

State of the Market - Winter 2012

Northern California (San Francisco and Silicon Valley)
 Southern California (Los Angeles, Orange County and San Diego)
 Northwest (Seattle and Portland)
 Southwest (Phoenix, Las Vegas and Colorado)
 Midwest (Minnesota, Indiana, Ohio, Utah, Chicago, Wisconsin and Michigan)
 Northeast (Boston, New England, New York and Washington D.C.)
 South (Texas, Louisiana, Atlanta and Charlotte)
 Southeast (Florida)
 Foreign Markets (Europe and Asia)

NORTHERN CALIFORNIA

State of the Market: San Francisco

by *Evan P. Anderson*, Managing Director, BCG Attorney Search

Healthy Practice Areas:

Intellectual Property/Patent Litigation

This practice area continues to be the hottest sector in the [California legal market](#), specifically in [Silicon Valley](#). Hiring has remained steady in this practice for over two years. We may have reached the point at which supply has outpaced demand as firms have begun looking more seriously at candidates outside the state. Attorneys with electrical engineering and computer science degrees (graduate or undergraduate) continue to be in the driver's seat. Associates across all levels of experience are sought, including the partner level. For patent litigators, firms like to see candidates who have Markman hearing experience as well as ITC experience. Admittance to the Patent Bar is a priority. Candidates with a PhD in a life science discipline will also get interviews although engineering and computer science candidates take precedence. Candidates do not need membership to the California bar.

Corporate

Activity in [corporate hiring in San Francisco](#) and Silicon Valley has remained steady for the last year. Until recently, the demand for mid-levels (3-6 years) with experience in transactions, M&A, general corporate, and securities outpaced all other experience levels but the need for junior corporate associates is strong. Hiring in Silicon Valley for associates with venture capital/private equity and fund formation experience remains steady. Candidates who already reside in the Bay Area and work for a well-regarded firm seem to have an edge over their out of state competitors and are bound to get interviews.

Patent Prosecution

Patent prosecution hiring in San Francisco picked up considerably the last half of 2012. Beginning last Fall, hiring has been steady with firms seeking patent prosecutors with 1-6 years of experience. Firms consistently seek candidates with technology, scientific, and life sciences, backgrounds, including degrees in computer science, chemistry, physics, electrical engineering, pharmacology, and biotechnology. USPTO registration is valued. Patent prosecutors are encouraged to also look in the Silicon Valley area for a position.

Steady Practice Areas:

Real Estate

Hiring in Real Estate in San Francisco has been somewhat spasmodic. Hiring finally picked up in early 2012, fell off, and then picked up again in the last quarter, spilling over into 2013. Given the dearth of positions in this practice for so long, there was actually an impressive increase in the number of positions in this sector. We continue to see the long anticipated rebound from the mass layoffs of real estate associates that occurred in 2009. That said, securing a position in real estate can be a protracted process as firms are still somewhat cautious about hiring. Vacancies may remain open for several months. Current vacancies are predominantly for mid-levels (3-5 years) with real estate transactional experience. Experience in leasing, joint ventures, and purchase & sales is highly sought. Firms are also seeking partners with at least \$1 million in portables.

Litigation

Litigation hiring in San Francisco continues to be sporadic. When there is demand, it is almost exclusively for business and commercial litigators. This practice, plagued by intense competition for each vacancy and firms reluctant to make commitments to hire associates (even after multiple interviews), is still seriously lacking in available positions. Interestingly, where candidates with superior credentials have dominated this practice, more and more firms (specifically larger and mid-sized) are looking to hire junior and mid-level litigators with solid trial experience. Superstar associates with stellar credentials will always get their pick of employers. But even candidates with tier two law schools who have solid litigation skills are beginning to get interviews in San Francisco. Associates currently residing and practicing in the Bay Area are given a clear preference. Associates with clerkship experience are valued. Of course, admittance to the California Bar is a must, although some firms may interview a candidate with superior credentials who is sitting for the February 2013 California bar exam.

Labor and Employment

Hiring in the labor and employment sector has remained somewhat steady in last quarter with the demand still coming almost exclusively from mid-sized firms. Firms are seeking mid-level associates (5-7 years) with employment litigation experience and/or wage and hour, discrimination, and labor relations experience. Public sector experience appears to be in demand, as does class action experience.

Slow Practice Areas:

Immigration

After two years of no activity in the immigration sector, there are currently two postings for immigration attorneys in San Francisco. Experience in non-immigrant and immigrant matters is sought in both, as is PERM and H-1B experience.

Insurance

Hiring in this area is down significantly. There is currently only one posting for a senior insurance defense associate. Membership in the California bar is required.

Technology Transactions

There are currently two postings for technology transactions associates in San Francisco, both for mid-levels (3-6 years experience) with computer backgrounds and M&A experience.

Dead Practice Areas:

The following practices have shown no activity in several months: antitrust litigation, bankruptcy, construction, energy, environmental, ERISA/employee benefits, healthcare, securities litigation, tax, trademark, trusts & estates, and white collar crime.

However, firms will likely consider any mid-level candidate with a stable work history, strong academics, and solid pedigree from a well-regarded law firm. There is a strong preference to hire candidates who already reside in the Bay Area.

State of the Market: Silicon Valley

by *Evan P. Anderson*, Managing Director, BCG Attorney Search

Silicon Valley has historically been an outstanding legal market, and it is typically easier to find a position here than in San Francisco. Candidates seeking a position in San Francisco ought to look in Silicon Valley where there are more opportunities and less competition. Many people live in San Francisco or a neighboring city and commute to the Silicon Valley area. The quality of life is outstanding and the area is close to Napa Valley, Sonoma, and Russian River wine country.

Hot Practice Areas:

Corporate

There continues to be an abundance of hiring in the corporate sector at all levels. Candidates must have experience in at least one of the following areas: M&A, VC, IPO, emerging companies, capital markets, public finance, corporate finance, securities, investment management, and fund formation. Although there is a strong preference in hiring local candidates who already have the California Bar, nearly every firm will seriously consider a candidate relocating from another region like New York, DC, Texas and Chicago who also has top caliber academic and professional credentials. Furthermore, firms are keeping an eye out for Mandarin-speaking attorneys and those with technology backgrounds.

Intellectual Property (Patent/Trademark Litigation and Patent/Trademark Prosecution)

The need for intellectual property litigators (both patent and trademark litigation) at all levels and patent prosecutors at all levels are among the most sought-after candidates in Silicon Valley. For patent prosecution, candidates must have experience in a big firm or boutique and a strong technical background. Ideal candidates will have a background in electrical engineering, computer science, mechanical engineering, biotechnology, organic chemistry, biochemistry, pharmaceuticals, chemical engineering, and/or medical devices. Those in bio fields are typically expected to have a Ph.D. or Masters degree. Registration with the United States Patent and Trademark Office is a must. We are seeing an ever-so-slightly growing need for trademark attorneys, which is a good sign for a slightly recovering economy. When there are budget cuts, the first thing to be cut is advertising and protecting or registering a trademark. There are multiple jobs for true trademark prosecutors - this is something we have not seen in a long time. Candidates should have at least 2 years of experience in domestic and foreign trademark prosecution and client counseling on clearance and registration strategy.

Steady Practice Areas:

Technology Transactions

The need for attorneys with experience in technology transactions has decreased slightly from the end of 2012 but remains somewhat steady. Firms are seeking candidates at all levels but are particularly interested

in mid-levels. Candidates should have true technology transaction and licensing experience, and experience in at least one of the following areas: biotechnology, clean tech, medical device, semiconductors, computer software/hardware, and telecommunications. Firms have a strong preference for candidates with tech backgrounds; particularly: electrical engineering, mechanical engineering, computer science, computer engineering, biology, physics, or chemistry.

Slow Practice Areas:

Executive Compensation/Employee Benefits/ERISA

There is currently one vacancy for an executive compensation and employee benefits associate with 1 year of experience in general corporate work.

Litigation

Hiring in this practice remains uneven. The market picked up in the third quarter of 2012 but quickly fell off again. There are a couple of firms currently seeking litigators in Silicon Valley. As with the San Francisco market, the preference is for junior to mid-level associates with complex commercial/business litigation experience. Only stellar candidates should even bother applying and admittance to the California Bar is a must.

Tax

There are currently two job openings for senior tax attorneys with 6-8 years of experience. Most firms appreciate (or require) an LL.M. in tax or CPA degree and big firm experience.

Dead Practice Areas:

There is currently no activity in bankruptcy, employment, energy, environmental, healthcare, real estate, and trusts & estates (firms are considering partners with at least \$1.5 million in portable business).

SOUTHERN CALIFORNIA

State of the Market: Los Angeles

by [Liz Hudson](#), Managing Director, BCG Attorney Search

This is typically one of the slowest hiring seasons of the year, particularly in November and December with the holidays. As such, [Los Angeles](#), like the other Southern California markets, has slowed down in legal hiring the past few months. However, the busiest hiring season is right around the corner and we anticipate a significant pick-up in hiring in 2013! As associates collect their bonuses in late December and throughout January, that is the most common time for them to move on to new positions. That opens up quite a few new positions that continue to be filled throughout the first quarter of the year. As always, partners with portable business are in demand year round with a minimum book of business typically being in the \$750,000 and up range for LA, though there is some flexibility. Associate classes that will likely be in demand for early 2013 are classes of 2007-2011.

