

# Interview Playbook for Real Estate Litigation Attorney



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# Introduction

This Interview Playbook is designed to equip the hiring team with a structured approach to evaluate candidates for the role of Department Attorney at Maxwell Fairview. The position of Department Attorney is a vital role within the company, requiring a blend of extensive legal expertise and strong interpersonal skills. The competencies outlined here align with the firm's values of unparalleled service, respect, and inclusion, and ensure the selection of a candidate who embodies these principles. The objectives of the interview include assessing technical skills, behavioral qualities, and overall fit with the company culture and values.

## Interview Structure

The interview should be scheduled for approximately 90 to 120 minutes and include the following segments:

1. Introduction (5-10 minutes): The interviewer provides an overview of Maxwell Fairview and the role of Real Estate Litigation Attorney.
2. Discussion of Technical Competencies (30-40 minutes): Assess the candidate's experience and skills in Litigation Expertise, Real Estate Law, Alternative Dispute Resolution (ADR), Research & Analysis, and Client-Centric Service.
3. Exploration of Behavioral Competencies (30-40 minutes): Evaluate the candidate's alignment with company values through Collaboration & Teamwork, Inclusivity & Respect, Innovation & Forward Thinking, Adaptability & Stress Management, and Leadership & Vision.
4. Practical Assignment (20-30 minutes): Give the candidate a task or case scenario to solve, showcasing their practical skills and decision-making process.
5. Team Interaction (if applicable, 10-15 minutes): Allow for informal discussions with potential team members to assess cultural and team fit.
6. Candidate's Questions and Wrap-up (10-15 minutes): Provide time for the candidate to ask questions and summary of the next steps in the selection process.

# Real Estate Litigation Attorney

**Position:** Real Estate Litigation Attorney

**Location:** San Francisco, CA

**Practice Area:** Construction & Real Estate

**Open Date:** Friday, December 15, 2023

**Job Function:** Legal

## Job Description:

At Maxwell Fairview, our priority is to attract, retain, and promote talented individuals from a wide range of racial, ethnic, social, economic, religious, and personal backgrounds, genders, and sexual orientations. Therefore, we encourage talented individuals with diverse backgrounds and experiences to apply.

More than a third of Maxwell Fairview's lawyers are litigators. We have decades of experience representing clients at every level of the trial and appellate courts in multiple jurisdictions, in international forums, and mediations, arbitrations, and other methods of alternative dispute resolution.

A career at Maxwell Fairview is the opportunity to do work that matters. It's a chance to use your knowledge to shape what's ahead, to innovate, and to learn at a firm that taps into the power of collaboration and collective thinking.

In accordance with applicable Federal and State laws, the anticipated annual salary range for this position is as follows:

- San Francisco, CA: \$160,000-\$175,000

In addition to a standard benefits package, this role may be eligible for additional contingent compensation based on an array of factors, including but not limited to: work performance, geographic location, work experience, education, and qualifications. Because such contingent compensation is not yet calculable or may be zero (\$0) in some circumstances, the above-listed salary range is Maxwell Fairview's good faith estimate of the annual salary it reasonably expects to pay for the position at the time of this posting.

## Job Requirements:

Our Construction and Real Estate Litigation practice group is seeking to hire a department attorney to join our San Francisco, CA office. The successful candidate will work with our team on California landlord-tenant matters.

Qualified candidates will have at least three to six years of commercial and real estate litigation experience. Ability to work in a fast-paced client-centric environment with a varied caseload involving complex issues is essential. California Bar admission is required.

Principals Only.

Maxwell Fairview LLP is an Equal Opportunity / Affirmative Action Employer. Disability / Female / Gender Identity / Minority / Sexual Orientation / Veteran.

Pursuant to the San Francisco Fair Chance Ordinance and the Los Angeles Fair Chance Initiative, we will consider for employment qualified applicants with arrest and conviction records.

To comply with Federal law, Maxwell Fairview participates in E-Verify. All newly-hired employees are verified through this electronic system established by the Department of Homeland Security (DHS) and the Social Security Administration (SSA) to confirm their identity and employment eligibility. Please refer to the Notice of E-Verify Participation and the Right to Work posters on the Maxwell Fairview Careers page for more information.

