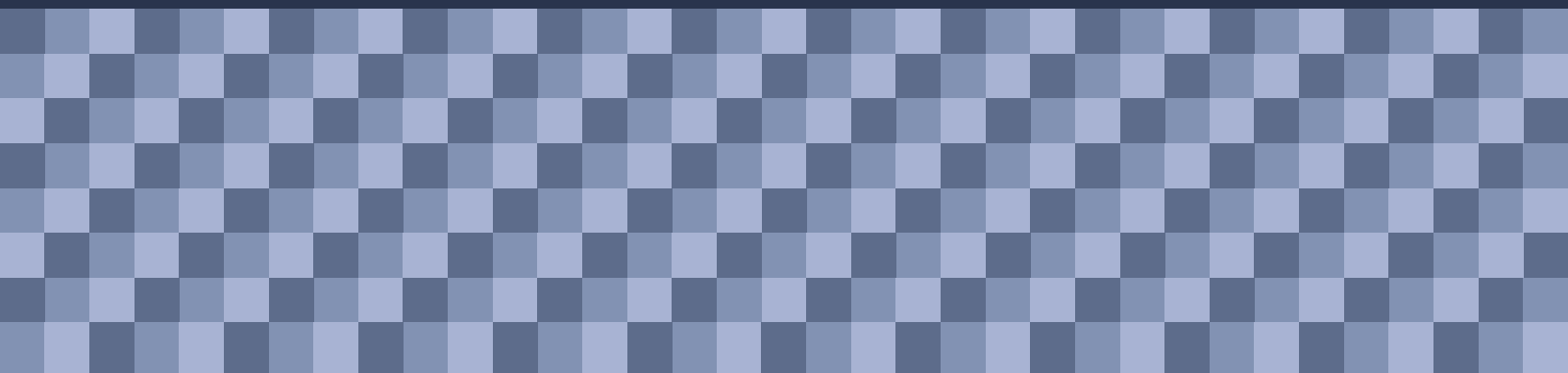




ATTORNEY SEARCH

# *ARTICLE OF THE WEEK*

by Harrison Barnes, CEO of BCG



## How to Know If You Are Marketable by a Legal Recruiter

**Summary:** Find out if you have what it takes to be a marketable attorney in this article.

Someone I know was recently diagnosed with a fatal form of lung cancer called mesothelioma. I started investigating mesothelioma and the attorneys who represent people with this type of cancer. What I learned was fairly astonishing. Despite the fact that there are less than 2,500 cases of mesothelioma per year, every attorney out there seems to be jumping up and down trying to get cases.

- These attorneys advertise aggressively on television—something that seems unusual when there are only 2,500 cases annually.
- If you call them on the phone, they offer to fly to you the next day wherever you are.
- When I started calling attorneys to request information, they sent me First Overnight Federal Express packages that arrived at my office from all around the county at 7:00 am in the morning.
- Their brochures are some of the slickest things out there and among the best marketing materials I have ever seen. They are extremely well written and printed on heavy paper.
- When one of the firms found out my friend is a military veteran, the firm had a former Army Colonel contact me via email (with a picture of him in full uniform in the email signature) and offer to meet with my friend to discuss his “respect” for that particular firm.
- Their websites operate as some of the most sophisticated lead generating devices I have ever seen—using images, sign up forms, free offers and other best practices to effectively bring in clients.

This is not average personal injury type stuff. These attorneys are hunting the white rhino and are doing everything within their power to most effectively capture clients.

*Why are these attorneys so aggressive in their brochures and more? What I came to understand bears directly upon the legal recruiting industry and there are valuable lessons to be learned for any attorney who is considering contacting a legal recruiter.*

I did more investigation into the mesothelioma attorney market and could not believe how much money these attorneys spend just to get clicks to their websites. This is what attorneys pay just to get a single click from Google:

