

Rules of Engagement: Tips for Working with a Legal Recruiter

By *Brian Siegel* from *Century City Office*

BCG Attorney Search is a legal placement firm and not a legal recruiting firm. There is a huge difference. [Read more about this here.](#)

Introduction

One of the "rights, privileges and immunities" you derive from being a well-credentialed attorney in California is that you will inevitably be receiving numerous calls from legal recruiters (aka "headhunters"). Legal recruiters can be very helpful in assisting you with a lateral move. On the other hand, there are occasional horror stories about how members of this group made the process more difficult by being unresponsive or sending a candidate's resume to firms that weren't authorized.

This article is written by a Columbia Law School graduate who practiced for more than 10 years, and has been a successful legal recruiter for more than 22 years. Its purpose is to answer FAQ and help you avoid some of the common pitfalls in [working with a legal recruiter](#). **I strongly suggest that you bookmark this information.** Most attorneys don't remain at their original firm. So, there's a strong likelihood that what's written here will ultimately be highly useful to you at some point in time.

See [A Comprehensive Guide to Working with a Legal Recruiter](#) for more information.

What's the legal nature of the relationship between a legal recruiter and yourself (the "candidate")?

The legal relationship is one of principal and agent. **You're** the principal, and the recruiter is **your** agent. This means that nothing should be done on your behalf, except pursuant to your authority. As a legal recruiter for >22 years, I strictly adhere to this principle.

[I recommend that you inform your recruiter at the outset that the firms which they propose should be emailed to you, and that you will respond in a like manner.](#) In this manner, no issues should arise as to whether a particular firm was authorized by you or not.

What can you do if your recruiter subsequently seems unresponsive or disinterested? You can simply terminate the relationship by sending him/her an email to this effect. This won't affect the send outs that you've previously authorized. But, you're under no obligation to continue to allow that person to submit your resume to additional firms.

What are each side's basic ethical obligations to the other?

[Recruiters should be candid, respond to questions promptly and honestly](#), and not attempt to pressure candidates to apply to firms he/she wouldn't join. Unfortunately, some recruiters will email a list of firms to a potential candidate **before** the latter has specifically requested this information. I believe this is an unethical attempt to foist a "guilt trip" upon the recipient. Just as a real estate broker couldn't oblige you to utilize his/her services by showing you an unsolicited compilation of their listings, neither should a recruiter be able to compel you to use their services in this manner. Of course, a recruiter should **NEVER** send your resume to firms which you haven't authorized. As previously mentioned, requiring correspondence via email should preclude this situation. Each side then has a paper trail as to what actually occurred.

On the other side of the aisle, candidates shouldn't pick a recruiter's brain. It's obviously inappropriate to ask a recruiter to review a resume or describe firms seeking someone with their background, if the candidate

intends to pursue those opportunities on their own or forward them to a friend. It's somewhat like asking a real estate broker for his/her listings, and then going directly to the owner.

I will usually ask a candidate to assure me that they will allow me to submit their resume to the openings I disclose to them (assuming, of course, they decide to apply). I also ask them to tell me in advance if they want to exclude specific firms (maybe they prefer to apply on their own or have already sent their resume to them). Then, I can simply excise those entities from my presentation.

Can a candidate concurrently use more than one legal recruiter?

The answer is "Yes." But, if your initial recruiter has expended the time to carefully review your resume, prepare a cover letter, and fully answer your questions, you should arguably give this person a reasonable opportunity to place you. Since the greatest expenditure of time by a serious recruiter is at the front end of the process, the writer often requests a one-month exclusive.

If you decide to use two or more recruiters, the latter may ask, "Where has your resume already been sent?" **Don't divulge this information.** Why? **You might disclose job openings about which the latter recruiter was unaware.** As a consequence, he/she could send competing candidates to that firm. Simply advise the latter recruiter(s) that you have a complete list of the places to which your resume has already been submitted, and that you'll allow him/her to pursue on your behalf any new firms that he/she suggests to you.

What if two recruiters tell you about the same opening, and you haven't yet applied to that firm? In that case, in the writer's opinion, you can apply through either one. It is inappropriate to inform one recruiter about a new opening told to you by another recruiter, and then allow the former to submit your resume to that entity.

Be sure to keep a record of where your resume has been sent. What happens if two recruiters submit your resume to the same firm? In this case (no pun intended), most firms follow a "first-in-time, first-in-right" rule (assuming the "first-in-time" was authorized by you). However, it could appear to a potential employer that you (the candidate) haven't adequately controlled the process, and this might be a rationale to decline your application.

What services should a legal recruiter provide?