The evaluation criteria outlined below are crafted to identify a candidate's strengths and growth areas in relation to the technical and behavioral competencies essential for the Real Estate Litigation Attorney position at Maxwell Fairview. This job scorecard will facilitate a comprehensive assessment during the interview process.

#### Evaluation Criteria for Real Estate Litigation Attorney

Competency	Assessment	Comments
Litigation Expertise		
Real Estate Law		
Alternative Dispute Resolution (ADR)		
Research & Analysis		
Client-Centric Service		
Collaboration & Teamwork		
Inclusivity & Respect		
Innovation & Forward Thinking		
Adaptability & Stress Management		
Leadership & Vision		
Practical Assignment		
Team Interaction		

Rating Guide: 1. Did not meet expectations – The candidate displays significant gaps in the competency area. 2. Partially met expectations – The candidate demonstrates basic understanding but lacks in certain aspects. 3. Met expectations – The candidate has a solid competency level as expected for the position. 4. Exceeded expectations – The candidate shows a high level of proficiency and some exceptional qualities. 5. Far exceeded expectations – The candidate stands out with an exemplary mastery of skills and a clear alignment with Maxwell Fairview's values.

## Technical Competence 1: Litigation Expertise

Understanding judiciary processes and demonstrating experience with court trials and appellate courts is essential. This competency is chosen for its direct relevance to the day-to-day responsibilities of a Real Estate Litigation Attorney, where proficiency in maneuvering through legal systems significantly impacts client outcomes.

### Lead Question

"Describe a complex real estate litigation case you've handled. What strategies did you employ to navigate the judicial process, and what was the outcome?"

*Look for a detailed account that highlights analytical thinking, strategic planning, and results-oriented actions.*

### Diving Deeper

#### Case Analysis

"How do you approach identifying the key legal issues in a new case?"

#### Court Procedures

"Can you give an example of a time when you had to quickly adapt to an unexpected procedural change during a trial?"

#### Legal Writing

"What is your process for constructing a compelling argument in legal briefs, and how do you measure the effectiveness of your writing?"

#### Oral Advocacy

"Oral arguments can heavily influence a case's direction. How do you prepare for and refine your oral advocacy for maximum impact?"

### Scenario

Imagine a scenario where you are representing a client facing eviction from a property due to a complex intertwining of zoning laws and lease violations. The case is set for an expedited trial, and public interest is high due to the property's historical significance. How would you approach the case from initial briefing to trial advocacy, and what steps would you take to manage the case's publicity aspects?

*Look for comprehensive case management strategies that balance legal rigor with sensitivity to public perception.*

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## Technical Competence 2: Real Estate Law

Comprehensive knowledge of commercial and real estate law is critical, with an emphasis on landlord-tenant disputes. This competency is essential for a Real Estate Litigation Attorney at Maxwell Fairview as it directly correlates with the type of cases the attorney will handle and the need for deep domain expertise.

### Lead Question

"Explain how you've applied your expertise in landlord-tenant law to a particularly challenging case. What were the issues at stake, and how did your intervention lead to a resolution?"

*Look for examples that show a sophisticated understanding of real estate law and the ability to apply this knowledge effectively in real-world situations.*

### Diving Deeper

#### Landlord-Tenant Law

"What do you believe are the most critical aspects of landlord-tenant law that come into play during litigation?"

#### Contract Law

"Describe a time when a contract dispute within a real estate context challenged you. How did you handle it, and what was the result?"

#### Litigation Strategies

"How do you develop and adjust your litigation strategies to be most effective in real estate law cases?"

#### Regulatory Compliance

"Can you give an example of a time when staying current with real estate regulations impacted a case you were working on?"

### Scenario

You are tasked with defending a landlord in a multi-party litigation case involving alleged discrimination and breach of contract by tenants. Some tenants are claiming violations of the Fair Housing Act. The evidence is complex and contains a large amount of documentation from both sides. How would you dissect this case to ensure that your client's rights are represented effectively and ethically?

