



ATTORNEY SEARCH

By Deborah Acker

### **Coping with the Process of Applying for a Position in a Law Firm: Don't let silence, delay, ambiguity, or rejection get you down!**

The process of seeking a position at a major law firm is not for the faint of heart. In addition to coping with core issues of financial security and professional identity, a candidate who submits their resume to a law firm must also deal with the daily roller coaster of a seemingly irrational and inefficient process of consideration. Before throwing your hat into the ring it is best to gird yourself for the following four potentially negative by-products of the hiring process: silence, ambiguity, delay and rejection. Even the most sought after candidate is often faced with one of these issues. These elements are a normal part of interfacing with the people who make hiring decisions in law firms. No one in a law firm intends to direct negative energy at a candidate, but the system is what it is, and understanding how it works, can help you cope with what may at times seem frustrating and ego deflating. Once you can anticipate what to expect in the short run, working with your recruiter to find the perfect position can be a very satisfying joint endeavor, as you negotiate each successful stage in the process.

Silence can be maddening, for both recruiters and candidates. How many of us jump to the wrong conclusions when we are faced with silence instead of a clear answer to an inquiry? In the legal hiring business, silence is often the rule, rather than the exception when dealing with law firms. A good recruiter knows the workings within the recruiting offices of each major firm and can interpret the meaning of silence after the submission of a resume and cover letter. In some cases, it means that you passed the first hurdle and extra time is being spent to pass the resume around the hiring committee. In other firms, it means that a key person is probably absent because the replies are usually prompt and the absence of a reply reflects a possibly unnoticed submission. And in many firms, silence means that they are unsure about their needs or about whether you might be a fit and they are simply sitting on their decision for the time being. Finally, in some firms silence means you were passed over on the initial screen but no one has had the time to generate the pass letters for an imposing pile of resumes. A good recruiter can help you understand how the law firm is regarding your submission and can help you understand what it means if you do not get invited in for an interview nor receive a formal pass notice within two to three weeks.

Silence can also be confounding as the hiring process continues to unfold. I worked with one candidate who had gone through a very positive series of interviews at a major firm. A couple of days before the holidays they told me they were writing him an offer and would get back to me very soon. No word before the holidays. Everyone was gone for ten days. No word immediately after the holidays. I sent out gentle and then more urgent inquiries to the firm. Still no word three weeks after the holidays. My candidate was trying to make major life decisions regarding moving across the country. We were both beginning to grind our teeth. Finally, I broke all the rules of firm contacts and went to the top. Evidently, there had been a bit of a stale mate in terms of the final rubber stamp for the offer. Long story short, my candidate received his offer, accepted it, and is happy with his new firm. But, we both had to cope with almost five weeks of absolute silence before the deal could be finalized. Lawyers are busy. Hiring decisions may take a back seat. Never assume the worst in these situations.

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The process of being considered for a position at a law firm has its own distinct rhythm. What can seem like unreasonable delays are simply normal patterns of hiring. With a typical submission in the Bay Area market, it goes like this: You submit the resume and hopefully get some sort of response within two weeks, if the fit is great, you may be invited in for interviews within days. The interview is usually scheduled at least a week out to find a mutually agreeable time. After the interview the firm gathers evaluations, discusses the next move, and you may be invited back for more interviews or you may receive a pass. This evaluation process can take from one day to a couple of weeks. Again if you come back for more interviews, it takes time to find a good date. After the second set of interviews, the firm usually makes up its mind. This can happen on the spot (rare) or it may take up to a month. If an offer is extended, it is usually with a deadline for a response within two weeks. Firms will often extend this deadline. Simple arithmetic reveals that the average time to be considered by just one law firm if you are invited to interviews may range from four weeks to three months. If you are interviewing with multiple firms, coordinating schedules and pending offers can be a challenge. The most sought after candidate I have ever represented required five weeks from submission to offer acceptance and every step was expedited at every level. You must embrace a mindset that this process is a marathon rather than a sprint. It is not uncommon for law firms to be silent for months and then suddenly express interest in a resume.

