



ATTORNEY SEARCH

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DISTINGUISHING AMONG THE “BIG FIRMS”

The Dating Game

When faced with a career move, choosing among the “Big Firms” may be akin to playing the dating game, wherein you usually have two choices: presume they are all the same and blindly pick one or take so long to decide that you end up missing out on the best choice.

Allow me to dispel the first presumption: Not all big firms are the same. You may think they are; you would be wrong. Now that you know this, how do you find the “Big Firm” that is right for you? More important, how do you avoid taking too long when deciding which firm is actually the right one?

The answer is legwork. That’s right. Do your homework. Attorneys spend hours choosing law schools, picking classes, and determining which clerkships to apply to, but they become uncharacteristically paralyzed with fear or apathetic when faced with the decision of having to choose among Big Firms.

There are two reasons why this happens. First, many attorneys presume all big firms are the same. If not the foregoing, then attorneys often adopt the “better the devil you know” attitude. Sound familiar? In other words, rather than commit to the footwork of investigating each firm on its own terms, attorneys often just close their eyes and pick one based upon the facts as they know them (or have heard about them). This is enormously bad judgment.

“Big Firms” can vary in every way. As such, decision-making cannot be carried out in a vacuum. The right answer will not appear in a dream or in your morning coffee grains (or respective tea leaves). Unless you commit yourself to doing the legwork, which requires taking the time to face the known as well as the unknown, you are placing yourself at a distinct disadvantage when you should be making smart, informed career decisions.

Okay. So what is legwork in this case? Research. Research may be divided into two areas: tangibles and intangibles. Not unlike choosing a mate-which requires numerous dates and discussions focused upon the exchange of job details, academic credentials, politics, and religion (the tangibles) as well as friends, talents, viewpoints, and future leanings (the intangibles)-choosing a firm requires a review of both sides of the coin. Tangibles may be identified as practice group rules, compensation, book and news reviews, and the three B’s (billable hours, bonuses, and benefits). In contrast, intangibles may consist of firm culture, associate perspective (including Internet surveys, chat lines, and commentary), partner perspective, and your own intuition. The above lists are not all-inclusive. In short, you need to dedicate yourself to uncovering everything there is to know about the firm or firms to which you are drawn so that at the end of the day, the choice between two good candidates may not be easy, but it is manageable.

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The Tangibles

For whatever reason you may be drawn to a firm initially, you must still conduct due diligence.

a. First, investigate the practice group to which you may belong.

Ask questions. Lots of them. How many attorneys are in the group? What is the ratio of partners to associates? How is the work assigned? What is the rate of turnover in the past year? What about the rate of turnover during the past five years (pre- and post-9/11)? Is there crossover with other practice groups? If so, who is your supervising and reviewing attorney in the event of such crossover? Is it your primary practice group leader or the practice group leader of the group you are assisting? If partnership is something in which you are interested, how many attorneys in your class are in your practice group?

In other words-and there is no nice way of saying this-assess the competition. Assess your chances. When was the last time an attorney in your group made partner? Is a partner within this group deemed a service partner or is rainmaking a necessity? How much pull do the lead partners in the group have, overall, within the firm. In other words, if you put yourself in such a group and expect its partners to support you, is that support going to be solid? Bottom line: to whom will you be extending your allegiance?

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b. Second, investigate the compensation. Easy task.

What is it, and how does it compare to other similarly sized firms? Is it lockstep? Or is it based upon individual talents and credentials?

c. Third, read the "news"-the firm's website, press releases, trade journals, and your regional bar papers.

Again, easy task. Each firm website has a press release or recent news link. Look at it. Know where the firm and its practitioners stand in the community, fall out in the market, and rank on local and national lists. Aside from this, take a trip to Barnes & Noble or any large-scale bookstore featuring a legal section. Within that section, you will find book after book featuring top firms throughout the country. Such reviews will list everything from compensation to bonuses to billables to vacation time to market rankings to which firm(s) only hire attractive people (These shall remain nameless.). Read and absorb all you can.

d. Fourth, investigate the three B's (billable hours, bonus options, and benefits).

By New York City standards, there are commonly three types of billable hours: the baseline at which you avoid getting fired (usually 1,800 hours), the baseline at which you get a bonus (usually 2,000 hours), and the baseline at which you get an extra-special bonus (usually 2,400 hours). How do these increments stack up against each other? How do the firms compare? How hard do you want to work? Does one firm require more to enter bonus territory than another one? Where does the bonus fall market-wise? Is it competitive? Is it discretionary? Guaranteed? What about benefits? Ask about everything from eye care, dental care, and 401K to the Family Medical Leave Act ("FMLA") in the event of maternity and/or paternity leave. Many firms are, in fact, offering several weeks of paternity leave for new fathers. If you don't ask, you don't know.

So, you've done the first half of your job-ascertaining the tangibles, writing them down, charting them, and thinking about them over dinner. Do they sound good? Do the firms fit within your parameters? If so, you are ready to move on. You have ascertained the tangibles; now you must tangle with The Intangibles.