*Look for a methodical approach to case breakdown and defense strategy that aligns with legal standards and ethical practice.*

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## Technical Competence 3: Alternative Dispute Resolution (ADR)

Experience in mediations, arbitrations, and employing other non-litigation dispute resolutions is a valuable asset for a Real Estate Litigation Attorney at Maxwell Fairview. This competency reflects the company's commitment to providing tailored solutions and resolving disputes in the most efficient manner possible.

### Lead Question

"Share a detailed experience where you effectively used alternative dispute resolution to settle a real estate dispute. What challenges did you face, and how did ADR prove to be the best approach?"

*Look for insights into the candidate's ability to select the most appropriate dispute resolution method and their skill in navigating ADR processes.*

### Diving Deeper

#### Negotiation Skills

"In your view, what are the key attributes of a successful negotiator, especially within the context of real estate law?"

#### Mediation

"Describe a mediation session you led. How did you ensure that both parties felt heard and worked towards a fair outcome?"

#### Arbitration

"Walk me through an arbitration case you have handled. What strategies did you use to present your client's position?"

#### Settlement Agreements

"Tell me about a time you drafted a settlement agreement. How did you ensure that it was both fair to your client and enforceable?"

### Scenario

Your client, a real estate development firm, is facing a dispute with a contractor over a property development project that is near completion. The disagreement revolves around contract terms and allegations of sub-par workmanship. The project timeline and public relations are at risk. Considering the interests of your client and the urgency of the situation, explain how you would utilize ADR to solve the conflict without resorting to litigation.

*Look for a balanced and strategic approach to dispute resolution, taking into account time sensitivities, client interests, and relationship dynamics.*

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## Technical Competence 4: Research & Analysis

The aptitude for detailed legal research and tactical insights is indispensable for a Maxwell Fairview Real Estate Litigation Attorney. It enables the attorney to construct the foundational elements of cases and to provide clients with informed strategic options.

### Lead Question

"Discuss a case where your legal research uncovered a precedent or argument that was pivotal to the outcome. How did you go about your research process?"

*Look for a response that shows diligence, thoroughness, and the strategic use of legal research.*

### Diving Deeper

#### Legal Research

"What resources do you rely on most for your legal research, and why do you trust these sources?"

#### Analytical Thinking

"Can you give an example of how you analyzed and interpreted complicated legal information to advise a client or shape case strategy?"

#### Due Diligence

"Describe a situation where thorough due diligence on a real estate matter significantly influenced the case's direction."

#### Case Management

"How do you manage and prioritize tasks within a heavy caseload while ensuring that detailed research is not compromised?"

### Scenario

A client is involved in a landmark property dispute that hinges on a particular interpretation of property law that has not been tested in your jurisdiction. The case has the potential to set a new legal precedent. How would you approach the legal research to prepare your arguments, and how would you structure your review to ensure that all relevant case law and statutes are thoroughly examined?

*Look for systematic and strategic planning in legal research, providing confidence that all bases are covered and client representation is based on solid legal grounding.*

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## Technical Competence 5: Client-Centric Service

Maxwell Fairview Real Estate Litigation Attorneys are expected to embody the company's unparalleled service commitment by providing legal guidance tailored to each client's unique needs and exceeding expectations.

### Lead Question

"Provide an example of a time when you went above and beyond to meet a client's needs in a legal matter. What actions did you take, and what were the results?"

*Look for experiences demonstrating the candidate's commitment to service excellence and their understanding of how to translate that into client satisfaction.*

### Diving Deeper

#### Client Communication

"Effective communication with clients is critical. Describe how you adjust your communication style to ensure clients are well-informed and comfortable with the legal process."

#### Client Strategy Development

"How do you involve clients in the strategy development process, and how do you align your legal approach with their objectives?"

#### Client Relationship Building

"Building and maintaining long-term client relationships is key. Tell me about a client relationship you developed and how it benefited both the client and the firm."

#### Service Excellence

"Can you recall a particularly challenging client situation and how you managed it to uphold Maxwell Fairview's standards of service excellence?"