Healthy Practice Areas:

IP Litigation

Yet again, Intellectual Property litigation positions remain in demand. The hottest degree in LA, and all over the state, continues to be Electrical Engineering, with firms looking for Computer Science and Physics degrees as well. There continues to be some need for more biotech focused degrees, though it's not as hot as the EE and CS degrees. Firms prefer to see at least a master's degree in a technical subject and a Ph.D. is highly sought after.

Patent Prosecution

Like IP litigators, IP attorneys specializing in patent prosecution continue to be in demand in LA. Not quite as hot as litigation, but definitely still plenty of opportunities in this practice area. Like the litigation positions, Electrical Engineering, Computer Science and Physics backgrounds are most sought after. Additionally, most firms want advanced degrees in these fields and it's typically mandatory for candidates to be registered with the USPTO. This is one of the few fields in California where it is not mandatory to already be admitted to the California bar, though still typically preferred.

Corporate

Los Angeles, like the rest of the country, continues to have a need for general corporate associates and has had that need all year. Most employers are asking for candidates with 3-6 years of experience and a background in general corporate work or lean towards traditional M&A and securities work. This is the other practice area where employers don't seem to be as concerned with attorneys being admitted to the California bar when they apply. For a recent update on the transactional market, check out this article:

<https://www.bcgsearch.com/article/900006756/Transactional-Attorneys-Gain-Traction/>.

Real Estate

Los Angeles continues to see a demand for real estate attorneys. Typically they are looking for a candidate who has top credentials and experience with real estate finance, acquisitions and dispositions, and general leasing work.

Steady Practice Areas:

Labor and Employment

There is always a steady demand for labor and employment attorneys in LA, but after a summer push things have calmed down to more typical levels. Firms usually want someone with 3-6 years of experience, though we have seen an interest in candidates with as few as two years of experience. While most of the firms focus on employment litigation experience, traditional labor experience is almost always a bonus. These firms also love to see candidates with hands on experience in areas such as depositions and trial preparation.

Litigation

Litigation continues to have a relatively steady stream of jobs, after a slow start to the practice area in the beginning of the year. However, there is also an abundance of litigation candidates in the marketplace right now, so firms are looking for really top-notch candidates with top firm experience. Typically, these positions view membership to the California bar as a pre-requisite.

Trusts and Estates

There was an insurgence of trusts and estates positions in LA this summer. While there aren't dozens of them, it is unusual to even see a few being advertised at one time, which is the current case. The mid-level

associate is most desired, but junior partners with small books of portable business are also in demand. Exposure to estate planning and non-profit work has been requested.

Slow/Dead Practice Areas:

Environmental Law

The openings for environmental attorneys in LA are few and far between. Typically firms hiring in this area want mid-level associates with very specialized environmental work and often look for CERCLA and CEQA experience. There is a mix of transactional and litigation focused environmental jobs currently.

Tax

While there was an uptick in tax positions in 2011, the tax market has slowed down considerably in LA. A position will occasionally open up and there seems to be an increased interest in SALT (state and local tax) work in the area. As before, firms like to see candidates who have an LL.M. in Taxation as well as experience on the transactional tax side. Firms are less picky about California bar admission in this field, though it is still strongly preferred.

Additionally, there has been little to no need for attorneys in LA in the practice areas of employee benefits, tax, technology transactions or bankruptcy.

State of the Market: Orange County

by *Liz Hudson*, Managing Director, BCG Attorney Search

As mentioned in other geographic summaries, this is typically one of the slowest hiring seasons of the year, particularly in November and December with the holidays. As such, Orange County, like the other Southern California markets, has slowed down in legal hiring the past few months. However, the busiest hiring season is right around the corner and we anticipate a significant pick-up in hiring in 2013! As associates collect their bonuses in late December and throughout January, that is the most common time for them to move on to new positions. That opens up quite a few new positions that continue to be filled throughout the first quarter of the year. As always, partners with portable business are in demand year round with a minimum book of business typically being in the \$500,000 and up range [for Orange County](#), though there is some flexibility. Associate classes that will likely be in demand for early 2013 are classes of 2007-2011. As of now, the demand is fairly spread out among different practice areas, though some are still hotter than others.

Healthy Practice Areas:

IP Litigation

It comes as no surprise that Intellectual Property litigation positions remain in demand, and in Orange County it is still the busiest area. The hottest degree in OC, and all over the state, continues to be Electrical Engineering, with firms looking for Computer Science and Physics degrees as well. Orange County is more similar to San Diego than LA in the respect that it does have more interest in life science degrees, however. Membership to the Patent Bar and advanced degrees in the above named subjects are often requirements.

Patent Prosecution

Like IP litigators, IP attorneys specializing in patent prosecution continue to be in demand in OC. In Orange County, they are just as in demand as IP litigators and haven't seen a slow-down recently. Like the litigation positions, Electrical Engineering, Computer Science and Physics backgrounds are most sought after. Orange

County is more similar to San Diego than LA in the respect that it does have more interest in life science degrees, however. Additionally, most firms want advanced degrees in these fields and for candidates to be registered with the USPTO. This is one of the few fields in California where it is not mandatory to already be admitted to the California bar, though still typically preferred.

Labor and Employment

There is always a steady demand for labor and employment attorneys in general but OC has seen more L&E positions lately than usual. Typically firms want someone with 3-6 years of experience, though Orange County has a higher demand for senior associates/junior partners with portable business. Some firms have also been willing to consider more junior candidates, provided they have some good hands on experience with depositions and/or client counseling. Most of the large firms don't require traditional labor experience, but it is always a bonus.

Litigation

Litigation continues to be making a comeback in Orange County with several new postings in the past few months. Commercial litigation is a hot area and some of the experience desired includes taking/defending depositions and heavy discovery experience. There has also been a need for securities and finance litigation backgrounds. Typically, these positions view membership to the California bar as a pre-requisite.

Steady Practice Areas:

Corporate

Orange County has followed the trend that the rest of California has seen for the past year with an uptick in general corporate/transactional hiring. Firms are typically looking for candidates with between 2-5 years of experience. Most employers are asking for general corporate work or lean towards traditional M&A and securities work and show preferential treatment to candidates with tech transactions work. We've also seen a rise in corporate finance positions. This is the other practice area where employers don't seem to be concerned with attorneys being admitted to the California bar when they apply. For a recent update on the transactional market, check out this article: <https://www.bcgsearch.com/article/900006756/Transactional-Attorneys-Gain-Traction/>.

Slow/Dead Practice Areas:

Fields that remain slow, unless a candidate has portable business, include bankruptcy, trusts and estates, tax and environmental work. As always, if a candidate is incredibly strong with top academics, experience and the California bar they will likely gain some traction despite being in slow practice areas.

State of the Market: San Diego

by *Liz Hudson*, Managing Director, BCG Attorney Search

As mentioned in other geographic summaries, this is typically one of the slowest hiring seasons of the year, particularly in November and December with the holidays. As such, San Diego, like the other Southern California markets, has slowed down in legal hiring the past few months. However, the busiest hiring season is right around the corner and we anticipate a significant pick-up in hiring in 2013! As associates collect their bonuses in late December and throughout January, that is the most common time for them to move on to new positions. That opens up quite a few new positions that continue to be filled throughout the first quarter of the year. As always, partners with portable business are in demand year round with a minimum book of business typically being in the \$500,000 and up range for San Diego, though there is some flexibility. Associate

classes that will likely be in demand for early 2013 are classes of 2007-2011.

Healthy Practice Areas:

IP Litigation

No changes here, IP litigation and patent prosecution still rule in San Diego. It is a biotech and high tech town, so it comes as no surprise that these positions remain in high demand. Despite being a small legal market, San Diego has a plethora of openings for qualified IP litigators. The hottest degree in San Diego, and all over the state, continues to be Electrical Engineering, though there are still plenty of firms looking for Computer Science and Physics degrees as well. San Diego sees more preferential treatment to Chemistry and Biology degrees than other CA cities, given its client base. Membership to the Patent Bar and advanced degrees in the above named subjects are often requirements.

Patent Prosecution

Like IP litigators, IP attorneys specializing in patent prosecution continue to be in demand in San Diego. In San Diego, patent prosecutors are every bit as much in demand as IP litigators, maybe even more so. Like the litigation positions, Electrical Engineering, Computer Science and Physics backgrounds are most sought after. But, also like the IP litigation positions, San Diego sees more preferential treatment to Chemistry and Biology degrees than other CA cities, given its client base. Additionally, most firms want advanced degrees in these fields and for candidates to be registered with the USPTO. This is one of the few fields in California where it is not mandatory to already be admitted to the California bar.

Steady Practice Areas:

Real Estate

San Diego is finally catching up to the demand that the rest of California has been seeing for months and has seen an uptick in the real estate legal market. Typically they are looking for a candidate who has top credentials and experience with real estate finance, acquisitions and dispositions, and general leasing work.

