



ATTORNEY SEARCH

*By A. Harrison Barnes, Esq.*

## Ensure you hire stars

Far too many legal-hiring organizations fail to hire stars because their hiring process actually prevents superstar candidates from ever getting in the door. By reviewing the following list of suggestions for organizing and streamlining your approach to hiring, you should be able to maximize your chances of hiring the star candidates who may have eluded your recruiting efforts in the past.

### 1. Organizations Should Have Clearly Defined Hiring Needs.

It will always be wise to have minimum standards established regarding prior work experience, academic achievements, and basic legal skills. However, all of your hiring requirements need not be rigidly defined for every search to be successful. For example, numerous firms in the Bay Area have recently been asking us to “send over all corporate people.” At the same time, other organizations have been asking us to “send over only 1997 corporate attorneys.” While both approaches to filling an opening are valid, it is often wise for a firm to remain open to interviewing a somewhat broader cross section of applicants. This can increase your chances of meeting a superstar attorney who might otherwise have just missed falling into a more rigidly defined pool of acceptable candidates. However, this type of flexibility doesn’t mean your firm should stop carefully defining your basic hiring objectives. In fact, some of the most effective legal-hiring organizations have groups of individuals who meet each month to discuss their monthly hiring needs before publishing lists of them. Organizations that know what they want are more likely than not to conduct successful searches, particularly if they are a bit flexible about the precise candidates they are willing to interview.

### 2. Organizations Should Clearly Communicate Their Hiring Needs.

Many legal-hiring organizations publish their legal openings on their websites or send professional search consultants monthly updates of their hiring requirements. Still other legal-hiring organizations simply call and ask several professional search consultants to send them certain types of candidates. When a legal-hiring organization clearly communicates its needs, the professional search consultant is then able to present candidates who are fully qualified and interested in the positions. It will also be helpful if attorneys and others in legal-hiring organizations keep themselves available on a regular basis so that professional search consultants can learn about their new hiring needs as soon as they develop. The sooner this information is communicated to the search consultant, the quicker the legal-hiring organization will begin to see the types of qualified candidates it needs the most.

### 3. Organizations Should Have Screening Mechanisms in Place to Increase Their Chances of Meeting the Star Candidates

The search process usually begins when a law firm recruiting coordinator, hiring partner, or head of a given practice group receives a letter, email, or fax concerning a candidate. Next, various individuals try to decide whether the firm should bring the candidate in for an interview. Naturally, legal-hiring organizations that have already developed clearly defined hiring objectives will find it much easier to make this decision. For example, if a law firm needs a tax attorney, the tax department will have usually first noted that need. It will then review resumes before deciding which candidates to bring in for interviews. Because many factors must be considered when trying to identify superior can-

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didates, it is crucial for every legal-hiring organization to have certain types of procedures in place. The right people inside each organization must review the resumes, interview the candidates, and then decide if their qualifications provide a good fit for the firm or organization. While we hesitate to mention this, we have seen numerous instances where a litigation attorney made the decision of whether or not to interview a corporate candidate and vice versa. There are real distinctions between candidates in different practice groups. For example, a candidate who might not appear outstanding to someone practicing corporate law might look fantastic to a tax attorney.

Every firm or hiring organization should also make sure that all resumes are reviewed as quickly as possible. Recruiting coordinators spend a significant amount of their time pressuring the attorneys they work with to review various resumes so that decisions can be made as quickly as possible. Attorneys need to understand that their firm's success in bringing the right people in for interviews is dependent upon making many quick decisions. In addition, we would also like to suggest that at least three attorneys review each candidate's resume and accompanying cover letter. Many of the attorneys within your firm or hiring organization may have different backgrounds and value systems. It's a good idea to put this diversity to work for you because it will increase the odds that you will interview candidates with different backgrounds and eventually make job offers to some of them. Most important, this approach will increase the odds of spotting all of the best candidates. Though you can discern many important things about candidates if their resumes are well written, we all tend to just quickly look for schools, firm experience, and honors. There are some firms-and yours is almost certainly one of them-that will always view these as the most important hiring criteria. Nevertheless, there are circumstances where a more careful review of each candidate's qualifications will help your firm notice every potential star.

