



ATTORNEY SEARCH

by Brian Siegel

Rules of Engagement: Tips for Working with a Legal Recruiter

Introduction

Congratulations on passing the bar. One of the “rights, privileges, and immunities” that you derive from being a well-credentialed attorney is that you will soon be receiving calls from legal recruiters (a.k.a. “headhunters”). A legal recruiter can be very helpful in assisting you with a lateral move. On the other hand, you will probably hear horror stories about how members of this group made the process more difficult by sending a candidate’s resume to firms that he/she didn’t authorize.

This article is written by a Columbia Law School graduate who has been a successful legal recruiter for more than 18 years. Its purpose is to answer many of the commonly asked questions. I strongly suggest that you bookmark this information. It is a fact that most attorneys do not remain at their original firms for their entire legal careers. There is a strong likelihood that the content of this article will eventually be pertinent to you.

What is the nature of the relationship between a legal recruiter and yourself (the candidate)?

The legal relationship is one of principal and agent. You are the principal, and the recruiter is your agent. This should mean that nothing is done on your behalf, except pursuant to your command.

To make certain you know where your resume is going to be submitted, it is a good idea to inform the recruiter that you would like him/her to email you a list of the firms that he/she is proposing and that you will respond in a like manner. In this way, no questions should arise as to whether or not a particular firm was authorized by you.

What can you do if your recruiter ceases to be responsive or appears to have become disinterested? You can simply stop using that person’s services.

How long does the lateral-movement process usually take?

Unfortunately, there is no clear answer. If a candidate has stellar credentials and allows his/her resume to be sent to most of the places looking for someone at his/her level, one to two months is certainly reasonable. The less academically impressive and/or more selective a candidate is, the longer the process is likely to take. Although it is unusual, I have worked with candidates for almost one year to find the “right” position.

Another factor is the candidate’s years of experience. Probably 70% of the open positions that recruiters receive from firms are seeking associates with between one and four years of experience. The more senior one becomes, the fewer the number of openings that are likely to be available. Actually, many firms believe that

a third- to fifth-year attorney produces basically the same work product as a sixth- to eighth-year attorney. By hiring more junior associates, firms can charge lower billing rates and avoid partnership questions in the relatively immediate future.

What services should a legal recruiter provide?

An effective legal recruiter should do the following:

- Strategize with you to determine the best means for achieving your ultimate objective.
- Review your resume and offer appropriate suggestions.
- Advise you which firms or companies are looking for someone with your specialty, background, and level of experience.
- Prepare you for interviews (What if you're asked where else you have applied or to provide references?).
- Answer questions as the process unfolds (Who pays the air fare to another city? How much time do you have to respond to an offer?).
- Assist in negotiating your final compensation package.

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Can I approach some firms on my own and use the recruiter for others?

Yes. If you have specific firms that you would like to pursue on your own or through a friend, tell the recruiter that you're going to withdraw certain specific firms from the playing field. This should be done at the beginning of the process. When a candidate advises me that he/she would like to approach certain firms on his/her own, I'm almost always amenable to this (assuming, of course, the candidate doesn't want to apply to all of the firms that I would propose).

There are pros and cons to approaching a firm on your own or via a friend (by the way, your friend will probably receive some type of "bonus" from his/her firm). For a firm, saving the fee paid to a recruiter might well be a consideration (although most firms tell me that their overriding objective is hiring the best possible candidate). The cons are (1) to some extent, your fate is tied into the firm's view of the attorney tendering the resume (if his/her product is questionable, the firm's attitude is usually "Why do we need two of them?"); (2) your friend must have no compunction about following up the presentation of your resume (the decision makers don't always respond immediately); and (3) law firms look to the recruiters' professional "eyes" to distill the pool of suitable resumes presented to them (i.e., a recruiter-introduced resume will sometimes be viewed more seriously than that of a friend).

One final point must be considered. As most firms pay an associate some sort of "bonus" upon the hiring of an attorney through a referral, that associate's opinions about his/her firm might not be completely objective.

If a recruiter emails a list of firms with openings to me, do I have to use him/her to apply to those firms?

No, unless you've previously agreed to do so. In this writer's opinion, some recruiters will attempt to subtly "coerce" a candidate to retain him/her.

Just as a real estate broker can't oblige you to use his/her services by sending you an unsolicited compilation of their listings, neither can a legal recruiter compel you to use his/her services in this manner. I don't typically present a candidate with a list of openings unless he/she has agreed to pursue them only through me and/or my company.

This approach is, however, far different from supplying the names without being requested to do so and subsequently laying a guilt trip on someone who decides to submit his/her resume to those firms via other means.

What can I do to prepare for the lateral-movement process?

There are several things you can do. First, draft an effective resume, one that highlights academic accolades

and practical experience (non-legal experience is usually not viewed as highly important). Second (if you don't already have one), order a transcript. Next, decide on a writing sample, something that is primarily your work product (with respect to inter-office memos, make certain that you delete the names of the parties involved). It should be 8-12 pages long. Finally, determine whom you would provide as references. (This matter typically arises just prior to the extension of an offer, but merits consideration early on.)

Furthermore, it is often unwise to tell other associates where you intend to apply. The writer knows of at least one instance in which the recipient of this information actually sent his/her own resume (thereby competing with the candidate who had mentioned the firm).

Conclusion

An experienced legal recruiter should be a "positive" to an attorney during his/her search for a new position. If each side is professional, honest, and ethical, the relationship should be a satisfactory (and hopefully) rewarding one.

Brian Siegel has authored the PMBR Flashcards and the Siegel's Answers to Essay and Multi-Choice Questions series of books. Mr. Siegel recently joined BCG Search, the fastest-growing legal search firm in America. His personal website is www.legalplace.org.