Corporate

San Diego continues to have a steady need for general corporate associates. Firms are typically looking for candidates with between 2-5 years of experience. Most employers are asking for general corporate work or lean towards traditional M&A and securities work and show preferential treatment to candidates with tech transactions work. We've also seen a rise in corporate finance positions. This is the other practice area where employers don't seem to be concerned with attorneys being admitted to the California bar when they apply. For a recent update on the transactional market, check out this article: <https://www.bcgsearch.com/article/900006756/Transactional-Attorneys-Gain-Traction/>.

Slow/Dead Practice Areas:

Labor and Employment

There is typically a steady demand for labor and employment attorneys in general but San Diego has seen a slow-down recently. That said, because there are some very solid L&E practices and boutiques, candidates with the CA bar and fantastic credentials can usually still get some traction.

Litigation

San Diego has not yet seen the uptick in litigation positions that LA has experienced or even the steadiness that OC has enjoyed. Some positions continue to pop up and in those cases it helps to have experience taking/defending depositions and heavy discovery experience. As is common in San Diego, a book of business will generate interest. Lastly, there has been traction for litigators with very strong credentials such as top national law schools and big firm experience. Typically, these positions view membership to the California bar as a pre-requisite.

Other practice areas that have come to a halt or remain at a halt include bankruptcy, environmental law, healthcare and trusts and estates. Several of those markets will have better luck in Northern California or Los Angeles.

THE NORTHWEST

State of the Market: Seattle

by *Paul E. Danielson, Recruiter, BCG Attorney Search*

Though Seattle has historically been a smaller legal market than some of its west coast counterparts to the south, it remains a highly attractive city to many attorneys because of the wealth of outdoor activities, energetic population, robust transit system, and stunning natural beauty. Firms will typically prefer candidates who have strong existing ties to the area (and sometimes require them), but someone with excellent credentials and a demonstrated love of the outdoors can also do well here. If you are flexible about location and would consider a smaller city, there are also regular openings available in the Spokane or Vancouver offices of regional and national firms.

Healthy Practice Areas:

Patent Prosecution

Patent prosecution job openings continue to dominate the Seattle market, and firms continue to overwhelmingly prefer junior to mid-level patent prosecution attorneys and patent agents who have degrees in electrical engineering, computer science, and physics. Advanced degrees are always preferred, but due to the overwhelming demand firms will also consider an agent or attorney with an undergraduate degree in one of these areas provided that it is combined with a few years of patent prosecution experience or strong work experience in the relevant technical field. Admission to the USPTO is typically required, and Washington Bar admission is always preferred, but not necessary.

Corporate

We have seen an uptick in corporate associate and partner opportunities, with firms preferring junior-to-mid-level associates as well as partners with a portable book of business. Senior corporate associates will see less opportunity, especially if they do not have any portable business. Strong experience in securities and finance are typically required, and mergers and acquisitions, private equity, venture capital, and start-up company experience are also favored due to the tech company client base typical of the Seattle area.

Taxation and Estate Planning

There continues to be demand for both partners and associates with experience in taxation and estate planning matters, with firms typically preferring a number of years of solid experience. Candidates with portable business will fare the best, and an L.L.M. in taxation is often required, or will at the very least lead a candidate to be more seriously considered.

Steady Practice Areas:

Litigation

There continues to be a reasonable number of litigation opportunities in the Seattle market, with the demand concentrated on mid-level associates with good experience in both state and federal court, as well as for partners with portable business. A background in insurance coverage and/or complex commercial litigation will do well right now, in addition to candidates with extensive experience in all aspects of discovery, but particularly deposition and trial experience.

Intellectual Property/Patent Litigation

Though not as in-demand as patent prosecution associates and partners, there still remains a steady need for good IP/Patent litigation associates and partners with portable business. Technical backgrounds in electrical engineering and computer science are strongly preferred, but a solid candidate with a life sciences background can also gain traction, especially if they have an advanced degree. Candidates should also preferably be admitted to the USPTO and the Washington bar to have the best chance at landing a job here.

Intellectual Property/Tech Transactions

We have seen an uptick in IP and tech transaction positions in Seattle in the latter part of the year, with demand being concentrated on mid-level associates who have experience with product development and software licensing, mobile technology, and communications technology. A technological background or degree is not required, but candidates must have solid tech transaction experience to be considered.

Labor and Employment

While not as strong as the other practice areas in this category, there have been a couple of firms seeking associates, as well as partners with portable business, with solid experience in labor and employment law matters, with emphasis on litigation experience rather than counseling-side experience.

Slow to Dead:

The Seattle and greater Washington market has seen little to no recent activity in the areas of real estate, health care, trademark and copyright, or environmental, energy, and resource law.

State of the Market: Portland

by *Paul E. Danielson*, Recruiter, BCG Attorney Search

Portland is a smaller legal market than Seattle, its neighbor to the north, but it consistently remains one of the most desirable places in the country to live due to a combination of world class urban planning and transit, abundant outdoor recreational opportunities, a fantastic food scene, and a creative and engaged population. Portland has seen a steady influx of young creative and professional types from all across the country over the last decade or more, however candidates for legal positions should still be prepared to demonstrate strong ties to the area in order to be seriously considered. Excellent academic and professional qualifications are also expected, given the size and competitiveness of this market. Candidates must also be admitted or able to waive in to the Oregon Bar.

Hot Practice Areas:

Litigation

After picking up in the summer, demand continues apace for litigation associates in the Portland market, as well as for litigation partners with portable business. A strong background in complex commercial litigation will do well, but we have seen particular demand in the areas of insurance coverage and securities or financial litigation. There is always an emphasis on strong experience in discovery, particularly depositions, and trial experience is either a plus or a requirement depending on a candidate's class year.

Patent Prosecution

Patent prosecution continues to trend strongly in the Portland market, particularly for attorney and patent agent candidates with degrees in electrical engineering and computer science. Opportunities will also be available for candidates with degrees in physics and mechanical engineering, especially if they have practical work experience in their technical field, and also for candidates with chemistry and organic chemistry backgrounds, although advanced degrees are typically required for any non-engineering backgrounds. Oregon Bar admission is not always essential, but registration to practice before the USPTO is a must.

Corporate

The market for corporate attorneys in Portland continues to remain strong following the upturn in demand this past summer. Portland firms are primarily seeking corporate and transactional attorneys in the junior and mid-level range, particularly those with strong experience in securities, finance, private equity, and mergers and acquisitions. Some opportunities are also available for candidates with experience in debt and restructuring. Candidates at any level with portable business will do well, and a portable book is absolutely necessary at the senior associate and partner level.

Steady Practice Areas:

Labor and Employment

After little-to-no demand in this practice area for the majority of the year, we have seen a recent increase and a steady demand for labor and employment practitioners in Portland. Most of the positions are on the litigation side, and firms are seeking more experienced practitioners, with an emphasis on depositions, motion practice, and trial experience, as well as a strong preference for portable business (a must at the partner level). More junior candidates with exceptional employment litigation experience will also be considered.

Trusts and Estate Planning

Demand has increased for attorneys with extensive experience in trusts and estates matters, with a strong preference shown for attorneys with portable business. Stronger candidates will have extensive ties to the pacific northwest community, and an L.L.M. in tax is beneficial.

Real Estate and Land Use

The latter part of the year has seen a small but steady increase in demand for real estate and land use attorneys, both for mid-level associates as well as partners with portable business.

Slow Practice Areas:

Demand for patent litigation attorneys has dropped off significantly towards the end of the year, although there will still be some options for attorneys with technical degrees in electronics engineering, computer science, or mechanical engineering and a good litigation skill set. Few to no opportunities exist in Portland in the following areas: bankruptcy, tax, health care, technology transactions, or energy, environmental, and resources. With the exception of a potential uptick in demand for attorneys with health care law experience, we foresee no substantial changes to the current trends going into the early part of 2013.

THE SOUTHWEST

State of the Market: Phoenix

by [Claudia Barnes](#), General Manager, BCG Attorney Search

The lateral associate market in Phoenix has improved overall. We expect the market to continue to improve in 2013. Stellar candidates coming from larger markets or from a top firm in Arizona will likely have success in securing employment. Phoenix is an excellent place to live and offers a terrific quality of life. To break into the Phoenix market you need to have a tie to the area or a well thought out reason for moving to Arizona.

Hot Practice Areas:

Litigation

The need for litigators is not quite as hot as it was last quarter but it is still the busiest practice in Phoenix. Specifically, firms are currently seeking candidates with 2-6 years of hands-on commercial or products liability litigation experience who also are admitted to the Arizona Bar. Candidates must have experience in case management, drafting motions and briefs, taking depositions, court appearances, and overall case management.

Real Estate

Historically, real estate has been the cornerstone of the Arizona legal market. Thankfully, we are seeing a slight up-tick in hiring in this area of law. Specifically, several firms are seeking candidate with at least 3 years of experience with practical, hands-on real estate experience, including title and survey review, review and drafting of commercial leases, and work on purchase and sale transactions. Further, there is an immediate need for a junior level (1-3 year) attorneys with experience in working with hotels, resorts and mixed use projects. Admission to the Arizona bar is preferred.

