



The Art of Lawyer Recruiting



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Few management functions in a law firm require greater insight, intellectual discipline, and creativity than does the hiring of a new lawyer.

When the topic is recruiting, the first question most law firm clients ask me or one of my Walker Clark colleagues is: *“What should our law firm look for in a candidate?”*

Our first question in response is: *“What do you think the candidate is looking for in you?”*

Is your firm really prepared to hire a new lawyer and to commit to the major investment that must follow if the hiring decision is to have a chance of being successful?

Even before preparing the position description, law firm partners should consider some of the “lessons of the past” that our clients regularly share with us.

Lesson 1 - The candidate’s law school does not predict success.

Research demonstrates that graduates of famous law schools do not perform better as law firm partners than do equally experienced graduates of less-known institutions. The law school is not a reliable predictor of an individual graduate’s success in a law firm environment. One cannot make assumptions about the knowledge or skills of any lawyer based on the school that he or she attended.

Use a variety of recruiting sources and strategies as well as a number of validated selection tools and practices. Hire the lawyer and not the law school that he or she attended.

All candidates for lawyer positions should be evaluated in a consistent manner based on reliable selection criteria. This is not only a matter of fairness. It also improves the probability that the hiring decision will be fully-informed and consistent with the firm’s current and future needs.

Lesson 2 - Don’t look for someone just like you.

Don’t look for new hires who look and sound just like you. Diversity in background and intellectual perspectives are proven strengths in a law firm, especially in a growing, fast-changing market.

This requires that you know in advance what are the essential ingredients that you’re looking for in any candidate, and why those characteristics are important to your firm.

Hiring lawyers is a disciplined art, not a science. There is no all-purpose formula; but there are guiding principles that many law firms have found to be very reliable.

On the other hand, going into an interview with a mind-set that is no deeper than *“I will know it when I see it”* is a recipe for disaster.

Lesson 3 - Be honest.

Be honest about what your law firm offers and doesn’t offer to the candidate. Are you prepared to present a realistic assessment of the strengths and limitations of the job opportunity and the firm?

Only then, is the candidate in the position to make an informed decision. An informed decision increases the chances that the position will meet the needs and expectations of both the lawyer and the firm. This improves the probability that the candidate will stay with the firm for a long time.

If you “sugar coat” the firm’s culture, clients, and professional opportunities you lose credibility very quickly. Candidates are very perceptive. They quickly notice when the evidence does not support your glowing promises. For example:

- “*We have a team environment*” is not as convincing as describing how people work together in groups and how the firm rewards team contributions.
- “*We value quality*” is not as persuasive as describing how your firm delegates work and manages legal risks for its clients.
- Every law firm says “*We are committed to your professional development.*” The firms with the best records of successful lawyer recruiting can also show the candidate how their firms will make significant long-term investments in his or her career.

No one expects a firm to be perfect. There is no harm in mentioning the opportunities for improvement in your firm. Explain how you and your partners are working toward becoming a better law firm, as well as the contributions that the candidate could make to that effort and the rewards he or she could receive.

Continuous improvement is a sign of a strong, attractive firm with a future, not a weak one that is content with “business as usual.”

Lesson 4 - Why should you be the first choice?

Even if the candidate does not specifically ask, you must be prepared to answer this question in every interview.

Credibly differentiate yourselves from other firms the candidate may be considering. This is not the same thing as reciting your strengths.

For example, all of your competitors probably claim that they provide mentoring. Consider these questions:

- What makes your mentoring approach unique?
- What is the evidence of your program’s success?
- What will the candidate receive from your firm’s mentoring program that is not available at other firms?
- How will this advance the candidate’s long term career

development and professional satisfaction?

Chances are that your competitors have never thought about nor are prepared to answer these questions.

Domestic law firms often assume that they are at a disadvantage in recruiting markets in which the large global law firms are active. In fact, smaller national and local law firms can sometimes offer advantages that the candidate is not likely to find in a larger firm. For example:

- Greater case management responsibility earlier in the career
- More direct contact with major clients
- Faster track to partnership
- Less “impersonal” approach to career management and professional development

Lesson 5 - Show them the money --- or something better.

