



ATTORNEY SEARCH

By A. Harrison Barnes, Esq.

## Three types of recruiting

### INTRODUCTION

Every legal recruiter practices his/her own brand of recruiting, and for the most part, each style has merit. As the head of a national recruiting firm, I speak with legal recruiters both within and outside of my recruiting firm each day and have become quite familiar with various recruiting styles. When you are searching for a recruiter, it is important that you, too, are aware of the various recruiting styles, as your legal recruiter's particular recruiting style can often determine how effectively he/she can assist you in your job search.

In my experience, there are three main types of recruiters. I call the first type of recruiter "the Cougar." The Cougar is typically most concerned with making the perfect match and does not submit people to a lot of firms or work with a lot of candidates at one time. The second sort of recruiter is the "Market Penetrator." A Market Penetrator typically works with many candidates at one time and submits his/her candidates to many firms at once-often regardless of whether these firms have positions or not. The third sort of recruiter is the "Database Lover." The Database Lover generally submits only highly qualified candidates to active openings. Unlike the Cougar or the Market Penetrator, the Database Lover is a little more literal in terms of his/her approach to recruiting and placement.

Each recruiting method has its own sets of advantages and disadvantages. The recruiting styles of the Cougar, Market Penetrator, and Database Lover are explored below.

### THE MARKET PENETRATOR

#### A Typical Market Penetrator Placement

*Market Penetrators spend a couple of hours each day studying law firm websites, job boards, and other sources for openings. They also are very interested in law firms and read most periodicals and legal newspapers they can get ahold of. Market Penetrators may even spend some time reading Martindale-Hubbell because they want to know everything they can about the market because that they believe will allow them to make placements. While Market Penetrators may meet with law firms on an ongoing basis, their belief is that the market is huge and that their emphasis should be on the global picture and knowing what is going on in the market as a whole-not necessarily just inside one law firm.*

*Market Penetrators decide a certain type of attorney in a certain practice group is in demand. They have openings for that type of attorney; however, they also believe a good attorney in that practice area will be marketable at firms that do not even have openings. The Market Penetrator takes out a few ads in legal periodicals and job-posting boards seeking those sorts of attorneys and tends to make a bunch of calls. When the Market Penetrator starts finding candidates, he/she will submit them to a large number of firms-firms with openings and firms the Market Penetrator simply believes may have*

*openings. As candidates get interviews, Market Penetrators submit more candidates to the firms that are interviewing their candidates if they match the same profile. Without ever forming a particularly close relationship with any hiring organization, the Market Penetrator makes a placement.*

The Market Penetrator's method of recruiting and placement is based upon sheer force and aggressiveness. This Market Penetrator's recruiting method is based upon the beliefs that (1) the respective candidate's goal is to get the best possible job and (2) the candidate needs to be aggressively marketed because (a) he/she will find a job (through the recruiter, or otherwise), and (b) the recruiter should be the one who gets him/her the job. Market Penetrators also believe they cannot possibly know everything that is going on in their market and must constantly be pushing to market their candidate to new and potential opportunities matching the candidate's interest.

Under the Market Penetrator's method of recruiting and placement, the recruiter will seek to represent a high number of candidates under the belief that he/she is constantly taking the pulse of the market (through submitting candidates to employers) to see where the opportunities are most likely to be. This, in turn, enables the recruiter to be able to make choices about proper submissions due to the constant feedback the market provides.

The Market Penetrator typically takes a candidate and researches (1) current jobs, (2) past jobs in a market, and (3) potential jobs.

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First, the Market Penetrator will know the current jobs where the candidate is or is not a good fit and will choose these jobs from the list of active jobs in his/her recruiting database. The recruiter will always attempt to interest a candidate in the active positions that are most appropriate for that person. The Market Penetrator will also likely do independent research to find active jobs for its candidate.

Second, the recruiter will then look at past jobs and, depending upon the candidate's practice area or the strength of a given market, will also select a certain amount of past jobs for the candidate if the Market Penetrator believes that the same firms may have the similar openings again. While it is not always the case, if a candidate is in an obscure practice area where there are typically very few active jobs, the recruiter will spend a great deal of time studying past openings to see who might be likely to hire that type of attorney.

Third, the recruiter will use Martindale and his/her knowledge of the market gained from reading various legal periodicals to develop a potential list of firms to "hit" with the candidate's materials in order to see if the firm has any interest. In some instances, the firms the recruiter "hits" will be firms the recruiter and/or recruiting firm has not dealt with in the past and does not even have openings. This method of recruiting is something that not many recruiters necessarily do; however, it deserves mention because it is a tool in the Market Penetrator's arsenal.