The Intangibles

The intangibles are a delightfully naughty breed. They are the ones you cannot put your finger on, but they will either dig at you or draw you in. Hence, they mandate investigation and acknowledgment. The intangibles consist of the following: firm culture, associate perspective (including Internet surveys, chat lines, and commentary), partner perspective, and your own intuition. Let's start with firm culture.

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a. First, what type of culture is encouraged at the firm?

Use your senses. While you are waiting for that interview, what do you see? Hear? Avoid just sitting there and reading a magazine. Look. Watch. Listen. Look at the office space, the bathroom, the associates. Are the associates in cramped offices? Are they still sharing an office at the fifth-year level? Is there a couch or nap corner in the bathroom? Look at the associates. *Really* look at them. Do they look happy? Tired? Unfazed? Do they smile at you while you are sitting in reception or look through you as if Casper (That means you.) just walked through the door?

Listen: Is the din you hear merely the coffee machine making a fresh brew of Starbucks? Is it quiet and library-like? Or is there yelling? If not yelling, do associates make generous use of speaker phone? Pay attention to the interaction between associates while you are waiting for your interview. Is there a sense of mutual respect or disrespect? Pay attention to the interaction between associates and staff. Does the respect, or lack thereof, remain?

b. Associate perspective? What is it? There are two ways to find out

First, you can peruse Internet chat lines, websites (a/k/a greedyassociates.com), and review attorney surveys. BCG Attorney Search does not advocate any specific chat line, website, or attorney survey; we merely mention such options as tools for you to use in your movement toward discovery. All of the foregoing will inform you of the areas where the firm is weak and/or strong. Keep in mind, however, that it is, unfortunately, quite often the disgruntled who place their opinions on these sites; hence, review all such comments with a grain of salt. Better yet, schedule an associate lunch. During the interview period, or even post-offer, take the time to meet with at least two associates in your class, two associates who are one or two classes up and at least one associate who is situated one or two classes down. Over lunch-and away from the office-associates are more likely to give you their true perspective on life at the firm. A relaxed setting helps to break down invisible barriers and fear factors which might otherwise impose themselves on the discussion.

Finally, in addition to the aforementioned, speak to friends and friends of friends who know the firm, work at the firm, and/or worked with the firm. Ask these individuals many questions. Get the word on the street. There is one; you just have to find it.

c. Partner perspective? What is it?

If you can, meet with *all* of the key partners in your group. I cannot tell you how many times I meet with candidates who tell me they are leaving their firms because they are not working with the partners they were promised they would be working with when they interviewed. Sad story? Yes. Unfortunately, it's an all too common story. If you do not take the time to meet with all the partners and hedge your bets, you are being unwise. There are no guarantees during hiring-unless they are in writing-and even those can be arguably ambiguous. The firm is there to promise you great things in the hope that you will join them. Once you join, they are moving on to the next candidate. That's not cruel. That's reality. Take stock of and be aware of your own reality. If you meet with five partners, but only like Ms. Smith, and then the firm promises that you will only work with Ms. Smith, is that a trustworthy promise? Do you really want to take that chance? If you decide to join the firm only because of that promise, think again. In addition to the above, know the partnership's focus on the future. Where do they see the department going? Who are the rainmakers? The rainmakers set the tone of the entire department. If you do not ascertain the tone, how can you accept a position?

d. Intuition. Yes, it sounds stupid.

It sounds new age and alternative and/or insane. Take your pick. Whatever you want to call it, tap into it. At each and every meeting, interview, luncheon, etc., you will get a feeling that either this is right or this is not right. Don't ignore this message. Your subconscious is structured to pick up on clues that your conscious mind will overlook. Again, it's like dating. You know it when you have a feeling that you can't explain telling you to either ask for the check and run like hell or suggest post-dinner drinks? You don't ignore that feeling in that situation, do you? Don't ignore it now.

Ruminate over your findings.

Okay, you've gotten this far. Welcome. Welcome to your own West Side Story, where the tangibles (a/k/a the Jets) and the intangibles (a/k/a the Sharks) take on matchmaking full-throttle. Here is where the rumble begins.

Whether you need to write a pro or con list, create a spreadsheet, pour yourself a stiff Scotch or draw yourself hot bath, take your time to think and ruminate about all your findings. Sift through the tangibles. Set them up against the intangibles and look for inconsistencies and similarities. First, analyze each firm on its own. Second, compare the firms against each other. You will find through your comparisons that not all "Big Firms" are the same. Each has its own distinct environment, financial goals, value system, associate lifestyle, and future aspirations. Once you are able to note the differences, choosing among the "Big Firms" becomes a much simpler task. The unknowns have been removed and replaced by knowledge.

Like dating, where it is also a choice between "candidates," only one is really going to be the right one for you for the long haul. Invest the time it takes to make an informed decision. Would you proffer a proposal without knowing the person? Would you accept a proposal without knowing the proposer? You will spend a large chunk of your life and free time at your firm-eating, sleeping, drinking, and living your choice. It is, in fact, more than dating; it's a marriage. Choose wisely.

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When is the Right Time to Make Your Move?