Steady/Growing Practice Areas:

Corporate

The need for corporate attorneys has not picked up (yet) but has remained steady since last quarter. We expect the need to pick up dramatically over the next few months. Presently, several firms are seeking mid-level corporate attorneys with 3-6 years of experience in finance, general corporate, securities, mergers and acquisitions, and corporate governance. Firms are also seeking senior associates with at least 5 years of experience and at least \$150,000 in portable business. Admission to the AZ Bar is preferred but NOT required. Candidates with ties to Phoenix and moving from another large market will do very well in Phoenix.

Environmental

The need for senior level environmental attorneys has remained steady and has even picked up. Specifically, several Phoenix firms seek senior environmental attorneys with 8+ years of experience.

Candidates should have experience in handling several of the following: air quality compliance and negotiation and settlement of violations, CERCLA, RCRA and ADEQ rules and regulations. For one particular position, environmental attorneys typically work with the real estate and corporate/business practices in connection with due diligence review of environmental assessments and analysis of potential environmental issues in connection with real estate transactions and mergers and acquisitions. In all cases, the ideal candidate will also have a portable book of business.

Intellectual Property/Patent Litigation/Patent and Trademark Prosecution

The need for mid-level patent prosecutors and litigators has picked up. Specifically, firms seek patent prosecutors and/or litigators with degrees in electrical engineering, mechanical engineering, software engineering, computer science, computer engineering and at least 3 years of experience. Ideal candidates will be members of the USPTO and AZ Bar. All firms will consider out-of-state candidates with a real interest in moving to Phoenix. Candidates who have \$150,000+ in portable business will surely get multiple offers.

Labor & Employment

There is a slight increase in the need for employment attorneys - specifically those with at least 5 years of experience.

Trusts & Estates

There are a couple firms seeking experienced trusts and estates attorneys (at least one year). Candidates should have an LL.M in taxation and either be a member of the Arizona bar or be willing to sit for the exam. Candidates with at least five years of experience and a portable book of \$150,000 will surely get interviews.

Slow to Dead:

Bankruptcy

With respect to bankruptcy, we are seeing a demand at the mid-senior level (at least 5 years) with experience in handling creditor's rights, foreclosures, and workouts. Some (not all) firms also want to see some ability for a senior level attorney to be able to build a book of business, and are expecting senior attorneys to have at least \$150,000 in portable business. Candidates should be members of the Arizona Bar.

The following practice areas have little to no activity: ERISA/Employee Benefits and Tax.

State of the Market: Las Vegas

by *Claudia Barnes*, General Manager, BCG Attorney Search

We keep expecting the legal market for Las Vegas to bounce back but it simply hasn't. Las Vegas was once a terrific legal market. It will likely take at least another year to recover.

Hot Practice Areas:

Litigation

The greatest need throughout the state of Nevada is for commercial litigators - mainly at the mid-level (2-5 years). Firms of all sizes are seeking candidates who are already admitted to the Nevada Bar.

Growing/Steady:

Labor & Employment

Throughout the state of Nevada we are seeing a need for mid-level (at least 3 years) labor and employment associates. Candidates must be members of the Nevada Bar.

Intellectual Property (Patent) Prosecution

While there is currently no active need for patent litigators, the need for patent prosecutors remains steady. As in our last state of the market report, there is a need for patent attorneys with experience prosecuting in the software, electrical, mechanical, chemical or life sciences areas. The ideal candidate will assist with the preparation and prosecution of patent applications, patentability and clearance opinions, patent estate management, licensing and enforcement of patents. Many firms will consider candidates who are moving from out-of-state but are members of the USPTO. In many cases, firms will even consider those candidates who are not yet admitted to the Patent Bar.

Slow to Dead:

Bankruptcy

There is a slight need for bankruptcy attorneys. Specifically, candidates with 3-4 years of experience will do well in Las Vegas - particularly those coming from out of state.

The following practice areas have little to no activity: Corporate, Construction, Tax, Trusts & Estates, Land Use/Environmental, Intellectual Property Litigation, Healthcare, and ERISA/Employee Benefits/Executive Compensation.

State of the Market: Colorado

by *Jamie Bailey*, Partner, BCG Attorney Search

Partners with Portable Business

We would be interested in speaking with partners with portable business. Generally, firms are seeking a minimum of \$500,000 in portable business.

Denver

Intellectual Property - Patent Prosecution; Patent Litigation

Similar to other regions, intellectual property is an area in which firms in Denver are expanding. We are interested in talking with associates with 2-5 years of experience in patent prosecution and backgrounds in electrical engineering, physics, computer science, mechanical engineering, aerospace or biomedical engineering. USPTO is generally preferred in most cases and/or required and the CO Bar is preferred.

Corporate and Commercial Finance

We would be interested in speaking with attorneys that have 4-10 years of experience in general corporate, M&A, securities, capital markets and finance transactions. We would also like to speak with associates who bring private equity, debt and equity financing, and equity formation experience. Candidates who are bilingual or multilingual and speak Mandarin, Portuguese, Russian and/or Spanish should contact us regarding unique opportunities at a major firm's Denver office.

We also have a need for associates with 5+ years of commercial finance and lending experience.

Trusts & Estates, Employee Benefits and Tax

We have a few Denver firms seeking trusts and estates associates with 2+ years of experience in estate planning.

Employee benefits associates with 3-5 years of experience in defined contribution and defined benefit plans, health and welfare plans, multiemployer plans, and executive compensation should also [contact our Chicago office for Denver opportunities](#).

We would be interested in speaking with junior to mid-level tax associates with 1-5 years of experience and significant federal income tax experience, as well as exposure to state income tax matters.

Excellent academic records are required for these positions.

THE MIDWEST

State of the Market: Minnesota

by Julie Lehrman, Attorney Recruiter, BCG Attorney Search

The Minneapolis/St. Paul market is doing quite well. We continue to see a strong demand for corporate and intellectual property positions for talented and experienced associates. Additionally, we have seen a significant increase in real estate associate demand in recent months. The top law firms are always interested in partner-level candidates with a solid book of business as well. In general, attorneys currently practicing in Minnesota and those with strong connections to the state are more marketable than those without such a connection, although a solid connection (or bar admission) is not required, as long as the candidate has a valid reason for moving into the region.

Intellectual Property - Patent Prosecution

The Twin Cities continues to generate high demand for patent prosecution associates. Both general practice firms and sophisticated boutiques have a need for junior to mid-level associates with one to five years of experience. The greatest demand remains for associates with technical backgrounds in electrical engineering, computer engineering, or computer science. Some firms require an advanced degree in the technical field, while some are interested only in associates who can demonstrate the requisite technical expertise. Firms appear to prefer prior work experience within the technical field, and legal experience with a top law firm is always a plus. While patent litigators are not required to possess a technical degree, USPTO admission and a demonstrated ability to understand highly technical patent work is strongly preferred.

Corporate - Mergers and Acquisitions; Securities; Finance

We continue to see steady demand for corporate associates. Law firms prefer corporate associates with top academic credentials (top law school plus top of class), experience with a large law firm, and a high degree of responsibility and trust indicating an ability to function independently, and possibly head up groups of more junior associates. The majority of the current positions seek candidates with 3 to 5 years of broad-based corporate experience, including M&A and securities. We have also seen a small uptick in corporate finance work.

Healthcare

Healthcare work appears to have declined somewhat, but there are still a few opportunities for associates with top academic credentials and large law firm experience, both on the regulatory and transactional sides.

Litigation-General, Energy Litigation and Labor & Employment Litigation

Litigation remains quiet across the board, and the opportunities we have seen in recent months tend to be specialized in such areas as employment litigation, real estate, and business litigation. Because of the volume of litigators looking for work, firms tend to only interview associates with the very strongest academic credentials, big law firm experience, and demonstrated independent level of functioning for the class year. For junior litigators, we have seen specific requests for Law Review experience, or a leadership role on a journal, and some firms ask for clerkship experience. We have seen a moderate demand for environmental associates, especially on the more senior side, and qualified candidates are encouraged to reach out to BCG for assistance.

Partners with Portable Business

Twin Cities firms are always interested in talking to partners with portable business that may provide work for associates or enable cross-selling opportunities within the firm. Smaller firms may be interested in speaking to partners with less than a million dollars in business, with the larger firms generally requiring a million dollars as a threshold amount. Partners with a persuasive, concrete business plan for growing business may also be considered. Partners with books of business should [contact BCG's Chicago office for more information](#).

State of the Market: Indiana

by Julie Lehrman, Attorney Recruiter, BCG Attorney Search

The demand we have seen in Indiana continues to be in Indianapolis, with the rest of the state remaining quiet. Indianapolis has shown substantial growth since summer, however. We are seeing continued demand in Indianapolis for patent prosecutors and litigators, as well as real estate, and corporate.

In the patent arena, we have seen more demand at all levels in this area, including patent agents. Some firms in Indianapolis require a higher technical degree for patent prosecutors, but many do not. The most sought-after technical backgrounds remain Electrical and Mechanical Engineering, Computer Science, and life sciences.

We have also seen an uptick in real estate and corporate positions for associates in Indianapolis. We are starting to see firms hire junior associates again in these fields, whereas in the recent past they were hiring only at the 3+ year level. Firms can still afford to pick and choose among associates, and many insist on top academic credentials and large firm experience showing progressive responsibility. The corporate positions tend to seek a broad range of experience rather than one specialized area of expertise. Litigation remains quiet, but there is some activity. Candidates with top credentials should [contact our Chicago office for assistance in applying](#) to these positions.