### **The Advantages**

The advantages of the Market Penetrators' method of recruiting and placement are:

**(i) They are likely to assist the candidate in applying to the majority of the places the candidate is likely to find work;**

The Market Penetrator is likely to expose his/her candidates to the majority of real and potential openings in the market. Through his/her in-depth understanding of the market, the Market Penetrator develops a level of insight that surpasses what most candidates could ever know.

When working with a Market Penetrator, most candidates do not need to do much work for themselves in their searches. They can rest assured that their recruiter knows where openings are and are most likely to be. Using a Market Penetrator largely eliminates the need for a candidate to use multiple recruiters.

**(ii) They are constantly turning up new jobs as firms their candidates may not have approached (i.e., firms with inactive jobs or no jobs at all) express interest in their candidates (a Market Penetrator may sometimes get a new fee contract from a hiring organization every week); and**

The idea that a recruiter may approach firms without specific openings on a candidate's behalf is something that is quite alarming to individuals who are not recruiters (and even some recruiters). Nevertheless, good Market Penetrators approach firms only after a very careful study and an educated opinion that their candidates may be a good fit for the firm.

You need to keep in mind that the Market Penetrator believes the market is massive. The Market Penetrator also believes that no amount of intelligence can ever provide him/her with all of the openings in the market. The Market Penetrator believes the best way to learn of new openings beyond those he/she already has is to be constantly taking the pulse of the market. For this reason, as firms interview his/her candidates, new openings are developed for candidates whom that recruiter works with later. Ironically, Market Penetrators typically have the most real openings.

**(iii) They are giving the candidate the broadest possible choice of opportunities to make an educated decision about where he/she might work; and**

The Market Penetrator is able to give their candidate a broad range of choices of where to work. In a given city, there may be more than 25 places where a candidate could potentially work, and some candidates are likely to be more comfortable in some of these places than others. By giving his/her candidates so many potential options, the candidate the Market Penetrator represents may actually have a more fulfilling career.

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**(iv) Market Penetrators approach firms that other recruiters are not approaching, and therefore, their candidates have a better opportunity of employment due to less competition**

Because the Market Penetrator is approaching firms that other recruiters may not, there may be less competition for these jobs. Accordingly, the Market Penetrator's candidates may be more likely to be hired.

**The Disadvantages**

The disadvantages of the Market Penetrators' method of recruiting and placement are:

**(i) It takes a lot of work in terms of research, and this comes at the expense (most often) of forming strong relationships with employers and candidates;**

A Market Penetrator must spend a great deal of time doing research. In fact, the Market Penetrator's whole method of recruiting is based upon doing a great deal of research. While this may not seem like that bad of a thing, most recruiters are "social animals," who go into recruiting because they enjoy interacting with people on a very frequent basis. Accordingly, this recruiting method is not something that all recruiters are comfortable with.

The research a Market Penetrator does is often time-consuming enough that he/she cannot spend a great deal of time getting to know their candidates and clients personally. This lack of in-depth personal attention can be somewhat detrimental in that the recruiter cannot understand the complexities of various personality types at work in making a good match possible.

**(ii) It generally results in a lower percentage of interviews vis-a-vis submissions than other methods; and**

Because a large portion of the Market Penetrator's work is exploratory, his/her candidates may often be introduced to employers that are not the most ideal fits for the candidates. Accordingly, while some recruiting methods are very likely to result in a high percentage of interviews, the Market Penetrator will likely get its candidates a lower percentage of interviews when compared to the number of submissions it makes.

**(iii) firms may become annoyed because they are receiving unsolicited resumes.**

An unsolicited resume is one the firm does not request, and it does not come in response to a specific opening. If a recruiter sends too many unsolicited resumes to a firm, that firm will become annoyed and may request the recruiter not send it any more candidates. If this occurs, future candidates may be discriminated against by virtue of being represented by that recruiter, even if the firm does have openings.

