71	68%	Trial skills	Skill/Ability 34
120	2.67	95%	Legal citation	Skill/Ability 4
121	2.31	44%	Jury selection	Skill/Ability 14
122	2.27	91%	Non-electronic researching	Skill/Ability 6

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Section III. General Tasks

General Tasks

Line No.	Average Significance*	Percent Performing**	Management of attorney-client relationship and caseload	Survey Number
123	3.40	95%	Identify issues in case	Task 2
124	2.86	76%	Establish attorney-client relationship	Task 5
125	2.86	78%	Establish and maintain calendaring system	Task 8
126	2.59	88%	Analyze application of rules of professional conduct and related law	Task 6
127	2.52	36%	Establish and maintain client trust account	Task 9
128	2.51	67%	Evaluate potential client engagement	Task 1
129	2.22	50%	Terminate attorney-client relationship	Task 10
130	2.11	60%	Draft engagement letter	Task 3
131	2.05	49%	Draft initial report and budget for client	Task 4
132	1.99	57%	Draft disclosure of potential conflict of interest and waiver	Task 7

Line No.	Average Significance*	Percent Performing**	Communications	Survey Number
133	3.49	89%	Supervising attorney	Task 19
134	3.48	88%	Client	Task 12
135	3.42	83%	Court	Task 17
136	3.33	88%	Counsel for other party	Task 16
137	3.22	93%	Non-lawyer staff	Task 18
138	2.85	83%	Government agency	Task 15
139	2.80	69%	Prospective client	Task 11
140	2.48	62%	Investigator	Task 13
141	2.43	56%	Law enforcement	Task 14

Line No.	Average Significance*	Percent Performing**	Research and Investigation	Survey Number
142	3.42	96%	Conduct electronic legal research	Task 34
143	3.38	95%	Research statutory authority	Task 30
144	3.31	96%	Research regulations and rules	Task 31
145	3.19	89%	Research judicial authority	Task 29
146	3.10	86%	Conduct document review	Task 26
147	3.04	77%	Interview client and client representatives	Task 20
148	2.91	83%	Conduct fact investigation	Task 25
149	2.75	69%	Interview witness	Task 21
150	2.70	92%	Research secondary authorities	Task 32
151	2.58	61%	Obtain medical records	Task 28
152	2.54	58%	Conduct transaction due diligence activities	Task 24
153	2.53	81%	Request public records	Task 27
154	2.38	69%	Investigate the background of opposing party	Task 23
155	2.29	85%	Research legislative history	Task 33
156	2.16	48%	Investigate the scene of the incident	Task 22

* 1-4 with 4 being extremely significant.

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Section III. General Tasks

General Tasks (cont.)

Line No.	Average Significance*	Percent Performing**	Analysis and resolution of client matters	Survey Number
157	3.46	97%	Analyze law	<i>Task 35</i>
158	3.20	87%	Advise client	<i>Task 37</i>
159	3.13	87%	Develop strategy for client matter	<i>Task 36</i>
160	2.93	77%	Negotiate agreement	<i>Task 43</i>
161	2.81	86%	Draft memo summarizing case law, statutes, and regulations, including legislative history	<i>Task 39</i>
162	2.79	72%	Negotiate dispute	<i>Task 42</i>
163	2.60	65%	Draft demand letter	<i>Task 41</i>
164	2.54	76%	Draft legal opinion letter	<i>Task 40</i>
165	2.53	80%	Draft case summary	<i>Task 38</i>

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Section IV. Specific Practice Area Tasks