Indiana firms are interested in partner-level candidates with solid books of portable business. Firms tend to consider partners with \$500,000 or more in business if they can possibly provide work for associates and/or create cross-selling opportunities within the firm. Partners with a portable book of business who are currently practicing in Indiana or interested in moving their practice there should contact our Chicago office.

State of the Market: Ohio

by Julie Lehrman, Attorney Recruiter, BCG Attorney Search

Opportunities continue to arise for associates and partners alike in Ohio. The majority of positions are in the areas of corporate (general corporate, banking and finance, private equity, etc), healthcare, litigation and intellectual property. Many firms require candidates to be admitted to the Ohio Bar, while others will consider candidates who plan to gain admission, but they should have substantial ties to the community and a compelling reason for making the move to Ohio.

Cleveland and Cincinnati

Litigation

Ohio has a few opportunities for litigators, including general litigation, business litigation and labor and employment litigation. Some firms require demonstrated courtroom experience, but this appears to be less of a demand at the larger firms. Leanly staffed firms require associates to demonstrate an ability to work independently, supervise others, and be responsible for a caseload. At firms such as these, outstanding academics will take a backseat to demonstrated experience and progressive responsibility. Most firms in Ohio focus heavily on candidates with a strong connection to the state (and particular city), with a particular emphasis on those already admitted to the Ohio bar.

Intellectual Property

Intellectual property has remained largely steady, with firms generally looking for patent associates with technical backgrounds in electrical engineering or the life sciences including biology, biochemistry, and chemistry. Most firms are currently looking for prosecution associates but others are looking for litigators and those with both prosecution and litigation experience. In general, firms like to see a minimum of two years of solid experience from a large law firm or sophisticated boutique. Interested candidates should [contact our Chicago office for more details](#).

Corporate and Real Estate

There is still a small demand for corporate and/or real estate associates, with real estate growing slowly since summer. On the corporate side, some large and mid-sized firms tend to look for associates with finance and banking experience, while others seeks candidates with a more broad-based corporate background that includes M&A, private equity, corporate governance and the like. We have also seen a few new opportunities for real estate associates, both transactional and litigation-side. Overall, associates with three or more years of experience with superb academic credentials are the most marketable, but some firms will look at more junior associates as well.

Partners with Portable Business

Demand is high for highly-qualified partners with portable business. Most firms are looking for partners in all areas of law, but we are seeing a particular desire for corporate, labor and employment, and intellectual property attorneys with established and/or growing books of business. The amount of portable business required varies from firm to firm, but in general some firms will talk to partners with \$500,000 or more in portable business. Even so, partners with less than \$500,000 and a concrete, specific business plan outlining how they plan to grow their business are encouraged to reach out to BCG for assistance.

Dayton, Columbus, and Toledo

While Dayton, Columbus, and Toledo are relatively small legal markets, there is a fair amount of activity on

the associate and partner levels. The firms are primarily seeking associates healthcare, labor and employment, environmental, and IP. We've also seen some patent agent opportunities for those with significant patent prosecution experience. Those with strong connections to the particular cities tend to be more marketable to the firms.

In addition to the need for a variety of associates, we continue to see opportunities for partners with portable business, in a variety of area. As elsewhere, the level of business a partner needs to be marketable varies from firm to firm; however, generally firms in the area will respond favorably to \$500,000 and/or a concrete business plan.

State of the Market: Utah

by [Julie Lehrman](#), Attorney Recruiter, BCG Attorney Search

Over the last few months, by far the greatest demand in Utah is for IP associates with technical backgrounds in electrical engineering and computer science. We have also seen a few positions for corporate associates, especially for those with banking and finance experience. Because of the strong community in and around Salt Lake City and the large number of candidates attracted to the city, firms strongly prefer candidates currently residing in Utah, originally from the area, or with significant ties. Admission to the Utah bar is often required.

Utah firms are always interested in speaking to partners with significant portable business, especially if currently practicing in Utah or with strong ties to the area. Firms are skeptical of attorneys without connection to Utah who seek to move there, so if you are such an attorney, be clear as to your reasons for making the move. The amount of portable business required varies from firm to firm, so [contact the Chicago office for more information](#).

State of the Market: Chicago

by [Jamie Bailey](#), Partner, BCG Attorney Search

In spite of the looming fiscal cliff, firms in Chicago and across the Midwest region have been actively hiring lateral attorneys during fourth quarter 2012. We have seen the most significant activity across the Midwest region during the past 3 months in key areas, including commercial real estate (real estate finance, acquisition, disposition and leasing, complex mortgage financing, and mezzanine financing); intellectual property (patent prosecution and patent litigation), and particularly in the technical areas of electrical engineering and mechanical engineering; corporate transactional (M&A, finance, private equity, venture capital and securities); and health care (regulatory and transactional).

We are greatly encouraged about the uptick in lateral hiring during this past quarter -- and equally happy to put the last 4 years in the rear view mirror. Stay tuned for 2013, which we believe will bring exciting lateral opportunities!

Partners with Portable Business

Chicago firms are receptive to income and equity partners with portable books of business, who are highly motivated to continue to grow their books in law firm environments which are well equipped to service their clients' increasing demands for diverse services and attractive billing rate structures. We would be interested in speaking with energetic junior partners who have growing books of business.

We would also like to speak with more seasoned partners who have well established clients seeking environments which are financially stable, and which will offer their clients creative fee structures, excellent representation in key practice areas, and the ability to cross-sell services. Chicago firms are generally

looking for a minimum of \$1-2 million in portable business, but some smaller and mid-sized firms will consider books starting at \$500,000.

Intellectual Property - Patent Prosecution; Patent Litigation

Chicago firms' intellectual property practices are continuing to thrive in both patent prosecution and patent litigation. The most significant needs we are seeing are for associates at the 2-7 year range with technical backgrounds in electrical, chemical and mechanical engineering, computer science, computer engineering, biology, and chemistry. Advanced degrees are preferred and USPTO is most often required.

Real Estate

Real estate needs at Chicago firms are substantially increasing and this is an area in which we are focusing a good deal of our time. Associates with 2-6 years of experience in commercial real estate matters, including real estate finance, acquisition, disposition and leasing, complex non-recourse mortgage financing, and mezzanine financing should contact us to discuss opportunities in some of the [best real estate practices in Chicago](#). As we mentioned in our last report, with the downturn in the market over the past few years, Chicago firms are hard pressed to find highly qualified real estate attorneys with solid experience for their class level. Firms are, therefore, very open to speaking with candidates with a variety of skills and backgrounds in real estate.

Corporate - Finance; Debt Finance; Private Equity; Venture Capital; M&A; Capital Markets and Securities; Banking and Lending

Similar to the real estate practices in Chicago firms, the corporate transactional practices at firms in Chicago continue to be very busy. Particular areas of demand in top Am Law 100 firms include general corporate, finance (including transportation finance, debt and leveraged finance) capital markets and securities, M&A, venture capital, and private equity transactions. We would be interested in speaking with associates who have 2-6 years of experience (preferably large law firm experience) in any of these areas. Associates with 1-4 years of experience working with banking and lending transactions clients should also get in touch with us.

Litigation

We have seen a slight increase in the need for general commercial litigation associates at the 2-5 year range in Chicago law firms. However, these top litigation practices are being particularly selective and are in most cases only interested in meeting with candidates with stellar academic records, large law firm experience and strong litigation skills. As always, clerkship experience is a plus. Illinois bar is preferred and in some cases required.

Health Care - Transactional and Regulatory

Over the past few months, healthcare is an area in which firms have increased their requests for associates in both the transactional and regulatory areas. We would be interested in speaking with healthcare transactional associates with 1-6 years of experience who have had exposure to M&A and joint venture transactions. Associates with a working knowledge of Stark law, Anti-Kickback Statutes, the False Claims Act, fraud and abuse compliance issues, HIPAA/HITECH privacy and security, managed care contracting, and hospital/physician contracting should [contact our Chicago office to discuss opportunities](#).

State of the Market: Wisconsin

by [Jamie Bailey](#), Partner, BCG Attorney Search

Milwaukee and Madison

Partners with Portable Business

Law firms in Wisconsin continue to be focused on increasing their bottom line and we are seeing a lot of movement among the partner ranks. We would be interested in speaking with partners who have portable business in the key practice areas generally found in large general practice firms.

Intellectual Property - Patent Prosecution; Patent Litigation; Trademark and Copyright

Intellectual property practices at Wisconsin firms are very busy and are expanding. We would like to speak with patent prosecution and patent litigation associates with 1-6 years of experience and backgrounds in any of the following technical areas: electrical engineering, mechanical engineering, physics and computer science. Associates with an electronics background and experience with Internet technologies, communications systems and networks, wireless systems, optical systems and other technologies should contact us regarding opportunities in Madison and Milwaukee. Advanced degrees and USPTO are in most cases preferred or required.

Additionally, we are seeking associates with 2-4 years of experience in trademark and copyright matters who would be interested in Milwaukee opportunities.

Tax - Transactional and Litigation

Candidates with strong skills in corporate and tax transactional matters and 2-4 years of experience who are seeking a position in Milwaukee should [get in touch with our Chicago office](#). We would also like to speak with associates with tax litigation experience, including experience representing taxpayers before the IRS or state agencies, and trial experience. An LL.M. is preferred for these positions.

