The Importance of Not Being Overly Earnest; Why Patience is A Virtue

As a legal recruiter, I often find myself coaching my candidates about whether and when they can ask certain questions during an interview. Specifically, I can't express how many times a candidate has called me after viewing a posting on our website, and asks, right away, "Do you know what they are paying?" While this is a perfectly acceptable question to ask a legal recruiter, it is an excellent example of a question you should probably not ask during an interview with a law firm. This article will explore several such questions, explain the reasons you should not ask those questions, and will discuss other avenues for finding that information.

My job as a legal recruiter is to get offers for my candidates. Think about it: as a job seeker, it is better for you to have as many offers as possible to choose from. Then the decision whether or not to join a particular firm lies with you, not with the firm. In order to get offers, however, you must not blow your interviews by asking inappropriate questions. Candidates often ruin their chances at further consideration without realizing they have done so.

What Not To Ask.

1. Don't Ask About Salary. Ever.

Yes, we know you want to know about salary, and the information may well be provided to you. However, it is not appropriate for you to broach the topic during an interview. The initial discussion of salary needs to be the law firm's prerogative at all times, and they may act on that prerogative at some point during the interview process. I have often heard of interviewers or even law firm recruiting coordinators who will bring up salary and bonus structure right off the bat. I have seen this happen particularly when a candidate is moving from a larger (read: higher-paying) market to a smaller market; sometimes law firms want to make sure a candidate understands that they will be taking a pay cut because the cost of living is lower in that geographic region. This happens especially in law firms where salaries are lockstep. However, not all law firms operate with a lockstep salary structure.

Some law firms will not want to bring salary up until they are ready to offer. This may happen for several reasons: for example, some law firms pay different associates different salaries. A law firm may compensate a particular associate in non-salary ways, for example, paying for moving expenses, bar dues, or bar exam costs if relocating to another state. They may choose to incentivize associates by paying generous hours-related bonuses, or even giving a percentage of business brought in, rather than a more lucrative base salary. Certain firms are notorious for asking laterals to take a seniority hit as a matter of course, and they may not decide until they are ready to make an offer what class year they will offer the candidate. If the candidate is transitioning to another practice area, he or she may also be asked to step back in class year. Walking in the door, you do not know how a particular law firm operates in terms of how it compensates its associates.

Be patient. The firm will tell you what they have in mind in terms of salary when they are ready, either during the process or when they make you an offer. At that point you can decide to move forward, or, if you are at the offer stage, you can attempt to negotiate a different salary.

2. Avoid Partnership Track Questions.

The candidates I work with often want to know about partnership track, and for good reason. Some associates don't want to end up an unmarketable 20-year associate. Some are working under a partner who
will clearly never retire, and they see no chance to cultivate their own business or make partner themselves. This is a frustrating experience for obvious reasons.

However, for similar reasons to questions of salary, partnership track questions are almost always off limits until there is an offer on the table. After you have your offer, you may ask what the partnership track is, but do not be surprised if the firm tells you that each partnership decision is made individually, as this is often the case. Especially in this economy, some practice areas simply have greater need and greater growth than others. Some groups in firms will have partners who will retire in the foreseeable future. Beware the workaholic partner, however; some partners who claim they want to move to Florida and work on their golf game are not emotionally ready to let go of law firm life, and never will be. This is unfortunately something that can be hard to ascertain until you have worked at a firm for some time.

3. Hours and Lifestyle- Listen, Don't Ask.

Many of my candidates have questions about the hours, lifestyle, and collegiality of certain law firms or groups. Again, asking these questions at the wrong moment during an interview can mean the end of the interview process for you. However, you can learn a lot simply by keeping your antennae up during an interview.

I have noticed that if a firm is proud of the lifestyle and collegiality of its people, the associates will usually tell you voluntarily. Ask open ended questions that will allow you to glean whether lifestyle and atmosphere are points of pride in the law firm. For example, “Tell me why you love working here,” is a perfectly appropriate question. You can ask more than one associate this question. Notice the answers they give; if no one volunteers the information you seek, make a mental note. Avoid asking more direct questions about part-time hours, work-life balance, how many people have children, and what time associates usually go home in the evening. Any of these questions may end your candidacy at that firm.

See Top Ten Interview Questions for more information
See Interviewing Tips for more information

Asking about hours requirements can be a pointless exercise anyway. I am aware of firms with a 1900 hour billable requirement and a 2300 hour "real" requirement. If this is the case, these firms will not usually give you this information during an interview, so it will do you no good to ask. If they have something extra-positive to share in this regard, they will almost always volunteer it. Some firms will brag about how congenial everyone is, how manageable the workload, or how the stated hours requirement is in fact the "real" requirement.

If this does not happen, pursue other avenues for figuring out this information.

How to Get the Information You Seek.

There are several ways you can get salary information, or at least get an idea what you may be looking at. If you are working with a legal recruiter, they may be able to give you a ballpark figure, especially if you are dealing with a lockstep firm. However, don’t be surprised if your recruiter can’t tell you, or is not comfortable giving you an exact figure, largely for the reasons stated above. While a recruiter may be able to give you an estimate, the firm may have a creative compensation structure that does not necessarily match up with the recruiter’s past experience.

Recruiters can also be very helpful when it comes to lifestyle, hours, and atmospheres of firms. They are skilled at learning inside information about law firms, either through their relationships with the firm's recruiting coordinators or through the attorneys they have placed in that firm.
Another avenue of which I am a big fan is your law school career services office. Some collect and save information, much as recruiters do. Some will direct you to associates or partners at that firm who are alumni of your school. If you are direct and persistent, you may be able to get these people to speak frankly to you. Tell them honestly that you are talking to the firm and want to get a better idea of what it is like to work there.

Of course, there are several online resources that contain information about law firms. Infirmation, Glassdoor, and Lawfirmstats all contain information which may not be 100% accurate, but can give you some idea of what you are looking at. Legal tabloids like Above The Law and JD Journal also contain discussions about salary, lifestyle, layoffs, practice details, and particularly difficult partners that you will want to know about. Do your homework.

In sum, the decision whether you work at a particular firm should be yours, not the firm's. You will not be able to make that decision unless you get the offer, and you won't get the offer if you blow the interview by asking inappropriate questions. The above tips should help you to get as many offers as possible.

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