Most Expensive Paid Search Keywords by Average Cost Per Click					
U.S. Google Desktop Text Ads, January-December 2014					
Keyword	Cost Per Click	Spend	Impressions	Clickthrough Rate	# of Advertisers
mesothelioma attorneys tx	\$319.34	\$47,420	3,349	4.43%	134
buying structured settlement annuities	\$312.49	\$16,005	793	6.46%	61
alabama mesothelioma attorney	\$291.93	\$12,341	828	5.11%	71
hawaii mesothelioma lawyers	\$247.64	\$10,239	811	5.10%	79
mesothelioma attorneys california	\$231.35	\$13,994	1,075	5.63%	68
structured settlement industry	\$230.04	\$7,388	631	5.09%	57
national structured settlement trade association	\$229.33	\$7,962	446	7.79%	36
cash structured settlements	\$226.43	\$65,712	6,171	4.70%	91
insurance structured settlements	\$222.04	\$9,307	774	5.41%	57
virginia mesothelioma attorney	\$221.25	\$9,065	774	5.29%	68
mesothelioma claim	\$211.01	\$179,634	25,067	3.40%	100
mesothelioma attorney washington	\$206.13	\$9,160	817	5.44%	80
virginia mesothelioma lawyers	\$206.04	\$8,433	786	5.21%	69
virginia mesothelioma lawyer	\$203.54	\$9,086	896	4.98%	73
maryland mesothelioma lawyers	\$200.21	\$8,359	818	5.10%	62
a mesothelioma	\$196.65	\$3,503	578	3.08%	64
selling structured settlements	\$189.78	\$497,479	51,884	5.05%	73
nevada mesothelioma attorney	\$189.53	\$7,387	784	4.97%	77
wisconsin mesothelioma attorney	\$188.76	\$8,083	805	5.32%	81
structured settlements annuities	\$187.00	\$47,429	4,690	5.41%	95

AdGooroo 2015

Imagine spending \$319 just to get someone to click on an advertisement! If you are spending that kind of money for one click, you better believe there is a lot of money on the other end of the click. Imagine how many people are likely to click the advertisement and not fill out a form, or call the attorney. There must be a prospect of a huge amount of money on the other end if people are willing to spend this much money.

As I investigated further, I started to understand that the reason attorneys are so “hot and heavy” for these clients is because *it is very easy for them to prove their cases and there is typically a lot of money involved when they do*. They can generally trace the person’s illness to a use of and/or exposure to a given product in the past. The manufacturers of these products have almost all set up trust funds and much of the work is simply making a claim against the fund—often times they do not even have to sue. There is huge money involved and collecting the money is often not that difficult.



What I realized as I did my mesothelioma attorney search is that you might not get a very good attorney if you respond to slick or aggressive advertising campaigns. The attorney you get will probably be more interested in getting the cases in the door than in undertaking any kind of sophisticated lawyering on your behalf. You may have a good case, but your attorney (no matter how slick he or she may appear on television and in print ads) might not do what needs to be done to get you the very best possible outcome. He or she might employ persuasion, tricks and tactics to get you to do things you should not be doing.

It became clear to me that I needed to dig deeper if I wanted to find a lawyer who would be truly capable of helping my friend find some measure of justice. I needed to find someone who had the relevant expertise to handle the complicated legal and procedural issues, and who would devote the time and money needed to see the case through to the end. Ironically, I discovered that this is the very kind of lawyer who is least likely to be aggressively coming after you. The kind of lawyer I wanted to find would be too busy working for his or her existing clients to be spending a lot of time marketing. I knew I would need to find the right lawyer through recommendations and more subtle channels.

My skepticism and due diligence ultimately paid off and I found the attorney I was looking for. This attorney had argued and won several seminal cases, was connected with important people in the industry, and had set up foundations and helped fund medical studies. This attorney was not using a call center in Tampa, Florida to get cases, but was instead being referred clients by major medical schools and others. People in the know respected and understood the quality of this attorney's work because this attorney had built a well-deserved reputation for doing good work over time.

- See [Protecting Your Reputation at All Costs](#) for more information.

The phenomenon going on with mesothelioma attorneys is in many ways the same as the phenomenon going on in legal recruiting businesses. As I discuss in this article, there are basically ten factors that go into determining what in the eyes of most ordinary legal recruiters makes a marketable attorney. Many of these factors relate to whether a particular attorney is the "bankable" kind who is generally in demand by most law firms and therefore can be easily placed with little work but for a lot of money. Just like most mesothelioma attorneys spend their time, energy and money chasing a relatively small pie of sick patients as opposed to actually doing quality legal work, most recruiters spend their time, energy and money chasing a relatively small pie of in demand "star" attorneys instead of doing quality, innovative and possibly life-changing recruiting work.