Employee Benefits

We have a few Milwaukee firms seeking employee benefits associates. Associates with 5+ years of experience in executive compensation and exposure to M&A and transactional healthcare matters is a plus. In addition, we would like to speak with associates with 3+ years of experience in qualified retirement plans, welfare plans and equity compensation matters.

State of the Market: Michigan

by [Jamie Bailey](#), Partner, BCG Attorney Search

Partners with Business

We are interested in speaking with partners practicing in Michigan who are seeking opportunities in Detroit and/or the surrounding legal markets, including Lansing, Southfield, Ann Arbor, Grand Rapids, Novi or Troy. In particular, we would like to speak with partners with a minimum of \$300,000 in portable business.

Detroit, Bloomfield Hills, Lansing, Southfield, Novi, Troy, Royal Oak

Intellectual Property - Patent Prosecution; Trademark

Firms in Detroit and the outlying areas are continuing to expand their intellectual property practices with patent prosecution associates with 1-6 years of experience. Of particular interest, are associates with the following technical backgrounds: mechanical engineering, computer science, or physics. We are very

interested in speaking with associates that have mechanical or electromechanical technological backgrounds. USPTO is in most cases required or preferred for these positions.

We also have a need at the 5+ year level for a trademark, copyright and licensing attorney in Detroit.

Real Estate

Similar to Chicago, some Michigan firms have been experiencing quite an uptick in their commercial real estate practices. Firms are in need of commercial real estate associates, counsel and partner level candidates with anywhere from 1-15 years of experience. In some cases, firms are willing to look at counsel or partner level real estate attorneys with no portable business. Highly sought after are those attorneys with experience in real estate finance, development, joint venture financings, acquisitions and dispositions, loans and workouts.

Corporate - M&A; Private Equity; Finance

We are interested in speaking with associates with 2-5 years of corporate transactional experience, including M&A, private equity and finance. Attorneys with 7+ years of experience in commercial finance, including experience working with financial institutions, mezzanine and subordinated lenders, real estate lenders and borrowers should get in touch with our Chicago office regarding positions in Detroit and the outlying areas.

Ann Arbor, Grand Rapids, Traverse City

Real Estate

We are interested in speaking with attorneys with 6-12 years of experience in commercial real estate matters.

Intellectual Property - Patent Prosecution

Intellectual property attorneys with 5+ years of experience in patent prosecution should contact our Chicago office regarding positions in Grand Rapids. Those with 2+ years and who have a technical background in mechanical engineering, electrical engineering or chemistry should also get in touch with us. We would also be interested in speaking with biotech/life sciences patent attorneys with 5+ years of experience and familiarity with FDA compliance. (This is a unique leadership opportunity and requires some level of self-sustaining portable business.)

THE NORTHEAST

State of the Market: Boston/New England

by *Bonnie Nathan, Esq., Recruiter, BCG Attorney Search*

The Boston legal market has grown in the third quarter of 2012, and we anticipate that it will continue to grow in the first quarter of 2013. We are seeing an increased number of lateral openings - specifically in the areas of corporate, real estate and intellectual property - however, there have also been more openings for litigation, particularly in the areas of securities and labor and employment. However, firms are still hiring judiciously - taking their time to evaluate, interview and hire candidates.

Corporate & Real Estate

We are seeing a need for corporate generalists and those with extensive M & A experience, but there is also a growing need for mid-level associates with expertise in fund work (hedge funds, private equity funds and funds of funds), investment management, and finance/lending.

On the real estate side, Boston firms continue to look for top-level real estate associates (particularly those 2 to 5 years out of law school), and partner candidates with portable books of business. The bulk of the current openings are for real estate candidates with some level of real estate finance expertise.

Intellectual Property

The IP trend that is sweeping the nation continues in the Boston market. Although there is some demand for patent litigation associates (particularly those with a technical background in engineering and computer science), the greatest demand is on the prosecution side. There are numerous opening at top Boston firms for laterals in patent prosecution (particularly those 2 to 5 years out of law school) both for attorneys with a technical degree in engineering (particularly electrical engineering) and computer science and also for those with an advance degree in chemistry, biology or a related field. Now is probably the best time in years for IP attorneys with these technical backgrounds to seek to make a lateral transition.

Litigation

We are now seeing a resurgence in law firm litigation hiring - both at large, national firms and at more regional firms. The interest, at this stage, is for mid level commercial litigators, particularly those with financial/securities litigation experience and for labor and employment litigators.

State of the Market: New York

by Robyn Ginsberg, Senior Managing Director-East Coast, BCG Attorney Search

The second half of 2012 continues to be fairly dormant overall with spikes of activity in certain practice areas (further highlighted below). Real Estate, Finance, Corporate and Employment Law practices continue to be quite busy while the Litigation sector remains stagnant.

Litigation

While there continues to be some demand for litigation associates at all class levels within the areas of complex commercial litigation, white collar, and antitrust litigation, the level of activity has not increased since 2011. Even very strong candidates with litigation experience from top law firms are having trouble securing offers or even getting interviews in New York. Securities litigation and patent litigation have continuously been the busiest areas within the litigation sector.

Interestingly, many of the firms that are purportedly looking to add litigation associates to their New York offices are moving extremely slowly with their searches - some of which have been ongoing since 2011. We are hopeful that the litigation sector will pick up in the first half of 2013.

Corporate

There continues to be a demand in the second quarter of 2012 for transactional corporate attorneys having at least 3-5 years of experience in a wide variety of areas.

While the New York market continues to seek candidates with specialized corporate sub-specialties, the remainder of the east coast shows signs of shifting towards candidates with a broader, mixed corporate background. Typically firms are looking for traditional corporate experience, including mergers and

acquisitions, securities and capital markets experience as well as investment fund/40 Act experience and distressed debt/high yield expertise. We have yet to see a pick up in bankruptcy/corporate restructuring needs in the New York market.

Banking experience in acquisition and other leveraged finance transactions, including the preparation and negotiation of credit agreements, security agreements, intercreditor agreements and other loan documents, remains another area of high demand. Candidates with at least 3-5 years of experience from large law firms are preferred. Relatedly, numerous firms continue to seek candidates with Real Estate Finance experience.

As always, firms are demanding top-level academic experience and credentials across all corporate practice areas in the New York market.

Commercial Real Estate

In the second half of 2012, commercial real estate remains slow, with few interviews being conducted and few job openings in this area. However, certain firms are seeking junior to mid-level real estate attorneys having 2-6 years of experience working on a broad range of sophisticated commercial real estate transactions including acquisitions, dispositions, financings, joint ventures, construction, fund formation, and leasing. Firms continue to seek candidates with specific experience with mortgage and mezzanine loans, as well as the restructuring and workout of commercial mortgage loans.

Employment and Labor Law

There has been a noticeable uptick in employment/labor law openings in New York, with firms generally seeking labor and employment attorneys with a broad range of experience including wage and hour, class actions, collective action, and single plaintiff litigation. FLSA experience is also a plus. Firms generally look for 3rd, 4th, or 5th year associates with extensive employment litigation and counseling experience.

Health Care

The need for health care associates was virtually non-existent in the second half of 2012, which is in stark contrast to the level of activity existing in other east coast markets, such as Washington, DC and Boston. Presumably this practice area will pick up significantly in 2013, as a result of the new health care initiatives and the overall strength of the life science sector in the U.S. at this time.

Intellectual Property

Intellectual property remains one of the hottest practice areas in the second quarter of 2012, specifically for candidates with a strong technical background.

Specifically, firms are looking for advanced degrees in the areas of electrical engineering and computer science, but we are also finally seeing increased demand for folks with biology, biochemistry and chemistry backgrounds. We expect this trend to continue, with more and more firms seeking candidates with a chemistry or life science background.

Trademark and copyright continues to be an area with less activity, although some firms are still looking for associates with 3 plus years of experience handling trademark prosecution, licensing, and trademark and copyright infringements.

We have not seen any significant activity on the technology transactions front, which is in contrast to prior years.

Partner Market

The partner market in New York continues to show high levels of demand, with larger firms searching for partners in a wide range of practice areas with a substantial book of business; at least \$1 million and generally closer to \$2 million as a starting point for discussions. Partner level candidates with this level of business (including a business plan that can corroborate originations) are doing well, as long as they make it through the conflicts check.

Some smaller- to mid-size firms will look for a minimum of \$400,000 in business when considering partner level candidates, and again seem to be open to a variety of practice areas. These firms continue to provide great opportunities for junior partners looking to rise through the ranks.

State of the Market: Washington, D.C.

by Margaret Gilleran, Recruiter, BCG Attorney Search

The most notable trends in the D.C. market in the last quarter are an increased demand for the following types of attorneys: Patent, Regulatory, and Investment Management. Additionally, there is a continued demand for partners across a variety of disciplines with moderate books of business (\$500 to 750K).