Specific Practice Area Tasks

Line No.	Average Significance*	Percent Reporting**	Administrative Law Tasks (Practice Area for 21 percent of Respondents)	Survey Number
166	3.31	99%	Research agency procedural and substantive rules	Task 44
167	3.12	98%	Review agency opinions and determinations	Task 45
168	2.68	87%	Request documents from administrative agencies	Task 46
169	2.47	74%	Respond to document requests from administrative agencies	Task 47
170	2.67	68%	Prepare application to government agency	Task 48
171	2.60	53%	Advise client on permitting or licensing decisions	Task 49
172	2.59	55%	Advise client regarding benefit eligibility	Task 50
173	2.78	82%	Develop and review administrative records	Task 51
174	3.03	70%	Represent client before administrative agency	Task 52
175	2.85	74%	Draft or respond to petition for review of administrative action	Task 53
176	2.66	52%	Prosecute appeal on denial of eligibility	Task 54
177	2.23	49%	Participate in rulemaking procedures	Task 55

Line No.	Average Significance*	Percent Reporting**	Business Organizations Tasks (Practice Area for 20 percent of Respondents)	Survey Number
178	3.00	87%	Draft documents for formation of business organizations	Task 57
179	2.86	71%	Draft resolutions, written consents, and/or meeting minutes of shareholders and directors	Task 63
180	2.75	86%	Advise client regarding forms of business organizations	Task 56
181	2.67	75%	Draft purchase agreement	Task 59
182	2.54	61%	Draft closing checklist and flow of funds statement	Task 60
183	2.50	71%	Draft non-compete agreement or provisions	Task 65
184	2.46	73%	Draft term sheet or letter of intent for business transactions	Task 58
185	2.46	62%	Evaluate applicability of state and federal securities law	Task 69
186	2.40	47%	Prepare schedules for merger and acquisition transactions	Task 68
187	2.38	67%	Draft employment agreement	Task 67
188	2.27	66%	Negotiate non-compete agreement or provisions	Task 64
189	2.22	55%	Draft merger and acquisition agreement	Task 62
190	2.14	60%	Negotiate employment agreement	Task 66
191	1.99	51%	Negotiate merger and acquisition agreement	Task 61

Line No.	Average Significance*	Percent Reporting**	Civil Litigation Tasks (Practice Area for 43 percent of Respondents)	Survey Number
192	3.25	85%	Draft/respond to motion for summary judgment or other dispositive motion	Task 110
193	3.19	85%	Prepare/respond to request for production (including electronically stored information)	Task 82
194	3.17	79%	Draft answer to complaint	Task 74
195	3.16	80%	Draft summons and complaint	Task 72
196	3.16	92%	Conduct document review	Task 90
197	3.13	85%	Prepare/respond to interrogatories	Task 80
198	3.10	82%	Represent client in court hearing	Task 112
199	3.09	84%	Draft/respond to motion to dismiss	Task 109
200	3.06	82%	Prepare/respond to request for admission	Task 81
201	3.06	84%	Draft/respond to non-dispositive motion	Task 111

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Section IV. Specific Practice Area Tasks

Specific Practice Area Tasks (cont.)