An effective legal recruiter should do the following:

1. [Strategize with you to determine the best means of achieving your ultimate objective](#) (For example, it's sometimes wise to prepare two resumes, each of which accentuate a different aspect of one's experience),
2. Review your resume and offer appropriate suggestions (DO NOT rely on spellcheck: if an attorney's resume states that he has second chaired two trails; this isn't overly impressive),
3. [Advise you which firms are seeking someone with your background](#) (for various reasons, it's frequently unwise to "carpet bomb" your resume throughout the applicable city),
- 4 [Prepare you for interviews](#) (many candidates have advised me that my 35-minute "prep" was invaluable). For example, knowing how to appropriately answer questions like "Where else have you applied?" or "Can we call your present firm for references?" or "What are your salary expectations?" can be dispositive,
5. Answer questions as the process unfolds (who pays the air fare to interview in another city, how much time do you have to respond to an offer, etc.), and

6. Assist in negotiating a final compensation package (I've occasionally helped enhance a candidate's base salary by suggesting to the firm that it match a [competing offer](#)).

[Lateral recruitment](#) is a competitive process. Some firms have a policy of interviewing at least six candidates prior to expending an offer. It's important to do **everything** right.

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

The answer is "Yes." If you have specific firms that you want to pursue on your own, advise the recruiter of these at the beginning of the process. Candidates can personally approach particular firms on their own, if they prefer to do so.

There are, however, pros and cons to approaching a firm on your own or via a friend. For a firm, saving the fee paid to a recruiter can 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 to the firm's view of the person tendering your resume (if their work product isn't superior, the firm's attitude is often "we need two of them?"), (2) your friend should have no compunctions about following-up (the decision-making partners don't always respond immediately), and (3) law firms look to [legal recruiters](#) to distill down the pool of suitable candidates (i.e., a recruiter introduced resume is frequently viewed more seriously than that of a friend).

One more point. Some firms pay their associates a bonus if they hire an attorney whom the former recommended. In this situation, your friend's opinion about his/her firm might not always be completely objective.

What can I do to prepare for a lateral move?

There are several things. First, draft an effective resume, one that highlights your academic accolades and pertinent experience (non-legal work is usually viewed as being relatively unimportant). **Make certain you include the months during which you joined and left each employer.** When a candidate indicates that he left a firm in "2009," and started his next firm in "2009," there could have been a 10-month hiatus in employment. Second, order a transcript. Many firms will not review a candidate's resume until this item is also in hand. Next, decide on a [writing sample that is primarily your work](#) product (with respect to inter-office memos, make certain to redact the names of the actual parties involved). It normally need be only 8-12 pages long. Finally, determine who you could provide as references.

By the way, it's unwise to tell other associates at your firm where you're applying. I know of at least one instance where a recipient of such information also applied to that entity (thereby competing with the candidate who had mentioned the firm to him).

How long does the lateral move process usually take?

Sorry, there's no definitive answer to this question. It's a function of law school attended, class standing, specialty of law, commitment to the process, years since graduation (the more senior one becomes, the longer a [lateral move](#) is likely to take), etc. If a candidate is well credentialed and pursues openings aggressively, two to three months is a generally accurate guideline. I've had instances where a candidate received an offer after only one interview; and have also worked with attorneys more than a year to find the right fit.

Conclusion

Legal recruiters should be a "positive" in a candidate's search for a new position. If each side is honest,

professional, and ethical, the relationship should be a mutually satisfactory and (hopefully) rewarding one. If you ever decide to consider other opportunities, please email your resume to me at brians@bcgattorneysearch.com. Having this item in hand allows me to respond more effectively to your questions.

In any event, I wish you the very best of luck.

Brian Siegel
310-461-1349

See the following articles for more information:

[What Characteristics Should I Look for in a Legal Recruiter?](#)

[Interview yourself first - questions to ask before starting your lateral search](#)

[How to Choose a Good Attorney Recruiter](#)

[Why You Should Be Talking to a Legal Recruiter Right Now](#)

[Choosing a Legal Recruiter](#)

[Your Legal Career as a Small Business](#)

[Should I Use a Legal Recruiter? Top 10 Reasons to Use a Legal Recruiter](#)

[How to Select the Best Legal Recruiter and Maximize the Effectiveness of Working with One](#)

[What makes a world class recruiter](#)

[10 Things That Most Legal Recruiters Will Not Tell You](#)

Learn the top 10 [reasons to become a legal recruiter](#) in this related article.

See What Other Candidates Are Saying: [Testimonials and Reviews](#)

BCG Attorney Search is looking for driven recruiters to [join our team](#). BCG Attorney Search covers the entire United States, Asia, Europe and the Middle East. We offer first-rate training and coaching, pay top of market commissions, pay our recruiters as employees and not independent contractors, and offer medical insurance and other benefits. Additionally, BCG is the best known brand in the industry and is part of a 200+ employee legal employment company. We offer a supportive cooperative atmosphere and provide you with everything you need to be the most effective recruiter possible (continually updated internal job database, massive advertising support, incredible back office support, and many other perks designed to ensure you match every possible candidate with every available position).