Patent

There is no doubt that the hottest practice area in D.C. at the present time is Patent Litigation. The demand is particularly acute for Patent Litigators with either Electrical Engineering or Computer Science degrees. If a candidate has between two to six years of patent litigation experience, and a degree in one of the aforementioned disciplines, and wants to make a lateral move, then now would be an excellent time to commence a search. Significantly, firms are not requiring advanced degrees in Electrical Engineering or Computer Science; however, if a candidate does have an advanced degree in one of these areas, then it is a definite advantage. Patent Litigators with backgrounds in Chemistry and, to a lesser extent, Biology are in demand as well; however, not to the degree seen for Patent Litigators with Electrical Engineering or Computer Science degrees.

Patent Prosecutors are very much in demand as well in D.C., although the demand is roughly half of what we are seeing for Patent Litigators. With respect to the Patent Prosecutors, the trend mirrors Patent Litigation in that the highest demand is for Patent Prosecutors with Electrical Engineering or Computer Science degrees; and there is no requirement for an advanced degree in either of these areas although it would be an advantage. Again, there is a demand for Patent Prosecutors with Chemistry or Biology degrees, but the demand is not nearly as acute and advanced degrees are generally required.

The extremely strong trend for hiring in the Patent arena tends to taper off with respect to Patent Agents. There is a moderate demand for Patent Agents in D.C. and again the trend mirrors the demand for Patent Attorneys in that the greatest demand is for Patent Agents with Electrical Engineering or Computer Science degrees.

Regulatory

The market for Regulatory Attorneys in D.C. is fairly constant given that many of the federal regulatory agencies are located in D.C.; however, in the last several months, there has been an increased demand for Regulatory Attorneys who have experience with the Federal Energy Regulatory Commission ("FERC"). DC firms are expanding their energy regulatory practices, particularly at the partner level and in the FERC sector, and we continue to receive a number of requests from law firms seeking energy regulatory partners with

FERC experience and a large portable book of business. Associates with FERC experience are also in demand in D.C. with the greatest demand being for associates with energy project finance, renewable energy and/or energy regulatory experience.

The market for other types of Regulatory Attorneys - e.g. attorneys experienced with the Food and Drug Administration, International Trade, and/or Healthcare - is steady. If a candidate has two to six years of experience in any of the aforementioned areas and is interested in exploring the D.C. market, then there are certainly enough opportunities to warrant commencing a search. This is especially true for International Trade attorneys who have experience with the Office of Foreign Assets Control ("OFAC"), Export Administration Regulations ("EAR") and/or the International Traffic in Arms Regulations ("ITAR").

Investment Management

Investment Management is busy in D.C. and the greatest demand is for associates who have two to four years of solid large firm experience working with the Investment Company Act and the Investment Advisers Act. Significantly, the demand in this area is so great that D.C. firms with Investment Management openings are even willing to consider extremely strong junior general corporate candidates who would like to switch into this practice area. If you are a junior corporate associate with a very strong academic background and are interested in Investment Management, then now would be great time to explore making this type of professional transition.

Partners with Moderate Books of Business

There are a number of D.C. firms that are actively seeking Partners who have moderate books of business. A "moderate" book of business in D.C. is \$500-750K, which incidentally is considerably less than what is required in the New York market. The demand for Partners is not limited to any particular group of practice areas. We have seen this demand span areas as diverse as Government Contracts to Immigration to Military Law. However, D.C. firms are most interested in Partners with moderate books of business who focus in either the Patent or Corporate arenas.

General Corporate and Litigation Trends

D.C. firms are continuing to hire corporate candidates with general corporate backgrounds, rather than candidates with a niche sub-specialty (e.g. M&A, Capital Markets, Private Equity, etc.) In all likelihood, this trend is related to the fact that it is far more cost efficient to have a roster of associates who can handle a variety of transactions. Corporate departments staffed in this manner are unlikely to have their M&A associates sitting idle while their Capital Markets associates are working around the clock. We expect this trend will last well into the future, as firms continue to focus on cost-cutting measures. It should be noted here that there is a strong demand for corporate associates in Northern Virginia. Thus, if you are a corporate associate who is interested in commencing a search and you are not averse to a reverse commute, then you may find increased opportunities in the Northern Virginia market.

The D.C. market for general litigators remains difficult. Firms are interested in meeting with litigation candidates, however, the competition among candidates for these positions is intense. Unless a litigator has a truly stellar academic and professional background (or is a patent litigator in which case all bets are off), then the present time is probably not the best time to commence a search in the D.C. market.

Conclusion

Overall, the [D.C. market is in good shape](#). It is an incredibly strong market if you are a patent attorney and probably one of the strongest markets we have seen if you are a patent litigator with an Electrical

Engineering or Computer Science background. The Regulatory and Investment Management sectors are very strong as well, and Partners - in almost any discipline - with moderate books of business are in demand. Additionally, general corporate attorneys with excellent academic and professional backgrounds can not only find positions in the General Corporate area, but may be able to transition to Investment Management if they are so inclined. Litigation remains difficult, but breaking into litigation in D.C. has been difficult historically so the present situation is not that different from the norm in D.C. There are no practice areas in D.C. that are flat which is encouraging as we begin a new year when firms - after the holiday lull - usually begin to interview and hire more aggressively.

SOUTH

State of the Market: Texas

by *Suzanne Dupree Howe, Esq., Managing Director, BCG Attorney Search*

As we near the end of 2012, it's interesting to see that the market has remained consistently strong for transactional areas. In fact, our corporate needs in particular in Texas have grown throughout the year. We've continued to see needs in transactional energy with a scattering of real estate needs, as well. IP needs have also been steady, especially with firms that need Patent attorneys in litigation and prosecution, though these needs have mostly been for EE's and Computer Science majors. We have also seen a marked uptick in firms seeking Patent Agents and Technical Advisors with these backgrounds.

As always, with its low cost of living yet comparable firm salary structure, Texas remains a great option for partners and associates. Out-of-state transactional candidates find little barrier to entry in Texas as long as they have strong credentials, however litigation candidates may be less competitive without the Texas Bar. Signing up for the next available bar exam, or gaining reciprocity shows dedication to a move to Texas on a resume.

Below is a breakdown of various practices areas as they relate to firms' needs in Texas:

Partners

Partner movement remains high as many firms have fared better than others throughout the recession. Many firms have expressed their desire to review partner candidates with portable business. BCG Attorney Search is a leader in partner placements nationwide, and we can use our contacts to make that transition very smooth and confidential for you. If you are interested in confidentially discussing in any of these opportunities, please contact me at 713-270-1199.

Bankruptcy

This practice area has slowed remarkably, though we have several firms that are looking to solidify this practice area with partner growth.

Litigation

Litigation has been markedly slower in 2012. With the transactional markets really heating up, we hope to see increased needs for litigation. Candidates with judicial clerkships and solid writing skills have a definite competitive edge. This is a much more competitive area than corporate right now and my litigation candidates have had to be patient as new opportunities ebb and flow.

Labor and Employment

Employment needs were slow throughout the year, but we saw a last quarter surge in this area. We feel the trend will continue into beginning of 2013.

Corporate

As I mentioned, this area is very hot. Many of our clients are considering corporate resumes with strong deal experience. Private Equity experience remains a hot area for firms and now we are starting to see more securities needs, as well.

Tax

Tax needs were much more prevalent in 2012. Like real estate, tax needs are a good economic indicator of heavier deal volume. Candidates with an LL.M from top programs such as NYU, Florida, and Georgetown are most valuable to the firms.

Intellectual Property

IP Litigation needs have been very consistent. We are seeing many needs in this area for those with a background in Electrical Engineering or Computer Science. This is a great time to move as firms are consistently busy and have ample work to go around.

Patent prosecution needs have also increased at firms in Texas and this is a trend we have noticed nationwide. Particularly attractive to firms are those attorneys with a background in Electrical Engineering, Physics or Computer Science. In Houston, candidates with experience in oilfield tools are highly valued. As I mentioned previously, Patent Agents are also in high demand.

Energy and Project Finance

Transactional Energy associates are heavily in demand as per usual in our Houston markets. We have positions in M&A, development, cross-border, and project finance.

Employee Benefits/ERISA

This practice area has tapered off since a record high level of needs in 2010. However, these candidates are always marketable.

Real Estate

As I mentioned, needs in this area have dramatically increased since last year. Candidates at the junior and mid-level are being sought across Texas. We expect this trend to continue into 2013 as there is generally more deal flow in Texas happening right now.

State of the Market: Louisiana

by Suzanne Dupree Howe, Esq., Managing Director, BCG Attorney Search

New Orleans law firms have needs on a rolling but scattered basis. We currently have needs in corporate and real estate. Candidates with personal ties to the area are often favored for this market.

State of the Market: Atlanta

by Suzanne Dupree Howe, Esq., Managing Director, BCG Attorney Search

[Atlanta law firms have had very strong needs](#) Real Estate, IP litigation, Patent Prosecution and Corporate. Corporate is a very hot area in Atlanta and it's an excellent time to look if you are considering a move.

State of the Market: Charlotte

by *Suzanne Dupree Howe, Esq., Managing Director, BCG Attorney Search*

As a major hub for Finance work, Charlotte continues to have almost constant needs for junior to mid-level Finance candidates with excellent credentials. Candidates with Mortgage experience are highly sought as well as general corporate candidates. We have also had consistent IP needs across North Carolina and in Charlotte. Real Estate has also been a hot area in North Carolina recently as has general corporate.