I did not want to get an average mesothelioma attorney for my friend, just like you should not want to get an average legal recruiter for yourself. The sort of recruiter you choose will have a major impact on what sort of career you can ultimately have. ***You can choose a recruiter who***



*puts everything into chasing “bankable” clients, or you can choose a recruiter who puts everything into servicing his or her existing clients and who has the talent for seeing the diamond in the rough and turning underappreciated attorneys into “bankable” gems.*

See the following articles for more information:

- [What Makes a World Class Recruiter](#)
- [What Makes BCG Attorney Search the Greatest Legal Recruiting Firm in the World](#)
- [Should You Choose BCG Attorney Search?](#)

Another way to look at this is by analogy to Hollywood. Just as there are two kinds of Hollywood talent agents, there are two kinds of legal recruiters. The first kind only works with established talent and puts all their effort into finding established talent. The second kind finds emerging, not-yet-established talent and makes them into stars. These two kinds of agents have different perspectives:

- **Once you have found an existing star, it is easy to get your star obvious roles.** The biggest portion of the work involved is finding the star to begin with. You need to call the star, charm the star and meet with the star. Because your effort is put into getting the star, though, you may not know the “nooks and crannies” of the market as much. Your work and focus is on finding the star and not necessarily on what you do with the star once you get him or her.
- **It is much more difficult to be an agent who sees potential in “future stars” and makes stars.** The best agents, of course, are those who try and make stars. They take a risk and seek people who are the future—people whose greatness is overlooked by more average agents. When these agents find their future stars, they try hard to get them big roles, but they also know about smaller “up and coming roles” and encourage their clients to take these roles. The agent who makes stars spends more effort finding roles than finding talent.

If you have become discouraged in your interactions with legal recruiters, you may have been approaching the wrong recruiters. You may not fit into the obviously “bankable” category and thus may be overlooked by average recruiters. But you may actually be very bankable when marketed by the right kind of recruiter—someone who has the time, energy, money and inclination to see the “future” star in you and help you shine!

- See [Lessons of Stars: How to Be a Star in Your Life and Career](#) for more information.

I have worked with many “established stars” in the legal community, of course, but for me making stars has always been more satisfying and meaningful. I spend more of my time making stars



than I do chasing them. Attorneys whom I may not have been able to help in the past are often surprised when I call wanting to speak with them. Many do not believe they are marketable now because they were not marketable in the past and may have been turned down by [BCG Attorney Search](#) for that reason. But things can change and I might come to see something in these attorneys that even they do not. I can help them get better jobs, which helps bring about profound changes in their careers and lives.

The sorts of attorneys I choose to work with are not always the sorts of people who “average” legal recruiters work with. But I work with them because I have the resources, insight and tools required to get them jobs. I see their potential. When I find an attorney who has potential, I put everything behind that attorney and do what I can to make a new star. What better way to use your talents than to find, build up and commit to talented people who, for whatever reason, have not yet reached their full potential?

In contrast, most legal recruiters try and work with established stars. In this article I am going to tell you what typical recruiters look for and why you may have potential that other recruiters have simply failed to see. Your marketability to a legal recruiter depends on whether or not the recruiter is (1) looking for stars or (2) looking for future stars. The vast majority of legal recruiters (well over 90%) are only looking for stars and you might be more successful if you look for a recruiter who is looking for future stars.

- **See [A Comprehensive Guide to Working with a Legal Recruiter](#) for more resources on working with recruiters.**

Here are the ten factors that make attorneys marketable in the eyes of legal recruiters:

### **1. You Fit the Mold of What Every Legal Recruiter Is Working for.**

The career path of most legal recruiters goes like this: First, they will generally start their careers working with easy-to-place associates (attorneys from top law schools, at top firms, in desirable practice areas, and with about 1 to 6 years of experience). They will become “specialists” in cold calling these attorneys and then submitting them to the same sorts of big law firms the attorney has experience working in. These recruiters will “proudly” declare that they only work with attorneys within this narrow range.