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#### **4. Once a Good Candidate Has Been Identified, the Legal-Hiring Organization Should Move Quickly**

Over and over, candidates have told us that they accepted the offer from the firm that was the first to invite them in for interviews or make them an offer. While we can't be sure why this happens, we suspect that candidates think that a firm that quickly responded to them likes them more than the firms that were slower to get in touch with them. Though we realize how this interpretation sounds, we deal with this situation so often that we believe this candidate response pattern speaks for itself. Far too often, we receive telephone calls several months after presenting a candidate to a firm, requesting the opportunity to meet with that same candidate. Invariably, the candidate has already been employed several weeks or even longer at a new firm. The firm that delayed getting back in touch with us often says it either lost the resume or simply wanted to give further thought to bringing in that particular candidate. The firm then belatedly realizes that it missed its chance to meet with one of our star candidates.

#### **5. Be Ready to Ask the Right Questions and Obtain the Best Information During a Candidate's Interview**

A legal-hiring organization's attorneys are its most valuable assets. Therefore, the selection of those attorneys will always be critical to the success of the firm as a whole. Accordingly, the interviewers' tasks are also very important. However, due to the race for billable hours, many interviewers do not take adequate time to prepare for the interviews they conduct. This is their loss. We have noticed that the law firms that have clearly defined needs and quality screening mechanisms in place to prevent the loss of star candidates are also the ones that recognize how important it is to prepare for every interview they conduct.

While you're still in the early stages of the interview, it's your job to elicit as much information as possible from the candidate. During this stage, the candidate should be talking nearly 80 percent of the time. One of the biggest mistakes many interviewers make is failing to obtain as much critical information as possible during each interview. Many factors are involved in determining whether or not a candidate is a good fit for your firm. The more information you obtain about each person, the better chance you'll have to accurately evaluate that person's skills and experience. You need to learn everything you can about each candidate that isn't clearly set forth in the resume.

In addition to trying to learn more about a candidate's background and skills, each interviewer should also take note of the person's body language, personality, appearance, ability to communicate, enthusiasm, and rapport with all of the interviewers.

Attorneys change jobs for many reasons. Some are looking for a more challenging position, while others just want a chance to specialize a bit more. Still others are seeking a firm where they can receive better training and supervision. A desire for greater job stability or security, a more pleasant work environment, or more time for the attorney's personal life are other reasons that are often behind job searches. At any one time, there are usually as many at-

torneys wanting to change jobs to obtain higher wages as there are candidates simply pursuing career-advancement opportunities. Of course, there will always be some attorneys hunting for new jobs who have belatedly realized that their firms want them to move on.

Candidates will typically give all types of reasons for switching positions. Your legal-hiring organization needs to be sure that the reasons a candidate gives for leaving his/her last position are not identical to those you often hear from attorneys leaving your firm. You should also keep in mind that an attorney who is unclear about his/her reasons for leaving her current job may also be unsure about many things, including an ongoing desire to practice law.

Be sure to encourage each candidate to ask questions during the interview. A candidate's questions can often be quite revealing. They can also help the interviewer judge the candidate's motivations, interests, communication skills, initiative, and thought processes. Listen and try to detect if the individual has the ability to be both a leader and a cooperative team player. Once you've carefully elicited the most important information, your firm will be well on its way to hiring a star.

#### **6. References Should Always Be Checked.**

Most hiring organizations postpone checking references until they've interviewed a number of candidates and decided which ones have the best skills and experience to offer them. While you're free to check references at any time you think is best, just be sure you remember to complete this final hiring stage. Checking references can help you weed out those who truly aren't stars. It can also provide you with valuable information about how you should manage certain candidates if you decide to hire them. Try to set the stage for checking references ahead of time by bringing up the topic during the first interview or a follow-up one. Ask the candidate about his/her previous work experience and supervisors. The candidate should also be asked what his/her previous supervisors are likely to say about his/her performance. See if a candidate will respond to a question about which supervising attorneys were the most difficult to work with and why. Inquire about the candidates' performance reviews and what exact comments or suggestions were included with them. See if the candidates will share with you which comments appear to be the most accurate and which ones appear to be incorrect or unjustified. Ask the candidates to give you detailed reasons for their personal opinions. Candidates may also be invited to evaluate their previous and current employers. Ask them what they learned from those individuals and what type of influence those people have had on their training and development.

A candidate's statements about what he/she believes his/her references are likely to say about him/her can be extremely useful in evaluating the candidate's self-knowledge and candor. These comments can also give the employer an idea about the types of questions to pose to those contacted for references.