Line No.	Average Significance*	Percent Reporting**	Civil Litigation Tasks (cont.) (Practice Area for 43 percent of Respondents)	Survey Number
202	3.03	82%	Analyze deposition testimony	Task 89
203	2.99	84%	Analyze medical/business records	Task 91
204	2.98	79%	Represent client at court conference	Task 96
205	2.95	84%	Draft proposed order	Task 106
206	2.94	81%	Draft/respond to discovery motion	Task 95
207	2.92	86%	Draft affidavits and declarations	Task 78
208	2.89	74%	Conduct/defend deposition	Task 88
209	2.85	78%	Prepare client for testimony	Task 99
210	2.83	75%	Draft release/settlement agreement	Task 103
211	2.79	76%	Draft settlement proposal	Task 102
212	2.79	64%	Draft/assist with appellate brief	Task 128
213	2.78	58%	Perform direct examination and cross-examination	Task 116
214	2.77	61%	Make objections	Task 118
215	2.76	81%	Draft witness and exhibit lists	Task 97
216	2.75	73%	Draft/respond to discovery deficiency letters	Task 92
217	2.74	75%	Draft and serve subpoena duces tecum	Task 100
218	2.73	80%	Resolve discovery disputes	Task 93
219	2.71	62%	Make trial motions	Task 119
220	2.70	75%	Prepare testimony outlines	Task 98
221	2.70	73%	Draft motions in limine	Task 101
222	2.70	60%	Introduce exhibits	Task 117
223	2.70	54%	Represent client at mediation	Task 133
224	2.69	56%	Communicate with insurer	Task 77
225	2.66	68%	Prepare/respond to request for inspection	Task 83
226	2.66	56%	Draft proposed jury instructions	Task 120
227	2.65	63%	Draft/respond to post-judgment motion	Task 123
228	2.65	52%	Present oral argument	Task 129
229	2.64	53%	Present closing argument	Task 122
230	2.63	76%	Prepare pretrial order	Task 113
231	2.62	53%	Draft mediation statement	Task 132
232	2.60	75%	Draft discovery plan	Task 79
233	2.58	73%	Identify/evaluate expert witnesses	Task 86
234	2.51	53%	Present opening statement	Task 115
235	2.49	41%	Represent client at arbitration	Task 134
236	2.48	65%	Prepare expert disclosure	Task 87
237	2.46	53%	Represent client in post-judgment proceedings and other collection activities	Task 124
238	2.43	54%	Prepare or designate record on appeal	Task 127
239	2.42	38%	Analyze Medicare issues in personal injury action	Task 76
240	2.41	60%	Prepare meet-and-confer letter	Task 94
241	2.38	62%	Draft protective order	Task 105
242	2.37	52%	Prepare/respond to request for independent medical examination	Task 84
243	2.36	42%	Negotiate with subrogation claimants and lien holders	Task 125
244	2.34	62%	Prepare privilege log	Task 85
245	2.34	43%	Select jury	Task 114
246	2.29	44%	Draft demand for arbitration and response	Task 130
247	2.28	46%	Prepare offer of judgment	Task 126
248	2.25	43%	Draft contempt documents	Task 121
249	2.23	58%	Draft removal and remand documents	Task 75

* 1-4 with 4 being extremely significant.

** % reporting this is performed and/or expected of them

Section IV. Specific Practice Area Tasks

Specific Practice Area Tasks (cont.)

Line No.	Average Significance*	Percent Reporting**	Civil Litigation Tasks (cont.) (Practice Area for 43 percent of Respondents)	Survey Number
250	2.18	50%	Draft litigation hold letter	Task 104
251	2.17	57%	Draft petition for extraordinary relief	Task 73
252	2.14	50%	Develop "market value" of similar cases in similar venues	Task 70
253	2.12	28%	Draft foreclosure documents	Task 108
254	2.11	59%	Draft confidentiality agreement	Task 71
255	2.04	35%	Draft settlement brochure	Task 131
256	1.89	32%	Draft civil/criminal forfeiture documents	Task 107

Line No.	Average Significance*	Percent Performing**	Commercial Law Tasks (Practice Area for 12 percent of Respondents)	Survey Number
257	3.28	86%	Draft contracts	Task 135
258	3.03	78%	Draft Terms and Conditions for client forms and agreements	Task 136
259	2.82	62%	Draft resolutions, written consents, and/or meeting minutes of shareholders and directors	Task 149
260	2.80	76%	Analyze loan documents	Task 138
261	2.65	54%	Draft closing checklists and flow of funds statements	Task 144
262	2.63	64%	Draft assignment and assumption agreements	Task 148
263	2.62	66%	Draft asset purchase agreements	Task 141
264	2.51	66%	Perform lien, litigation, and bankruptcy filing searches	Task 150
265	2.50	58%	Draft licensing agreements	Task 137
266	2.49	61%	Draft loan documents	Task 139
267	2.48	61%	Draft term sheet letters of intent for business transaction	Task 143
268	2.44	60%	Draft, perfect, or enforce liens	Task 151
269	2.38	45%	Draft merger and acquisition agreements	Task 146
270	2.36	67%	Analyze issues of insurance coverage	Task 140
271	2.25	54%	Draft UCC financing statements	Task 142
272	2.23	45%	Negotiate merger and acquisition agreements	Task 145
273	2.01	38%	Draft bond documents	Task 147