Second, if they get sufficiently talented at this and are able to make a living doing at it, they will generally get more confident and move on to doing even easier work trying to place partners with large books of business (\$1-million and more). These recruiters will declare at some point that they “only work with partners” and will proceed to do only that—and only work with partners with business.



Because 95% of attorneys do not fit into these narrow molds, most attorneys incorrectly perceive themselves to be unmarketable by recruiters. Not true! Nothing could be further from the truth. Most legal recruiters only want to work with the “mold” candidates because they are lazy and more concerned with making money than with actually helping people who need help. The sorts of placements they make are relatively easy, as every top law firm seeks highly qualified associates in desirable practice areas as well as partners with business.

The reality is that if the economy is strong, you went to a top law school and are working at a top law firm with less than 6 years of experience—or if you are a partner with \$1-million in business—it would be very difficult for most recruiters not to place you. So the recruiters who stay within these lines are not doing anything all that difficult and the fact that they make successful placements does not say much about their true ingenuity or greatness as legal recruiters.

## **2. You Are Being Hounded by Legal Recruiters Consistently (Regardless of Your Educational and Other Background)**

The market is generally the best way to know if you are marketable. The market will incentivize recruiters to start contacting you and looking for you if it makes economic sense for them to do so.

Attorneys who are marketable generally already know it. Attorneys with sufficient business know they can pick up their practices and move it to other firms. Every [Stanford Law School](#) graduate at a top law firm, with 1 to 6 years of experience in an in demand practice area knows that he or she can move to another firm. But the market is the real indicator. The attorneys who are marketable are generally consistently receiving emails, phone calls and other solicitations from legal recruiters. When they go online, they see a plethora of legal recruiter advertisements in their locations and in their practice areas.

If you are already seeing a lot of advertisements for jobs in your location and practice area then you are marketable. If you went to a top school and work at a top firm and are seeing all this activity then that is an indicator that you are especially marketable. If you already have it, the odds are pretty clear that you know it.

The recruiters who are constantly contacting you, calling you and trying to get your attention are doing so because you are marketable. Generally, these people know what is in demand in the market and are simply aiming for the low-hanging fruit. When you are this marketable and getting this much attention, you are no different than a big star getting a “cold call” from an agent.

“Hi [Angelina Jolie](#)! I heard that [Steven Spielberg](#) is making a big film about humanoid reptiles invading from Mars! Any interest?”

“Who is this?”



“I’m an agent! I would like to submit you for the part and get a commission! Can you send me your resume and I will send it over?”

This same scenario is played out with talented attorneys day in and day out. Some, of course, fall for it. Some attorneys, however, investigate the market and find recruiters who actually know what they are doing before getting involved in this nonsense. Just as Angelina Jolie would be very, very careful about whom she uses for her search, so too should a marketable attorney. You need to be careful about the people you use for your search, because someone who only knows how to work with stars will generally have a difficult time with attorneys who do not fit the typical “star” attorney paradigms described above.

See the following articles for more information:

- [How to Choose a Recruiter That Is Right for You](#)
- [Finding the Right Recruiter for You](#)
- [How to Select the Best Legal Recruiter and Maximize the Effectiveness of Working with One](#)
- [Why the Best Actors and Attorneys Are Exactly Alike](#)

### 3. You Are in a “Hot” Practice Area

Different practice areas are marketable at different points in time. When a practice area is in demand, it generally does not matter all that much where you went to school (although second tier law schools and above are generally preferred) or whether or not you are at a major law firm (although bigger is better). If the recruiter knows what he or she is doing, you are generally going to be marketable.

Here are some practice areas that can be “hot” from time to time:

- **Corporate.** Corporate is generally in demand when the economy is growing and expanding. There are various branches of corporate, of course, but corporate is generally always marketable when the economy is strong. When the economy is doing well, corporate attorneys generally do not have much difficulty relocating from smaller markets to larger markets, or larger markets to smaller markets. While attorneys with 1 to 6 years of experience are most marketable, firms will often hire corporate attorneys with more experience when the market is hot enough.
- **Real Estate.** Real estate has traditionally been an active practice area when interest rates are low, or when the stock market is doing poorly and people are looking for alternative investments. When this practice area is doing well, attorneys can move between small and

large markets and their seniority levels are not that important.