### Scenario

You are representing a new client who is an international investor unfamiliar with local real estate laws and is involved in a complicated land-use dispute. They require not only legal representation but also an educational approach to understanding the issues at hand and their implications. Explain how you would manage this client's case, ensuring they feel valued and confident in your representation.

*Look for an approach that is not only legally sound but also empathetic, educational, and reflective of the firm's commitment to superior client service.*

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# Behavioral Assessment

## Behavioral Competence 1: Collaboration & Teamwork

The capacity to collaborate effectively is foundational to the success of Maxwell Fairview's team-oriented approach to legal services. This competency is central in ensuring that clients benefit from collective expertise and that the workplace culture fosters productive and supportive relationships.

### Lead Question

"Tell me about a time when you had to work closely with a team to achieve a successful outcome in a complex legal case. How did you ensure effective collaboration throughout the process?"

*Look for specific examples that highlight the candidate's ability to work well with others and their contribution to a team environment.*

### Diving Deeper

#### Interdisciplinary Collaboration

"Describe an instance where the involvement of multiple departments was necessary to solve a legal issue. How did you facilitate cross-departmental cooperation?"

#### Peer Support

"Share an example of how you supported a colleague during a challenging period. What was the situation, and how did it impact the team?"

#### Conflict Resolution

"Can you provide an instance where you successfully resolved a conflict within a team? How did you approach the situation?"

#### Team Dynamics

"Explain a scenario where you had to adapt to the dynamics of a new or existing team. How did you go about integrating effectively?"

### Scenario

You are part of a legal team tasked with handling a high-profile real estate case that involves elements of environmental law, a field you are less familiar with. Other members of the team come from different practice areas with varying levels of seniority and expertise. Outline how you would approach working within this team, ensuring that you contribute effectively and maintain a collaborative spirit.

*Look for responses that illustrate the candidate's capacity to engage with the team constructively while addressing areas where they may need to learn or adapt.*

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## Behavioral Competence 2: Inclusivity & Respect

Maxwell Fairview prioritizes fostering an inclusive environment where respect is at the forefront of all interactions. This competency ensures that interactions within the firm and with clients are conducted with understanding and integrity, aligning with the firm's core values.

### Lead Question

"How do you ensure that your professional practices encourage inclusivity and respect for cultural, personal, and professional differences?"

*Look for examples that demonstrate the candidate's commitment to creating an inclusive atmosphere and their respect for diversity.*

### Diving Deeper

#### Diversity Appreciation

"Describe how you have adapted your approach to working with a diverse team or client base?"

#### Ethical Standards

"Provide an example of when your adherence to ethical practices made a significant difference in a legal context."

#### Inclusive Communication

"Tell me about a time when inclusive communication was key to resolving a misunderstanding or conflict."

#### Respect for All

"Share an occasion where demonstrating respect impacted your relationship with a client or colleague positively."

### Scenario

During a series of stakeholder meetings on a sensitive real estate development project, you encounter differing opinions from community groups with varying cultural and socioeconomic backgrounds. Describe how you would navigate these meetings to ensure everyone feels heard, understood, and respected while advancing your client's objectives.

*Look for strategies that balance respectful engagement with the need to achieve client-focused results.*

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## Behavioral Competence 3: Innovation & Forward Thinking

Maxwell Fairview values individuals who can bring innovative thinking to their practice, aligning with the firm's vision of providing cutting-edge solutions to legal challenges. This competency is instrumental in driving progress and keeping the firm at the vanguard of legal practice.

### Lead Question

"Describe a time when you introduced an innovative approach to a legal challenge that positively impacted the outcome. What was the issue, and how did your idea make a difference?"

*Look for indications of the candidate's ability to think outside the box and their willingness to embrace new ideas.*

### Diving Deeper

#### Innovative Solutions

"Give me an example of how you have used your creativity to solve a complex problem in your legal work."

#### Strategic Foresight

"How do you stay informed about trends in the legal industry, and how have you applied this knowledge proactively in your work?"

#### Learning & Development

"Can you discuss a skill or knowledge area you recently developed and how it improved your professional practice?"