Line No.	Average Significance*	Percent Performing**	Criminal Law Tasks (Practice Area for 18 percent of Respondents)	Survey Number
274	3.55	87%	Conduct plea negotiations	Task 157
275	3.54	73%	Advise client regarding plea options	Task 159
276	3.42	75%	Try misdemeanor case (jury and non-jury)	Task 167
277	3.39	86%	Raise/respond to suppression/evidentiary issues	Task 166
278	3.30	61%	Try felony case (jury and non-jury)	Task 168
279	3.23	80%	Draft/review plea agreement	Task 160
280	3.16	79%	Prepare/present sentencing arguments	Task 172
281	3.05	80%	Evaluate collateral effects of criminal conviction	Task 171
282	3.00	76%	Interview criminal complainant	Task 152
283	2.93	62%	Represent client in probation violation proceedings	Task 176
284	2.87	53%	Represent client in domestic violence/family offense protective order proceedings	Task 165
285	2.84	65%	Represent client at bail hearing	Task 155
286	2.84	69%	Draft jury instructions	Task 170
287	2.75	68%	Conduct proffer negotiations	Task 158
288	2.75	42%	Represent client in license revocation proceedings	Task 162

* 1-4 with 4 being extremely significant.

** % reporting this is performed and/or expected of them

Section IV. Specific Practice Area Tasks

Specific Practice Area Tasks (cont.)

Line No.	Average Significance*	Percent Performing**	Criminal Law Tasks (cont.) (Practice Area for 18 percent of Respondents)	Survey Number
289	2.72	75%	Communicate with probation agent	Task 175
290	2.68	62%	Represent client in traffic matters	Task 161
291	2.68	43%	Represent client in juvenile delinquency matters	Task 163
292	2.67	74%	Raise/respond to defendant's mental competency issues	Task 156
293	2.65	49%	Represent client in post-conviction relief proceedings	Task 173
294	2.63	41%	Draft criminal charging documents	Task 154
295	2.53	60%	Conduct pre-charging negotiations	Task 153
296	2.50	35%	Represent client in child protection matters	Task 164
297	2.37	41%	Petition for writ of habeas corpus	Task 174
298	2.22	40%	Litigate property forfeiture issues	Task 169

Line No.	Average Significance*	Percent Performing**	Debtor/Creditor Relations Tasks (Practice Area for 11 percent of Respondents)	Survey Number
299	2.91	82%	Advise client regarding collection options	Task 179
300	2.80	89%	Analyze loan documents	Task 177
301	2.79	62%	Analyze bankruptcy petition and schedules	Task 182
302	2.77	83%	Analyze effects of bankruptcy on enforcement of liens	Task 178
303	2.73	50%	Engage in motion practice in bankruptcy court	Task 188
304	2.68	51%	Draft pleadings in bankruptcy court	Task 187
305	2.65	43%	Represent client in 341 hearing	Task 185
306	2.65	50%	Assess or object to dischargeability	Task 189
307	2.63	45%	Draft complaint for adversary proceedings in bankruptcy	Task 186
308	2.62	63%	Advise client regarding bankruptcy filing options	Task 180
309	2.61	55%	Analyze avoidability of transfers	Task 190
310	2.58	62%	Represent client in post-judgment proceedings and other collection activities	Task 193
311	2.54	45%	Draft bankruptcy petition and schedules	Task 181
312	2.54	45%	Draft debtor's disclosure statement and plan	Task 183
313	2.52	49%	Participate in automatic stay proceedings	Task 191
314	2.46	39%	Draft foreclosure documents	Task 194
315	2.42	42%	Draft claim against bankrupt estate	Task 192
316	2.36	39%	Represent client in bankruptcy committee meeting	Task 184

* 1-4 with 4 being extremely significant.

** % reporting this is performed and/or expected of them

Section IV. Specific Practice Area Tasks

Specific Practice Area Tasks (cont.)