THE SOUTHEAST

State of the Market: Florida

by *Bonnie Nathan, Esq., Recruiter, BCG Attorney Search*

Overview

Florida firms have openings on a scattered basis. Much of the demand is for corporate associates, particularly in real estate and for attorneys that are 3 to 6 years out of law school. However, there is also an increasing demand for commercial litigation associates, particularly in the areas of insurance defense and general commercial litigation.

Partners with Business

We are interested in speaking with partners practicing in Florida, particularly in Miami and West Palm with a minimum of \$300,000 in portable business. Of particular interest are partners with portable business in the following areas: intellectual property, tax, trusts and estates, commercial litigation, immigration, real estate and corporate.

Miami/Ft. Lauderdale/West Palm

We would be particularly interested in speaking with attorneys in these markets (or looking to relocate to these markets) with 1 to 6 years of experience in the areas of employment counseling and litigation; general commercial litigation; foreclosures; insurance defense; patent prosecution; and corporate transactions (specifically including corporate finance, real estate finance and M & A).

Tampa

We would be particularly interested in speaking with litigators in this market (or looking to relocate to this market) with 2 to 6 years of experience in insurance defense and general commercial litigation and corporate attorneys with 2 to 5 years of experience in corporate transactions (particularly real estate and M & A).

Jacksonville

We would be particularly interested in speaking with attorneys in this market (or looking to relocate to this market) with 2 to 5 years of experience commercial litigation and banking and finance.

FOREIGN MARKETS

State of the Market: Europe and Asia

by *Katy Anderman, Recruiter, BCG Attorney Search*

London

Hot Practice Areas:

Corporate

We are still seeing an immense need in London for well-credentialed and experienced corporate attorneys. Corporate attorneys with 2-6 years of experience in any of the following will undoubtedly get multiple interviews: banking, finance, capital markets, mergers and acquisitions, structured securities, securitization, CDO, private equity, fund raising work, cross border work, IPO, financial services regulatory (FSR) work, investment banking matters and management, securities, and structured or asset finance. Candidates must come from a leading law firm and have excellent academic credentials.

Construction

London offices are seeking construction attorneys with experience at all levels. Attorneys should have experience in non-contentious and contentious construction matters and international projects (in particular energy and oil and gas projects).

Steady Practice Areas:

Litigation

There are a number of openings for litigators with 2-6 years of PQE (post -qualification experience) in London. The areas of law include: white collar crime, bank or regulatory litigation, finance and insolvency litigation, general commercial disputes, construction litigation, and insurance litigation.

Bankruptcy

There is an opening for a restructuring and insolvency associate with prior experience incorporating a broad range of contentious and non-contentious insolvency and corporate restructuring work. This is firm is looking for an associate with strong contacts in the insolvency and/or banking community. Senior candidate with relevant experience will also be considered.

Intellectual Property

There are a few openings for Intellectual Property Technology associates and IP generalists at all levels. IP generalists should be well versed in all aspects of advisory IP work, including patents, but with an emphasis on trademarks/passing-off, copyright, designs and IP licensing disputes. Experience of IT/software disputes, and non-contentious IP work would be an asset.

Real Estate

There is an increase in activity for mid-level real estate associates (2-4 years of experience). We are seeing a need for attorneys who have experience in drafting and updating standard real estate agreements as well as real estate funds matters.

Europe (Belgium, France, Germany, Greece, Holland, Ireland, Spain, Switzerland)

Antitrust and Trade Regulation

There are several openings for qualified competition law lawyers in Brussels, Dusseldorf and Madrid. The ideal candidates will have either 1-3 or 7-9 years of experience in advising on national and European competition issues across a wide range of sectors. Candidates must be fluent in English (Spanish is required for the position in Madrid as well).

Corporate (HOTTEST Practice Area)

There are a number of openings for corporate attorneys in Antwerp, Brussels, Dublin, Frankfurt, Netherlands, Paris and Prague. Firms are seeking candidates at all levels with experience in one or more of the following areas: mergers and acquisitions, capital markets, finance, banking, and private equity. Some firms prefer candidates with US law firm experience. And in some cases, an LL.M. and fluency in English, Dutch, German, French, and Spanish is required. Superstar academic and professional credentials are required for all positions, and in some cases candidates should be US or UK-qualified.

Employment

There are openings in Brussels and Antwerp for employment lawyers to handle a mix of transactional, advisory and litigation work in the employment field.

Patent and Trademark Prosecution

A Firm in Moscow is seeking a junior to mid-level patent attorney with life sciences, electrical engineering, mechanical engineering or physics backgrounds. Candidates should be fluent in English and Russian. A Brussels office seeks IP / TMT lawyer having 1 year of experience spent in a Belgian law firm or abroad. The candidate should have a first-class Belgian law degree, preferably combined with additional education abroad or a post-graduate degree in IP- related areas of law, or at least a strong interest in that field. Candidate should speak English, French and/or Dutch.

Litigation

There are a couple litigation openings in Belgium. Candidates should have litigation and arbitration experience. Candidates with Dutch or French as their mother tongue and with excellent knowledge of English and the second national language will be considered.

Real Estate

There is an opening to join the Real Estate practice of an international firm's Brussels office. The firm is looking for junior attorneys (1-2 years of experience) and candidates must have French as mother tongue and an excellent command of English and Dutch.

Tax

Offices in Geneva, Dusseldorf, Frankfurt and Brussels are seeking junior, mid-level and senior associates (up to 7 years) with tax experience. Depending on the position, the firms seek US attorneys, Belgium or UK attorneys. Language skills are important and many positions require fluency in French, Dutch and English.

Asia (China, Japan, Singapore, Thailand)

Corporate (HOTTEST Practice Area)

We are still seeing incredible opportunities for corporate attorneys in Asia. We highly recommend any corporate attorney having difficulty finding a position in a major US market to consider Asia. There is a demand for corporate attorneys at ALL levels in Shanghai, Hong Kong, Singapore, Beijing, Tokyo, and Thailand. Candidates should have experience in one or more of the following: capital markets, securities, mergers and acquisitions, private equity, finance, IPO, FDI (Foreign Direct Investment), FCPA (Foreign Corrupt Practices Act), Hong Kong Takeovers Code Experience, high yield experience, regulatory/financial services, debt capital market, structured finance, and project finance. Fluency in English is required. In most cases, fluency or proficiency in Japanese or Mandarin Chinese is preferred or required.

Energy

A Tokyo office seeks project lawyer with 2-7 years of ppe to join firm's Major Projects Group. The Major Projects Group advises major Japanese power utilities, manufacturing multinationals and trading houses on offshore projects and investments. The Group has a strong focus on power, mining, oil and gas and renewable energy projects in various parts of the world. Japanese language ability and strong drafting skills will be required. Experience in resources work is preferred. Candidates with banking and finance, corporate or mergers and acquisitions experience will also be considered.

Insurance

We have an opening in Hong Kong for a mid-level associate who has experience in professional indemnity and D&O (Directors and Officers) insurance matters. Chinese language skills are preferred.

Intellectual Property

There is a small need for attorneys with experience in technology transactions (also known as Technology Media Transactions "TMT") in Hong Kong and Singapore. Candidates with experience in drafting IP agreements in licensing and corporate transactions and IP due diligence would be preferred.

In Shanghai, Guangzhou, Beijing, and Hong Kong, there is a need for intellectual property litigators with 3+ years of experience in a variety of areas including: patent litigation, patent invalidation, freedom to operate search and analysis, client counseling related to protecting patent, trademark, copyrights and trade secrets in China. Candidates should have a technical background in life sciences or electrical engineering and fluency in English and Mandarin.

There is a slight need for patent prosecutors in Shanghai who also have experience in handling trademark prosecution, review, opposition, invalidation, litigation and licensing.

Litigation

There are a number of openings for litigators in Tokyo, Beijing and Hong Kong. Qualified attorneys will have experience in the following: investigations (internal, regulatory, FCPA, financial fraud), securities, arbitration, complex civil litigation, and cross-border disputes. Candidates should be admitted in US and have English and Mandarin language skills. For the position in Tokyo, the candidate must have the ability to speak Japanese at a level adequate to participate actively in meetings conducted in Japanese.

Real Estate

We have a position in Singapore for a partner having 8-10 years of experience in the area of real estate (corporate real estate, retail and consumer real estate). In Hong Kong, we have a position for a real estate lawyer having 10+ years of experience with strong conveyancing experience and a position for a mid-level

leasing and property associate. A background in Property/Real Estate is required and leasing experience would be preferable. Strong reading and writing skills in Chinese are essential for both positions. Ability to speak Mandarin is preferred. In Tokyo, a firm is looking for a mid-level real estate associate having 3-5 years of experience. The candidate would handle real estate work that involves finance, corporate, fund formation and private equity issues. Should preferably be completely bilingual.

Middle East (Dubai and Abu Dhabi)

Corporate (HOTTEST Practice Area)

There are opportunities in Abu Dhabi for global transactions and corporate attorneys in the mid-level and senior ranges with experience in the following: Islamic finance, mergers and acquisitions, general corporate or private equity and oil and gas. Firms seek candidates from top regional or international law firms and who speak English. Arabic languages skills are necessary in some cases.