#### Technology Application

"What technological tools or innovations have you implemented in your legal work, and what advantages did they provide?"

### Scenario

Imagine that Maxwell Fairview is facing unprecedented competition from firms introducing advanced AI-driven legal research tools. You have been asked to lead a project to explore and integrate new technologies that can enhance the firm's legal services. Discuss how you would approach this task, keeping in mind the firm's commitment to innovation and client service excellence.

*Look for a comprehensive plan that illustrates the candidate's initiative in leveraging technology for the benefit of the firm and its clients.*

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## Behavioral Competence 4: Adaptability & Stress Management

The legal sector often presents high-stress situations and rapidly changing scenarios. An attorney's ability to remain adaptable and manage stress is crucial to maintaining the high standards of service at Maxwell Fairview.

### Lead Question

"Tell me about a time when you had to adapt quickly to a change in a legal situation. How did you manage the transition, and what was the result?"

*Look for instances that show the candidate's capacity to stay flexible and composed, even under pressure.*

### Diving Deeper

#### Flexible Thinking

"Can you share an experience where you had to pivot your strategy due to unexpected circumstances?"

#### Stress Resistance

"How do you handle high-pressure tasks, such as tight deadlines or complex cases, while maintaining your performance?"

#### Change Management

"Describe a time when you effectively managed a significant change within your work environment. What strategies did you use?"

#### Resilience

"Can you provide an example of a challenging setback you faced and how you bounced back from it?"

### Scenario

You are in the middle of a crucial real estate trial when a new piece of legislation is passed that could potentially affect the outcome of the case. Additionally, a key witness has just become unavailable. Explain how you would handle this situation, ensuring that you adapt to the new legislation and deal with the absence of the witness while minimizing stress for both you and your client.

*Look for evidence of problem-solving abilities, composure in the face of challenges, and resourcefulness in finding alternative solutions.*

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## Behavioral Competence 5: Leadership & Vision

Maxwell Fairview seeks individuals who can embody the firm's mission and vision, providing inspiration and leadership that aligns with our strategic goals and fosters an environment of excellence.

### Lead Question

"How do you align your personal vision with the company's mission in your day-to-day work, and can you provide a specific instance where this alignment influenced a positive outcome?"

*Look for clear examples where the candidate's leadership has not only achieved results but also furthered the firm's overarching objectives.*

### Diving Deeper

#### Vision Alignment

"What steps do you take to ensure that your work consistently supports and advances Maxwell Fairview's mission and vision?"

#### Inspirational Leadership

"Share a time when you motivated a team towards a goal. What tactics did you employ to inspire and guide them?"

#### Decision Making

"Describe a difficult decision you've made that had significant implications. How did you come to that decision, and how did it align with the firm's values?"

#### Impact & Influence

"Can you provide an example of how you've influenced a legal outcome or contributed to shaping the firm's strategy in a way that also considered the larger social impact?"

### Scenario

As a leader within the firm, you have noticed a trend of increasing engagement with pro bono projects among the younger attorneys. You believe there is an opportunity to expand this enthusiasm into a more structured part of Maxwell Fairview's corporate social responsibility strategy. Outline how you would approach this initiative, the steps you would take, and the potential impacts on both the firm and the community.

*Look for approaches that demonstrate the candidate's ability to lead with a vision while being mindful of the wider societal implications and commitments of the firm.*

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# Practical Assignment

The purpose of this practical assignment is to evaluate the candidate's direct application of technical knowledge and skills relevant to a Real Estate Litigation Attorney role at Maxwell Fairview. It allows for an assessment of their ability to work under pressure, prioritize tasks, and produce work that meets the firm's high standards.

## Assignment Description

The candidate will be given a hypothetical scenario involving a real estate dispute where they must demonstrate their capacity to analyze the situation, develop a legal strategy, and draft key documents that would be used in a litigation setting. This exercise simulates real-world challenges and requires the candidate to apply their skills in a time-bound manner.

## Objectives

- Assess the candidate's aptitude for handling complex real estate litigation tasks.
- Evaluate their ability to integrate legal knowledge with practical problem-solving.
- Determine their proficiency in drafting legal documents that are clear, persuasive, and legally sound.