Line No.	Average Significance*	Percent Performing**	Employment Law Tasks (Practice Area for 11 percent of Respondents)	Survey Number
317	2.94	72%	File and respond to federal and state discrimination claim	Task 206
318	2.89	73%	Represent client on employment rights and obligations	Task 202
319	2.76	80%	Advise client on discipline and termination issues	Task 198
320	2.76	76%	Analyze client practices and procedures in light of employment laws	Task 200
321	2.74	65%	Conduct witness interviews in light of discrimination claim	Task 205
322	2.57	69%	Advise client on disability accommodation issues	Task 199
323	2.41	57%	Draft employment and non-compete agreements	Task 196
324	2.40	55%	Draft employee handbook and employment policies	Task 195
325	2.39	61%	Advise client on unemployment laws	Task 203
326	2.34	33%	Represent client in collective bargaining matters and related proceedings	Task 208
327	2.33	53%	Draft separation agreement	Task 197
328	2.14	32%	Prosecute/defend workers' compensation claim	Task 207
329	2.08	48%	Determine applicability of workers' compensation benefits	Task 201
330	1.91	29%	Draft/revise appeal of denial of employee benefits (ERISA)	Task 204

Line No.	Average Significance*	Percent Performing**	Environmental Law/Natural Resources Tasks (Practice Area for 4 percent of Respondents)	Survey Number
331	3.15	89%	Research applicability of var. fed. and state environmental programs & procedural rules	Task 210
332	2.66	77%	Perform environmental litigation support	Task 221
333	2.64	53%	Support preparation of comments on proposed environmental regulations	Task 222
334	2.61	55%	Draft FOIA requests	Task 218
335	2.51	49%	Perform environmental liability research in real estate transactional contexts	Task 220
336	2.36	55%	Review and analyze Phase 1 environmental reports	Task 211
337	2.26	70%	Negotiate with regulatory authorities	Task 214
338	2.26	62%	Conduct compliance activities and support client in responding to non-compliance issues	Task 215
339	2.23	53%	Draft permit applications	Task 209
340	2.14	40%	Draft conservation agreements	Task 219
341	2.02	57%	Support client during permit application/review process and communications with regulators and opponents of permit	Task 213
342	2.00	58%	Support client during environmental data/information response requests from regulators	Task 212
343	1.81	43%	Draft insurance coverage opinions	Task 217
344	1.76	49%	Draft response to audit reports	Task 216

* 1-4 with 4 being extremely significant.

** % reporting this is performed and/or expected of them

Section IV. Specific Practice Area Tasks

Specific Practice Area Tasks (cont.)

Line No.	Average Significance*	Percent Performing**	Family Law Tasks (Practice Area for 13 percent of Respondents)	Survey Number
345	3.51	86%	Draft property settlement agreement and documents related to spousal support, child support, and child custody/visitation	Task 236
346	3.50	89%	Represent client in support, child custody, and visitation proceedings	Task 230
347	3.49	88%	Represent client in divorce, property settlement, and child custody hearings	Task 235
348	3.31	84%	Prepare petition for custody	Task 237
349	3.17	86%	Draft motion/brief for modification of prior court order	Task 232
350	3.10	80%	Draft motion/brief for interim relief	Task 231
351	3.10	79%	Draft motion/brief for enforcement of prior court order	Task 240
352	2.95	76%	Represent client in domestic violence/family offense proceedings	Task 226
353	2.82	52%	Represent client in juvenile court proceedings	Task 239
354	2.70	70%	Represent client in paternity proceedings	Task 227
355	2.64	69%	Represent client in abuse and neglect proceedings	Task 228
356	2.56	64%	Represent client in termination of parental rights proceedings	Task 229
357	2.29	59%	Prepare adoption petitions	Task 225
358	2.23	35%	Draft special needs trust documents	Task 238
359	2.15	48%	Prepare placement petitions	Task 224
360	2.11	25%	Represent client in Indian Child Welfare proceedings	Task 234
361	2.09	39%	Analyze tribal jurisdiction	Task 233
362	1.98	54%	Draft prenuptial agreements	Task 223

