

## Tailoring Legal Search to Meet Your Firm's Needs

Although law firm recruiting is a relatively young industry, staff recruiting in general has been around for centuries in one form or another. Law firms are increasingly sophisticated in their use of the legal recruiting industry, Law Firm Staff believes there is substantial room for improvement in the way the legal recruiting industry delivers its services and in the way law firms avail themselves of legal recruiting professionals.

Not surprisingly, we believe that using an ethical and professional recruiting company can play a significant role in your firm's development and success. However, we are not content to simply accept the "industry standard" as the only methodology that can be mutually beneficial. This article will outline both the various functions of search firms and how those functions can contribute to a productive hiring initiative.

### **Permanent Staff Recruiting**

Today, more than ever before, firms are faced with high turnover among staff. To some degree, this reflects increased turnover of associates. Whereas the average attorney practicing twenty years ago may have worked for one or two legal employers, attorneys now may have held positions with four or more employers. The same is true of staff positions. Firms must now fight the attrition battle on two fronts; they must compete for qualified staff and retain the staff over time. Recruiting quality staff members who are culturally, intellectually, and professionally well-matched for your firm is now more important than it has ever been.

Most firms have used the help of staffing consultants to fill their open positions with some success. However, the utility of employing recruiters to fill your firm's hiring needs must always be balanced with the labor-intensive process of reviewing submissions from staffing consultants which may not always be targeted 1) to fill open positions or 2) to match the credentials or work experience required by a particular firm. We have spoken to law firm recruiters who tell us they have reviewed candidates from well over 150 different search firms. According to these law firm recruiters, many of these "search firms" were actually individuals who likely were not even active in the industry anymore. In contrast, using recruiters who respect and understand your recruiting needs and who present you with quality candidates in a comprehensive and professional manner will provide you with access to great candidates at a minimal investment of time and resources.

How, then, do you use a recruiter to most effectively fill your particular needs while minimizing the administrative burden? It depends, in part, on the type of search. We will begin by defining some general terms, and coming to some conclusions with respect to possible types of search.

**Search v. Selection:** These terms of art define the two basic ways in which a particular vacancy can be filled for most staff positions. Search, which has historically been the premier method of securing full time staff members to fill vacancies, is the method whereby a particular firm contacts several

headhunters” who then go about finding a candidate interested in that opportunity. Historically, legal recruiters made cold calls on behalf of law firms to attract talented attorneys and staff members and interest them in a particular position. This was (and for many legal recruiters still is) the only method used. Selection refers to legal recruiting whereby a firm (either through a recruiter or by its own efforts) advertises a particular opening in an effort to solicit resumes. Those resumes are then reviewed by either the recruiter or the law firm itself to determine whether the applicant is well suited for the position.

The benefit to search is that, in general, a larger percentage of candidates who are submitted according to the search methodology conform to the specifications sought by a particular firm. There is less of a likelihood that a recruiter will submit a candidate outside of the years of experience sought by a particular firm because that recruiter will most likely begin contacting only those candidates who fit the basic criteria provided by the firm. The disadvantage to this type of search, however, is that candidates contacted for these positions may not be looking to change firms at all. Therefore, a candidate may be considerably less motivated to either apply for the position or eventually take the position. We have found that candidates contacted on a search basis are often overly concerned about salary and often are not responsive to our description of the firm’s culture or the long-term opportunities inherent in the position. Although we have been very successful in filling positions through cold calling suitable candidates, we can say that, as a general rule, candidates

that are approached for a specific job are generally less enthusiastic about potential opportunities.

These issues notwithstanding, search can be a highly productive method, particularly when there are sensitive confidentiality issues that need to be preserved during the search. The initial communication between law firms and recruiters here is key. However, there are no guarantees that the search methodology in and of itself will be effective. Some candidates tell us that they simply do not accept calls about potential opportunities. Instead, many only consider job opportunities when they have made the decision to leave their current position and prefer to evaluate all of their options at that time.

Likewise, selection has inherent strengths and weaknesses. For instance, by advertising an open position, a firm has the opportunity to reach a wider range of possible candidates. Advertising directly, such as on a firm website, allows the firm to include as much detail as possible and control the type and accuracy of the information about the job. When jobs are advertised through a recruiter on a firm’s behalf, the recruiter bears the expense of advertising the position instead of the firm. Moreover, the legal professional who are responding to a particular opening are active job seekers and are necessarily more engaged and invested in the process of finding a job. This increases the likelihood that a particular attorney will bring enthusiasm and commitment to their job search and eventually to their new job.

The negative aspect of selection is that when a firm advertises the position through a website or their own direct advertisement,

there is little that firm can do to control the quality of the candidates who apply for that job. How many times have you had to field phone calls or respond to letters and e-mails from candidates whose credentials are not a match? We have found that no matter how strongly a firm insists that specific credentials be met in applying for a job, there are still a tremendous number of applicants who do not meet the necessarily qualifications for the position. The red tape that inherently accompanies widespread advertising can be solved in large part by effective communication with search firms regarding the exact requirements needed for a particular position.

This negative attribute can be substantially ameliorated or eliminated altogether by working with recruiting firms that advertise extensively. Law Firm Staff has more advertising coverage and web traffic than any other legal recruiting firm we know of. By advertising through a reputable search company, a firm can shift the administrative burden to the search firm to “weed out” those candidates who do not meet predetermined requirements. In fact, this work can be almost completely eliminated with exclusive or semi-exclusive use of a single recruiting company or a few select groups.