## Evaluation Criteria

- **Analytical Ability:** The thoroughness and clarity of the candidate's analysis of the legal issues presented in the scenario.
- **Strategic Thinking:** The quality and creativity of the legal strategy proposed, including foreseeing potential challenges and opportunities.
- **Writing Skills:** The effectiveness of their writing in terms of organization, argumentation, and adherence to legal standards.
- **Time Management:** The candidate's efficiency in producing high-quality work within the constraints of the assignment timeline.

The interviewer will assess the candidate's approach and solution to the practical assignment, paying close attention to detail, strategic thinking, and the ability to articulate their process and reasoning. The candidate's performance should reflect Maxwell Fairview's commitment to unparalleled service and excellence in legal practice.

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# Team Fit

Incorporating a team interaction segment in the interview process is aimed at assessing the candidate's potential for integrating seamlessly into Maxwell Fairview's collaborative work culture. The goal is to observe how the candidate interacts with potential future colleagues and to evaluate their interpersonal skills in a professional setting.

## Rationale

Maxwell Fairview values a harmonious work environment where legal professionals support one another and engage strategies that reflect the collective intelligence of the team. This stage is designed to provide insights into the candidate's team dynamics, communication style, and ability to contribute positively to the existing firm culture.

## Discussion Points

- The candidate's prior experiences working in team-oriented environments and their approach to collaboration.
- Their ability to resolve conflicts respectfully and to offer and receive constructive feedback.
- The ways in which they have contributed to team growth and development in their past roles.

## Activities

- Engage the candidate in a group discussion on a current legal topic or case study relevant to Maxwell Fairview's practice areas.
- Conduct a collaborative problem-solving exercise where the candidate and team members must arrive at a consensus-based solution.
- Informal interactions, such as a meet-and-greet or lunch with potential team members, to observe the candidate in a less structured social context.

Observations gained during the team interaction will provide valuable context for assessing the candidate's compatibility with Maxwell Fairview's ethos and the collaborative nature of the firm's operations.

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# Candidate Q&A

Candidates typically have questions about the role, the company, and what it's like to work at Maxwell Fairview. The following are questions they might ask along with comprehensive answers.

## Candidate Questions

1. **"What kind of cases will I primarily be working on as a Real Estate Litigation Attorney at Maxwell Fairview?"**

You will handle a broad range of real estate litigation matters, including disputes related to commercial and residential properties, landlord-tenant issues, zoning and land use, along with environmental law impacts. Our clientele ranges from individual property owners to large real estate development corporations.

2. **"Can you describe the team I'll be working with?"**

You will become part of a dynamic team of legal professionals, each with their own specialized knowledge in various facets of real estate law. Collaboration is highly valued here, and you'll often work with colleagues from different departments to provide comprehensive legal solutions.

3. **"How does Maxwell Fairview encourage continuing education and professional development?"**

Our firm is steadfast in supporting ongoing professional development. We offer in-house training, sponsor attendance at relevant seminars and workshops, and encourage certification in specialized areas of legal practice. We believe in fostering growth and providing opportunities for our attorneys to stay ahead in the field.

4. **"Can you tell me more about how Maxwell Fairview addresses work-life balance?"**

We understand the importance of work-life balance for our staff's well-being and productivity. Maxwell Fairview offers flexible working arrangements, comprehensive health benefits, and resources for mental health and stress management. We strive to create an environment where our employees can thrive both professionally and personally.

5. **"In what ways does Maxwell Fairview engage with the community or participate in pro bono work?"**

Community engagement and pro bono work are pillars of our firm's ethos. We have partnerships with various non-profit organizations and provide legal services to underserved communities. Our pro bono initiatives are not just encouraged; they are a celebrated part of our culture and annual goals.

6. **"What are the next steps after this interview?"**

Following this interview, if you are selected to move forward, the next steps will include a review meeting within our hiring committee, a second interview for further discussion if required, and then a potential offer. Throughout the process, our HR team will keep you updated and provide feedback. We aim to complete the process within a few weeks to respect your time and need for timely decisions.