Line No.	Average Significance*	Percent Performing**	Immigration Law Tasks (Practice Area for 5 percent of Respondents)	Survey Number
364	3.55	91%	Review regulations to determine client's eligibility for immigration benefit	Task 241
365	3.51	81%	Evaluate client's criminal record to determine if conviction/crime renders client deportable or excludable	Task 250
366	3.48	90%	Prepare visa applications and asylum petitions	Task 244
367	3.40	79%	Draft immigration and deportation documents	Task 254
368	3.38	74%	Evaluate collateral effects of criminal conviction	Task 251
369	3.37	90%	Review forms submitted in conjunction with immigration benefit petitions	Task 246
370	3.27	87%	Analyze client's eligibility for relief from removal	Task 249
371	3.16	79%	Represent client in deportation or other immigration proceeding	Task 253
372	3.09	81%	Prepare client for and accompany client to interviews by case adjudicators	Task 252
373	3.03	80%	Review agency and ALJ opinions related to immigration benefits denials	Task 255
374	2.88	70%	Assist client with completion of online forms for consular appointments	Task 247
375	2.51	76%	Communicate with law enforcement	Task 248
376	2.36	53%	Audit client's activities to determine compliance	Task 243
377	2.24	43%	Assist employer in determining legality of workforce	Task 242

* 1-4 with 4 being extremely significant.

** % reporting this is performed and/or expected of them

Section IV. Specific Practice Area Tasks

Specific Practice Area Tasks (cont.)

Line No.	Average Significance*	Percent Performing**	Intellectual Property Tasks (Practice Area for 7 percent of Respondents)	Survey Number
378	3.14	63%	Review alleged prior art	Task 276
379	3.08	50%	Analyze patentability of invention	Task 264
380	3.04	40%	Draft patent application	Task 266
381	3.02	50%	Draft trademark application	Task 268
382	2.96	62%	Draft cease-and-desist letter	Task 277
383	2.94	72%	Advise client on types of intellectual property protection available for inventions and creations and any gaps in coverage	Task 262
384	2.94	73%	Maintain industry knowledge of intellectual-property-focused industries (e.g., publishing)	Task 281
385	2.89	57%	Negotiate licensing agreement	Task 274
386	2.87	66%	Draft non-disclosure agreement	Task 260
387	2.83	54%	Perform and analyze trademark clearance searches	Task 267
388	2.83	51%	Draft release agreement for use of intellectual property	Task 272
389	2.79	67%	Draft licensing agreement	Task 275
390	2.71	62%	Maintain calendaring system for trademark and patent filings	Task 256
391	2.70	58%	Draft intellectual property assignment agreement for transaction	Task 271
392	2.65	59%	Advise client on maximizing intellectual property portfolio	Task 278
393	2.62	49%	Prepare copyright application	Task 269
394	2.57	60%	Evaluate new technologies' impact on and treatment under existing law	Task 279
395	2.56	53%	Draft intellectual property development agreement	Task 257
396	2.48	47%	Draft work-for-hire agreement	Task 259
397	2.46	56%	Draft website terms of use and privacy policy	Task 261
398	2.46	39%	Identify open-source software licenses and advise client on commercialization of same	Task 273
399	2.45	64%	Advise client on fair use doctrine	Task 270
400	2.44	52%	Review office-specific resources (e.g., Copyright Office circulars)	Task 280
401	2.43	52%	Draft intellectual-property-specific representations and warranties in purchase agreement	Task 258
402	2.38	55%	Prepare intellectual property due diligence checklist	Task 263
403	2.33	45%	Draft invention assignment agreement	Task 265