The other negative aspect of advertising a position on a law firm’s website is that an attorney would actually have to go to the firm’s website to find out that an opening exists. Many lawyers will not take the time to search out the Internet address for each and every firm in their area of the country. Moreover, to the extent that that the Internet site invites e-mail applications, we find that

it is much more likely that an unqualified candidate will submit a resume via e-mail than take the time to write a formal cover letter and application.

None of this is meant to discourage a firm from utilizing recruiting efforts other than the use of recruiting firms to fill open positions. In fact, we know of numerous internal referrals and direct applications to firms that resulted in successful searches. However, because of the administrative costs associated with recruiting, we believe that a combination of these efforts, tailored to meet the needs of the firm as well as to minimize the administrative effort in finding good talent, is the appropriate solution.

On the staff recruiting side, we recommend that the first step be a careful consideration of the firm’s goals. In general, those goals can be defined as follows:

- **Filling a specific position or opening.** Here, we recommend that a firm use reputable recruitment consultants to employ a combination of search and selection methods. In addition, a firm may choose to advertise the position itself, but only after careful consideration of the cost involved in processing the application. Essentially, the firm needs to determine how much time it is willing to spend reviewing resumes and sending out rejection letters. This may vary depending on the year. For instance, a search that takes place during the summer or fall recruiting season is most likely better handled exclusively through the use of legal recruiters. However, some recruiting departments may have the resources to conduct their own search while simultaneously working with an outside firm.

When the opening is highly confidential, it may behoove a firm to limit the number of legal recruiters who know about that particular position. Because Law Firm Staff creates advertisements for jobs without identifying the firm and only provides information to those candidates who express a real interest, there is an added layer of confidentiality.

- **General expansion and growth, whether by practice area or firm wide.**

This type of search is best handled primarily through the selection process, after identifying legal recruiters who understand your firm's culture and the direction in which you'd like to take the firm. Search, in this context, will generally be less effective because it is difficult to convince people to pursue a non-specific opening. Aggressive advertising, both through a recruiter as well as through the firm, will insure a good volume of candidates from which the recruiter and/or the law firm's hiring committee can choose. Although growth in this context can be difficult, communication is key. A legal recruiter who understands your goals and your firm's culture is better equipped to contribute to the success of your firm. Once the parameters of experience and academic credentials are set, it is helpful to understand what type of people generally fare better with your organization.

### **Senior Staff Recruiting**

There are several keys to attracting senior staff talent such as chief marketing, financial, or operating officers, head paralegals, or senior IT staff. As with other staff recruiting, the first step is to decide the methodology to take with respect to

the hiring initiative. In order to do that, a firm must 1) identify the parameters of the search and communicate those parameters to the search professional and 2) decide the best recruiting methodology to use for the search. For reasons discussed in more detail below, we believe that senior staff recruiting should always be done through a recruiter.

**Search Parameters:** The parameters of a senior level search are obviously quite different from those of a regular staff search. Although practice area is relevant for both types of positions, the years of relevant experience and the quality of that experience come under even more intense scrutiny. In addition, a potential new senior staff member in a senior operating or policy-level capacity must fit with the firm's ideology, in addition to making economic sense.

**Search Methodology:** Once those issues and expectations are properly defined, the firm should choose what recruiting methodology to use to attract that partner. The basic search methodology is considerably more difficult in the context of a partner search, because appropriate candidates may not be as easily defined. However, in our experience a firm that is able to provide a legal recruiting firm with specifics on a partnership search (sometimes including the names of several partners in the community who would be attractive prospects) may give the search firm some direction as to what type of candidates they are looking for.

In sum, where narrow criteria are defined, search is a highly effective tool for senior staff recruiting. This is especially true

when the legal search firm understands the economics and politics of a law firm and can identify issues and possible problems at the outset. However, we believe that a firm should also use a selection methodology concurrently.

Selection can also be a highly effective tool at the senior staff level. We are surprised at the high level of quality we often get from senior level candidates interested in learning about specific job opportunities. Again, discretion is key. Senior level candidates are often quite concerned (understandably so) that the fact they are searching will become public. Law Firm Staff is able to provide them with the assurances they need that their search will be professional and discrete. Therefore, we are able to provide information to both parties to determine the propriety of going forward before names and confidences are unnecessarily revealed.

Although we advocate a combined methodology that includes law firms participating in the selection of their own candidates in order to attract high quality associates, we believe that an effective senior level search is best done exclusively through the use of a legal recruiting professional. Firms simply do not contact staff at other firms to woo them away, and senior staff members rarely contact a law firm directly to inquire about opportunities. Because civility, confidentiality and ethical concerns chill this kind of direct contact, legal recruiting professionals become necessary. Recruiters can also alleviate other problems inherent in senior staff placement. For instance, while associate and other staff salaries are often fairly

well defined, compensation negotiation can be quite involved for senior staff members, whose salary expectations come from experience in diverse industries. Since the ideal end result is "one happy family," there is a tremendous advantage to having the negotiations handled through an 'agent' of sorts. That way, this new relationship can grow without controversy and confrontation.

At the end of the day, no two senior staff member searches are alike. In order to effectively attract quality candidates and revenue streams, law firms should think through the parameters of the search requirements, as well as the search itself, in order to increase the opportunity for success.

### **Conclusions**

At any staff level, there are a variety of methods that a firm can employ to efficiently attract good talent. We believe that focusing on the type of search methodology as well as working with an excellent search firm, are the keys to successful growth. To that end, Law Firm Staff, Inc. is available to meet with you at your convenience to discuss what search strategy is right for your firm. We look forward to participating in your firm's success.