- **Patent Prosecution.** This practice area is generally always marketable provided the attorney does not have too many moves and has less than 10 years of experience. Generally, electrical engineers are preferred over attorneys with other specialties.
- **Tax.** This practice area gets active from time to time—generally when the economy is expanding. When this occurs, tax attorneys at all levels are marketable. A tax attorney with less than 6 years of experience, an LLM in taxation and law firm experience will be marketable in a strong economy.
- **Bankruptcy.** This practice area does well in recessionary economies, of course. When the economy is in poor shape, attorneys from large institutional law firms with less than 10 years of experience are generally marketable between firms.
- **Employment.** This practice area goes through ups and downs and is generally strongest in a recessionary economy. Attorneys with less than 6 or 7 years of experience will be marketable in a recessionary economy.

All of these practice areas can be “hot” in different economies. When these practice areas get “hot” an attorney (1) with the appropriate amount of experience (generally less than 7 years), (2) from a second tier law school or above (or outstanding performance—top 5 students in class at a lesser school) ... **OR** ... currently at a top law firm, or (3) from an “ok” law firm that represents marginally sophisticated clients, will be marketable by a good legal recruiter.

That said, conditions generally need to be “right” for this to occur. In addition to your practice area being active, you also need to be in the right area of the country or interested in moving to the right area of the country. (I will speak more about geography below.)

See the following articles for more information:

- **BCG Attorney Search’s Quick Reference Guide to Legal Practice Areas**
- **State of the American Legal Job Market 2016: Hot and Weak Practice Areas of 2016**

#### 4. You Are in a Niche Practice Area Where There Are Opportunities

There are some practice areas that are “niche” and where there are generally opportunities for attorneys. These practice areas are “niche” enough that the rules regarding attorneys needing to have less than 6 years of experience, or business if they have more than 6 years of experience, are generally not that applicable. I have placed attorneys in these practice areas with no business and 30+ years of experience. If the law firm has work, a talented legal recruiter can generally place attorneys who practice in the following niche areas:



- [Antitrust](#)
- [ERISA](#)
- [Energy](#)
- [Environmental](#)
- [Government Contracts](#)
- [Project Finance](#)
- [White Collar Crime](#)

Attorneys in these practice areas are generally marketable at most points in time; however, the length of time required to place them can differ substantially. I have seen it take a few years and I have seen it take a few days. Attorneys in these sorts of niche practice areas are marketable due to the fact that there are not a lot of them (compared, for example, to litigators). If you are in one of these practice areas and have acceptable qualifications you generally will not have much difficulty [getting a position](#).

## **5. You Have Dramatically Improved Over Time and Your Resume Shows Consistent Improvement**

There are certain resumes that show a consistent and profound upward mobility. Someone starts out at a smaller law firm, moves to a better one and then a better one. Along the way that attorney may get active in the community and make various presentations and begin to build up a reputation for him or herself as well as his or her firm. The resumes of these kinds of attorneys show motivation and have a “spark” to them.

**See the following articles for more information:**

- [Top 10 Ways Attorneys Can Move to a Better Law Firm and Get a Better Attorney Job](#)
- [Senior Associates - How to Make Oneself More Marketable to Law Firms](#)
- [Never Stop Improving](#)
- [A Message to Garcia and Your Career](#)

These sorts of attorneys succeed and are generally always marketable by a talented legal recruiter. You cannot “fake” enthusiasm and being hungry. A good legal recruiter can generally convey these key attributes to law firms and get the lawyer a position.

## **6. You Are Geographically Flexible**

Our firm operates all over the United States. When an attorney is geographically flexible, that



attorney is often marketable somewhere even if he or she is not marketable in the attorney's home market. Certain areas of the country may be economically depressed at some points in time and certain areas of the country may have opportunities when others do not.