Line No.	Average Significance*	Percent Performing**	Real Estate Tasks (Practice Area for 10 percent of Respondents)	Survey Number
404	3.23	70%	Draft deed and real estate closing documents	Task 298
405	2.98	75%	Communicate with title agent and other third parties	Task 294
406	2.98	64%	Draft real estate purchase and sale agreement	Task 297
407	2.96	84%	Review and evaluate a title examination/report	Task 293
408	2.96	58%	Conduct real estate closing	Task 296
409	2.92	60%	Represent client in real estate closing	Task 307
410	2.89	55%	Draft closing checklist	Task 295
411	2.89	72%	Draft lease agreement, amendments, and memorandum of lease	Task 300
412	2.85	71%	Represent client in landlord-tenant matters	Task 308
413	2.75	83%	Analyze loan documents	Task 282
414	2.75	46%	Represent client in loan closing	Task 306
415	2.68	70%	Draft power of attorney	Task 287
416	2.64	49%	Draft deeds of trust	Task 310
417	2.62	52%	Draft easements and other servitudes	Task 302
418	2.57	53%	Draft, perfect, or enforce lien	Task 305
419	2.56	75%	Review organizational documents	Task 290
420	2.55	72%	Review and analyze land survey	Task 288

* 1-4 with 4 being extremely significant.

** % reporting this is performed and/or expected of them

Section IV. Specific Practice Area Tasks

Specific Practice Area Tasks (cont.)

Line No.	Average Significance*	Percent Performing**	Real Estate Tasks (cont.) (Practice Area for 10 percent of Respondents)	Survey Number
421	2.40	51%	Represent client in foreclosure proceedings	<i>Task 309</i>
422	2.34	38%	Draft real estate construction agreement	<i>Task 303</i>
423	2.32	60%	Draft loan documents and modifications/amendments	<i>Task 284</i>
424	2.31	55%	Review and analyze environmental reports	<i>Task 289</i>
425	2.31	37%	Draft condominium documents	<i>Task 299</i>
426	2.26	51%	Negotiate with zoning and other regulatory authorities	<i>Task 291</i>
427	2.25	57%	Review insurance certificates	<i>Task 292</i>
428	2.24	44%	Draft operating agreement and division order	<i>Task 304</i>
429	2.23	57%	Negotiate loan document	<i>Task 283</i>
430	2.21	53%	Draft construction/mechanic's lien waiver	<i>Task 286</i>
431	2.14	54%	Draft UCC financing statement	<i>Task 285</i>
432	2.13	37%	Draft land use planning documents	<i>Task 301</i>

Line No.	Average Significance*	Percent Performing**	Wills, Trusts, Estate Planning, and Probate Law Tasks (Practice Area for 12 percent of Respondents)	Survey Number
433	3.32	91%	Draft wills	<i>Task 312</i>
434	3.21	91%	Draft power of attorney	<i>Task 315</i>
435	3.20	85%	Draft healthcare surrogate/healthcare power of attorney	<i>Task 318</i>
436	3.18	91%	Advise client on estate planning matters	<i>Task 311</i>
437	3.15	88%	Draft living will	<i>Task 316</i>
438	3.10	82%	Draft estate plan documents	<i>Task 314</i>
439	3.09	79%	Draft trusts	<i>Task 313</i>
440	2.90	73%	Draft documents for probate proceeding	<i>Task 323</i>
441	2.88	66%	Represent client in probate proceeding	<i>Task 328</i>
442	2.57	52%	Draft closing checklist	<i>Task 324</i>
443	2.57	53%	Prepare/review estate and inheritance tax filings	<i>Task 327</i>
444	2.51	64%	Draft conservatorship/guardianship documents	<i>Task 321</i>
445	2.49	56%	Draft special needs trust	<i>Task 317</i>
446	2.40	55%	Evaluate need for mental competency evaluation	<i>Task 322</i>
447	2.28	45%	Draft claim against estate	<i>Task 325</i>
448	2.17	43%	Draft motion/brief for interim relief	<i>Task 326</i>
449	2.15	49%	Draft prenuptial agreement	<i>Task 320</i>
450	2.09	47%	Draft covenants and restrictions	<i>Task 319</i>

* 1-4 with 4 being extremely significant.

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