## THE COUGAR

### A Typical Cougar Placement

*A Cougar calls up a law firm and asks to meet with the hiring staff. The recruiter visits the law firm and spends time meeting with the hiring partner, recruiting coordinator, and other attorneys in the firm. In the meeting, the recruiter "hits it off" with the law firm, and the firm gives the recruiter its openings. The recruiter also establishes a strong bond of trust with the law firm, and both understand each other very well. Over months or years, the recruiter and law firm establish a very strong bond of trust. The recruiter has a very good sense of the types of candidates the law firm is likely to interview and hire. The Cougar may visit with the law firm several times per year.*

*When these recruiters are in the market, they are very focused upon this law firm's hiring criteria. They primarily ignore candidates who do not fit the law firm's needs. They spend time calling "ideal candidates" and running a limited amount of advertising. Many attorneys may not actually know the name of the recruiting firm the Cougar works for, and quite often, the Cougar may even work alone out of his/her home. The Cougar spots the ideal candidate and meets with him/her. The Cougar says many good things about the law firm, and the candidate meets with the law firm and is hired. The Cougar has made a placement.*

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It is a little-known fact that recruiting is among the world's oldest professions. For as long as human beings have worked for compensation, there have been those who are paid to recruit people to do this work. The Cougar's recruiting style has literally been around for thousands of years and is among the most traditional types of recruiting. Long before databases, computers, and even classified advertising, the Cougar was plying his/her trade.

As the name suggests, the Cougar lies in wait for the ideal candidate (or hunts him/her by calling) and knows the exact jobs to submit the candidate to and the best candidates likely to fill that job. The Cougar's method of recruiting and placement is based upon the ideas that (1) he/she is very familiar with where the candidate is likely to get a job and (2) by having a very highly developed sense of the market and good understanding of his/her clients, he/she is likely to get his/her candidates the best interviews.

Under the Cougar's method of recruiting and placement, the recruiter spends a great deal of time thinking about the firms and potential candidates for those firms. Very few candidates may be represented at one time; however, each candidate represented is likely to get interviews. A candidate may be submitted to as few as one or two firms. In addition, the recruiter tends to form very close relationships with a limited number of firms. This, in turn, results in the recruiter's candidate being looked at quite closely. The recruiter also tends to form a very close, trusting relationship with each candidate he/she represents.

In situations where there are as many as 10 potential opportunities in the market for the candidate (i.e., active jobs), the recruiter may submit the candidate to as few as two or three of those jobs under the belief that the candidate is most likely to be a "fit" at these firms. Cougars know their market and are highly selective with their candidates and the firms they submit them to. It bears noting that this is the most typical method of recruiting and placement among recruiters nationally. The reason for this is because it works.

### Cougar Recruiting Examined

The Cougar's method of recruiting and placement is based on having a very strong focus. This focus has both its advantages and disadvantages.

#### The Advantages

The advantages of the Cougars' method of recruiting and placement are:

##### **(i) They make placements other recruiters are unlikely to make (and learn about jobs first);**

A Cougar forms a very strong relationship with hiring authorities. This is the nature of the Cougar, and in most cases, the Cougar is simply not comfortable working for hiring organizations he/she does not have very close relationships with. As a consequence, the openings that a Cougar has are all real openings, where the hiring organization has a definite need.

In addition, because the Cougar's relationship with the hiring organization is so close, the hiring organization may not provide these openings to other recruiters for fear of upsetting the Cougar. Therefore, the Cougar is more likely to make placements with these hiring organizations and have access to opportunities other recruiters may not.

**(ii) They have a very good understanding of the types of candidates firms are likely to hire; and**

When a candidate is approached by a Cougar (or finds a Cougar via an advertisement), the candidate's time is not being wasted if the Cougar decides they are a good fit. If a Cougar is working with a particular candidate, the odds are very high that the candidate will be interviewed and hired by the particular hiring organization.

This level of understanding is beneficial for everyone. The candidate has access to inside information about a particular hiring organization and can make educated decisions about whether he/she wants to interview with the hiring organization or not.

**(iii) They form very close trusting relationships with their candidates;**

Because Cougars mostly do not work with many candidates at one time, they can take the time to really understand the people they are working with. In addition, because the Cougar is so concerned about his/her candidates' being good fits for each hiring organization, he/she will ask many questions and get an in-depth understanding of the candidate to ensure that the best match of client and candidate is made. The Cougar is typically very concerned with what his/her clients think of him/her.

While a Cougar is compensated by the hiring organization, this recruiting style is also very conducive to representing candidates for a very long time until the "perfect fit" comes along. A Cougar may work with a candidate for months, or even years, until the perfect job opportunity is located. This is the way Cougars like to operate. Accordingly, a candidate may be well served when an excellent opportunity does come along.

**The Disadvantages**

The disadvantages of the Cougars' method of recruiting and placement are:

**(i) By taking on so few candidates, they miss numerous opportunities to make placements;**

The Cougar is extremely focused. His/Her focus is upon having strong relationships with a limited number of law firms at one time. Because of this focus, a Cougar will miss many good candidates in the market and many places where he/she could make placements. The Cougar does not care, though.