I have placed numerous attorneys in situations like this throughout my career. I have even made international placements for attorneys who were not marketable in the United States. If you are flexible geographically you will often be marketable by a legal recruiter even if you do not believe you might otherwise be.

**See the following articles for more information:**

- [\*\*What's the Best Way to Convince a Firm That I Am Serious about My Geographic Move?\*\*](#)
- [\*\*Moving Your Career to Another City\*\*](#)

## **7. Your Recruiter Has the Resources to Market You Properly**

The recruiter needs to have the time to properly contact and market you to law firms. Properly done, this can take time. In some cases, for a national search, the recruiter might need to get you out to firms all over the country and then follow up with those firms. The recruiter will also need to have relationships with these firms.

The recruiter will need to have the time and resources to do this, which most recruiters simply do not have. Doing this sort of work requires that the firm have a large staff dedicated to supporting each recruiter, which most recruiting firms do not have. In general, [\*\*each legal recruiter at BCG Attorney Search\*\*](#) has several people helping that recruiter behind the scenes.

- [\*\*Click Here to Learn More about the Technology BCG Attorney Search Uses to Provide Better Service to Each Candidate\*\*](#)
- [\*\*Click Here to Learn about the Benefits of Working with BCG Attorney Search\*\*](#)

## **8. Your Recruiter Has the Market Knowledge to Market You Effectively**

Your legal recruiter needs to have the market knowledge to market you as effectively as possible. This means your recruiter needs to know about all of the openings and market trends and have an understanding of how candidates who may not "fit the mold" can get positions in different types of law firms. This is a huge task. It requires a massive research effort that is constant, never ending and ongoing. Without this sort of research, the recruiting firm is generally going to be "floundering" and only able to send you to the most "obvious" big firm openings.



At BCG Attorney Search, we have a huge research staff and operate the largest legal job board in the world—[LawCrossing.com](http://LawCrossing.com)—where we research every opening in the legal market and use this information for the benefit of our candidates. This means that BCG Attorney Search candidates receive information about the most openings and the best possible service anywhere.

## **9. Your Recruiter Has the Time to Market You Properly**

Your recruiter needs to review new job possibilities on a daily basis. He or she needs to commit to you, put his or her head down and work with you as long as it takes. Most legal recruiters only seek out stars because they are simply interested in people they can place quickly and from whom they can make a quick buck. They tend to be like “bats in the night”—you see them for a moment and then they are gone. Many of the candidates we work with we have been sticking with for years. We develop close partnerships with our candidates so they come back to us every time they make a career transition. We value this business and commit to giving our recruiters the time they need to cultivate these partnerships.

## **10. The Recruiter Works with Law Firms That Are Eager to Hire Fast and Do What the Legal Recruiter Tells Them to Do**

Good legal recruiters can generally get their candidates placed even if those candidates do not fit the typical “mold” of what most recruiters are looking for. I once placed a former DUI attorney in a position as a corporate attorney with a major American law firm because I believed in the attorney and told the law firm to hire him. There are surprises like this all the time and sometimes the most respected legal recruiters will be able to convince law firms to see their way outside the box and hire promising attorneys who do not fit traditional molds.

If the recruiter really knows what they are doing and has a good reputation among employers, then that recruiter can often place many different types of people who normally would not pique the interest of most law firms.

## **Conclusions**

Virtually every attorney (with some exceptions) is marketable by a legal recruiter. The real challenge for most attorneys—even stars—is finding a legal recruiter who makes stars. A legal recruiter who makes stars can help any attorney. More importantly, in addition to making stars the legal recruiter can see all sorts of opportunities in the market that the average legal recruiter does not see.

When a legal recruiter who makes stars works with stars the star gets even bigger and is exposed to even more opportunities. When a legal recruiter who makes stars finds you then you should by all means work with that recruiter. You might have a tremendous amount of



undiscovered potential that the recruiter can properly market, which could result in great things for your life and career.

See the following articles for more information:

- [Release the Lack That You Feel, and Reach Your Full Potential](#)
- [21 Pieces of Career Advice No One Ever Gives You](#)

[Click here to contact Harrison](#)

Our mission is to meet or exceed every attorney's expectations for their job search and ensure they are succeeding and winning with BCG Attorney Search