Recruiting coordinators usually check references. However, within corporations, human resource department employees are usually assigned this task. In general, it's best to have the person who will be supervising the new attorney check the references because the new supervisor will benefit the most from the information provided by the references. Nevertheless, the recruiting coordinators in some legal-hiring organizations are quite competent when checking references. They know the personalities of the attorneys in their firms, and they know the questions they should ask. After all, they really have usually seen and heard it all. Therefore, there are no "hard and fast" rules for checking references. Just try to be sure that the person checking the references will play some role in the new attorney's career if the attorney is asked to join the legal-hiring organization.

When checking references, you should always try to first put the reference at ease by providing the individual with some general information about yourself and your organization. A limited amount of small talk can help the reference open up and feel like cooperating and providing you with the type of information you need. A reference can be asked many potentially helpful questions. Although the following list of questions is not intended to be exhaustive, it contains many of the most basic questions you should ask each reference you contact.

1. Why was the candidate originally selected?
2. Why did the candidate leave your organization?
3. Was the candidate replaced?
4. Is there anything you know about the candidate that would make us want to refrain from considering him (or her)?
5. If your needs were to change, would you consider rehiring this individual?

6. What was your relationship with this candidate?
7. What is the candidate like on a personal level?
8. How well does the candidate work under pressure?
9. How does the candidate relate to the support staff and others who aren't lawyers?
10. On a scale of 1-10, how would you rate the candidate's oral and written communication skills?
11. How would you describe the candidate's demeanor or presence?
12. How impressed have you been by the individual's legal acumen and integrity?

Usually, one or two negative references shouldn't end your consideration of a particular candidate. After all, most of us have burned a bridge at some point in our careers. However, you should ask further questions about negative behavior patterns or frequent personality clashes with superiors or coworkers. Inquire about the facts behind the opinions you are hearing so you can more fairly judge the reference's own credibility. Remember that some references have difficulty saying anything nice about anyone, particularly those who chose to leave their employ. For these reasons, it's always best to obtain the names and phone numbers of multiple references from each candidate. One or two poor references may quickly pale in comparison to four or five more recent, outstanding ones.

If you decide to hire the candidate, review the information gained from the reference checks to help you better understand the candidate's strengths and weaknesses. *You really can often benefit from the insights and wisdom of some previous employers.* Let the information the references give you help you more smoothly integrate the new attorney into your firm.

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Like the candidates, we all have both strengths and weaknesses. No candidate will be perfect. However, reference checks will help you avoid complete catastrophes. They can also provide you with positive information that will help you turn the hired candidate into a more productive member of your legal-hiring organization.

#### **7. The Legal-Hiring Organizations that Make the Most Rapid Hiring Decisions Have the Best Chances of Capturing the Stars.**

We cannot emphasize this enough. The legal-hiring organizations that are able to make *rapid* decisions about the candidates they would like to hire are the ones most likely to attract the most desirable candidates. We do not know all the reasons why this is true, but it is a fact. Like most people, *candidates appreciate being treated with respect and are attracted to the efficiency a prompt reply communicates.*

#### **8. Legal-Hiring Organizations Should Be Accessible and "Open" After an Offer is Made.**

A legal-hiring organization needs to be accessible to the candidate after an offer is made. The organization should never lose touch with a candidate after making an offer. Phone calls, letters, notes, and other signs that the legal-hiring organization is still interested will be remembered. The legal-hiring organization should go out of its way in this regard.

There are several simple things a legal-hiring organization can do to "hook" a candidate after an offer is made. One Los Angeles firm tells those it has extended an offer to that they are welcome to come back and ask the firm's attorneys more questions if they have any. The firm will pay the candidates' expenses if they wish to accept these return trips. These offers are made regardless of whether the attorneys live in California or distant states like New York or Florida. Though few attorneys have ever taken the firm up on this offer, a number of candidates have told us that this show of concern regarding their best interests wound up playing a role in their decisions to join that particular firm. Simple things like that can make a meaningful difference in a given candidate's decision to accept an offer. Another well-known Silicon Valley firm sends those it extends offers to elaborate gift baskets. Again, it is only a \$200-\$300 gesture, but it will be remembered. Sending out such a gift also keeps the candidate in touch with the legal-hiring organization. It also communicates respect and a strong interest in the candidate's skills and experience.

Overall, it should not be that complicated to attract star candidates to your firm or legal-hiring organization. However, it is a process that must be carefully planned and choreographed. In addition to the help provided by your highly skilled in-house legal-hiring coordinator, you can also benefit from the input and guidance available from the professional-search recruiters who work for BCG Attorney Search. We take great pride in directing star candidates to every top legal-hiring organization that requests our help.

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