**(ii) They develop fewer new jobs and an in-depth understanding of their markets through proactive marketing of candidates; and,**

The Cougar does not seek to develop a high number of jobs. He/She only cares about the jobs of his/her clients. Accordingly, the Cougar can offer candidates only a limited number of opportunities at one time. If a candidate is seriously seeking a new job, he/she may not be well served using a Cougar, who will only introduce him/her to a limited number of openings.

**THE DATABASE LOVER**

**A Typical Database Lover Placement**

The Database Lover spends a great deal of his/her time studying active openings in his/her recruiting firm's database. Because most Database Lovers work at large recruiting firms, they have the benefit of a large stable of potential candidates to work with. The Database Lover will examine openings that the recruiting firm gets each day and reach a decision about the sorts of openings he/she would prefer to recruit for. Whether through an advertisement, a cold call, or an existing relationship, the Database Lover gets a particular candidate to work with. The candidate is submitted to active openings matching the candidate's profile in the database. A certain number of these employers interviews the candidate, and offers are extended. The candidate accepts one of the offers. The Database Lover makes another placement.

The Database Lover's method of recruiting and placement relies principally on the use of a database to make placements. Very few recruiters utilize this method of recruiting and placement, and those that do are typically at large recruiting firms with sophisticated databases.

Under the Database Lover's method of recruiting, candidates are sent to firms with "active" openings in the recruiting firm's database. This recruiting method is based upon the belief that (1) if there is a real job, the candidate should be marketed to it, (2) the most likely source of a placement is with a real job, and (3) firms should be treated with respect and only shown candidates when they have made us aware they have specific openings.

#### **The Advantages**

The advantages of the Database Lovers' method of recruiting and placement are:

**(i) They are able to provide firms with candidates matching their openings on an ongoing basis (and not upset firms with unsolicited resumes in the process);**

The Database Lover submits candidates in response to actual openings that employers have. Employers know that the Database Lover only sends them candidates if they have actual openings. Accordingly, firms come to rely upon the Database Lover for a steady stream of applicants for their positions and most often are not annoyed with the Database Lover's recruiting efforts.

**(ii) If they are aggressive, they can approach employers with openings in odd areas (e.g., Maine, Sacramento, Indiana, Saudi Arabia) with appropriate candidates that are likely to be direct hits;**

One advantage of the Database Lover's method of recruiting is that it is quite literal. Because their emphasis is not on knowing markets like Market Penetrators or knowing firms like Cougars, Database Lovers can often be quite effective. This is particularly so in areas "off the beaten path," where employers may have openings for extended periods of time and see few candidates.

For example, if there is a firm in rural Maine with an opening for a patent attorney and the Database Lover finds an excellent candidate willing to interview with that firm, his/her efforts are likely to have a very high rate of success.

#### **The Disadvantages**

The disadvantages of the Database Lovers' recruiting methods are:

**(i) They do not necessarily ever get a thorough market coverage because they are responding to actual jobs for the most part;**

The Database Lover looks for actual openings and puts his/her candidates into competition for those openings. This method is not based on research or identifying market trends like the Market Penetrators' methods. Accordingly, the Database Lover may miss many potential openings for his/her candidates.

**(ii) They may not take on candidates where they do not have actual openings; and,**

Because he/she is almost exclusively dependent on a database, the Database Lover may fail to place many candidates whose skills and experience make them extremely marketable if the recruiter does not have actual openings to submit these candidates to.

**(iii) Their candidates are competing with every other candidate in the market.**

Database Lovers are not the most creative recruiters. They could be said to be "masters of the obvious" in that their approach is quite cautious. Because they do not rely on the sort of research a Market Penetrator does or develop the strong relationships a Cougar does, the Database Lover will miss many openings other recruiters might find.

## **CONCLUSIONS**

While there are certainly many different types of recruiters, I believe the following characterizations show most heavily the main characteristics of recruiters. The above explanation could be dramatically expanded with more examples and insights; however, for the most part, these are the three main types of recruiters.

Make no mistake about it. The Cougar thinks he/she does the best work, just as the both Database Lover and the Market Penetrator believe they do the best work. The fact that there is any tension between competing methods is a sign of a healthy organization, and in any good recruiting firm, you will find recruiters who gravitate towards one method of recruiting or another. While I hesitate to say this, if your recruiter cannot explain his/her particular style of recruiting to you, he/she may be doing something wrong. You also may be more comfortable working with one type of recruiter than another.

No method is the wrong way. Instead, I believe that a combination of each of these ways offers the best method. When you are working with a legal recruiter, it is important to understand what type of recruiter you have. Your recruiter's particular style will explain the results he/she is getting for you in your search.