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Law firms are complex systems run by human beings. When it comes to hiring decisions you are dealing with hiring partners, managing partners, practice or group leaders, hiring committees, management committees, recruiting directors, recruiting coordinators, recruiting assistants, etc. The interface between these personalities often generates communications that may be inconsistent or ambiguous. A listing for an attorney position may include a very detailed description of exactly what the firm seems to want. You submit a candidate that is a "perfect fit" in every aspect and yet there is no response from the firm. Often the issue generating the mixed message is internal disagreement about bringing someone on. It is not uncommon for a practice group leader and a managing partner to have divergent views of how to staff a workload or how to strategically grow the office. A potential candidate may get buffeted by the lack of consensus within the firm. A wise candidate in an interview situation will explore the issue diplomatically. But, the bottom line for candidates is, don't take it personally if you don't get invited in. There is much more going on in the background of the hiring process than deciding whether you are a skilled attorney.

Ambiguity can also play a major role in the interview process. Many candidates will receive feedback from an interviewer that "they are perfect," "they look forward to working with you," "you are on the top of the list of all the interviewees." And then, days go by and that expected offer never arrives. What possibly could have happened? Scores of things. First, the hiring decision is rarely made by one individual. Often a committee must reach consensus. It only takes one "doubter" to preclude an offer. The position may have evaporated suddenly when a planned departure was suddenly cancelled. There may have already been a pending offer that was accepted. The firm might have lost a major client that was going to generate the work for that position. The list is endless. The best law firms keep inconsistent messages within closed doors and present a united front to potential candidates. Unfortunately, this is often the exception rather than the rule.

Although receiving a "pass" from a law firm may feel like a personal rejection, it is anything but that. Even the most qualified candidates, if they are wise, will expect to receive passes and will understand the decision was much less about them than about how the law firm has established the "rules of hiring." In many cases, your resume and transcript must conform to strict requirements regarding law school ranking and class ranking to make the initial cut. No exceptions. Then, frequently you must have experience at a certain type and size of law firm for a minimum time period. Again, few exceptions. If you are not in the exact range of JD years desired, many firms won't even take a look. And if you had more than one job transition already, that may be the end of your candidacy. For senior attorneys and partners, your book of portable business and your client roster is all important. Do any of these factors determine your true value and capability as a skilled and sophisticated attorney? Not really. Don't let your ego get caught up in the process.

For top tier firms, receiving an offer for a lateral position is like running the gamut of a unique set of challenges and tests and successfully reaching the end of the maze. Only a few will candidates will have the right combination, appear at the right time, and avoid the pot holes. And for them, there will be a measure of luck involved regarding whether an interviewing attorney was having a good day or bad, whether a new case that needed to be staffed arrived the week before their interview, and whether you might share unanticipated esoteric interests that begin to break down formalities. In other words, many top attorneys get turned down when they approach a firm.

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One of the difficulties in receiving a pass from a law firm is that firms have been instructed not to give reasons for their decisions, in order to preclude possible employment law suits. Candidates are often eager to get feedback to help them improve their presentation to the next firm or round out their experience. Yet, firms use a few key phrases, such as “the candidate is not a fit,” “we have decided not to move forward,” “we have decided to pass.” When your recruiter informs you of a pass and cannot give a detailed explanation regarding the decision, it is often not for lack of attempting to get that information. Most firms are fairly rigid on this point. Occasionally firms will breach the generic communiqué and give an unwritten hint such as “very nervous,” “developmentally delayed,” “not enough business,” etc. Good recruiters in synch with their market can usually anticipate who will get invited in for interviews. If you are a borderline candidate and get passed, don’t take it personally. If you get passed after an interview, you may not get as much feedback as could be helpful to refine your presentation. A good recruiter can be invaluable at that point in helping to analyze and strengthen your interview skills or “fit” at the next firm.

Arming yourself with an understanding of the vagaries of the legal hiring process can help immunize you against disappointment and discouragement. You will have realistic expectations regarding the rhythm and timing required. You will expect moments of confusing silence and potentially ambiguous messages. And you will not get leveled if you receive a pass from your favorite firm. Most of these events are not about you. They reflect the unique characteristics and personality of the firm in question. Once you are armed with this knowledge, you and your recruiter can become a cohesive team in strategy, planning and action for your job search. You will sidestep the negatives and assume eventual success in meeting your goals. At that point, finding your dream job can be a lot of fun.

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