How do you know that you are offering a competitive compensation package? It can sometimes be difficult to obtain reliable compensation data in fast-growing, highly competitive legal markets. Your firm’s associates may be your most reliable source of information on this point.

If the salary that you offer is not in the top 25% for your market, be prepared to describe the benefits of your entire compensation package and career development plan. This is very important when foreign competitors are offering very high salaries to entry-level lawyers. Try to make a convincing case that a new lawyer’s long-term financial prospects will actually be better in your firm, even if the starting salary is lower than that offered by some of your competitors.

Lesson 6 - Give the candidate a preview of life in your firm.

Take time to give the candidate an orientation tour of the firm when he or she comes for a hiring

interview. Introduce the candidate to as many partners as are available. Some firms have a policy that every partner will be in the office when a lawyer candidate is visiting, even if the introduction is only a brief introduction and five or ten minutes of informal conversation.

Meeting partners is important, but your firm’s best recruiters frequently are associates and legal assistants. Every candidate who is interviewed should be given some time alone with a group of associates, perhaps over lunch, to learn what life in the firm is really like.

Small law firms have a distinct advantage with this recruiting tactic, because it is easier for a candidate to meet a greater portion of his or her potential colleagues and to feel more at ease with the concept of working in that firm.

Lesson 7 - Include others in the interviews.

Some law firms routinely involve associates in interviews of candidates for associate positions. If successful, the candidate will be their peer. They know -- more intimately than any partner -- the work that the candidate will be expected to perform. They can provide valuable insights to the candidate during the interview, as well as worthwhile opinions about possible strengths and challenges that a candidate will bring to his or her new work.

There are other benefits to including associates in the interview process. They learn how to interview, which is a management skill that many of them will require someday as partners. It also helps associates to assume greater responsibility and involvement in helping the successful candidate become accustomed to the subtle details of the firm’s professional culture and internal operations.

What should our firm be looking for in new lawyers?

Legal knowledge and skills are imperative; but they actually have very little effect on a young lawyer’s long-term success in a law firm. Basic legal competency is the “price

of admission” to the legal job market; but it is not enough.

In addition to the basic set of legal skills and knowledge, Walker Clark clients tell us that they look for “leading indicators” of long-term success in the law firm environment.

A personal commitment to learning and to continuous professional development

Look for examples when the candidate has shown persistence in achieving goals, perseverance in the face of adversity, and the ability to recognize and respond to opportunities. These can be great discussion points for an interview because they can encourage the candidate to talk about himself or herself in a non-legal or non-academic setting, and thus help the candidate to relax.

The competencies of emotional intelligence

Emotional intelligence is a set of skills, or competencies, that have been validated by research as having a high correlation to success and financial performance by business leaders and managers. They are equally important in the business life of a law firm.

An emotionally intelligent lawyer is often described by colleagues as being “likable.” However, a law firm needs to understand the specific ingredients of this “likability factor” in order to make a well-informed hiring decision.

During the interview, introduce short, hypothetical case studies or situations. Ask the candidate how he or she would respond. Look for evidence of emotional competencies such as accurate self-assessment, self-control, and optimism. Alternatively, ask the candidate to describe examples from his or her own life that demonstrate specific competencies such as being a change catalyst or developing others.

A record of success

Ask for personal examples that provide the candidate with

opportunities to describe past situations and behaviors that demonstrate:

- Resourcefulness
- An ability to “get things done”
- An ability to “get one’s message across”
- Getting one’s way in the course of achieving a goal
- An intuitive sense about what was needed in a complex situation and how to respond

Wisdom from life experiences

People gain wisdom from both successes and failures. Ask for personal examples which demonstrate:

- The ability to learn and to rebound from setbacks
- A sincere humility about one’s own shortcomings
- A willingness to learn from others
- The ability to act on constructive feedback

What kinds of skills can a law firm actually teach to its lawyers?

Should it have to do so?

Law firms that invest in their people are more likely to survive an economic downturn successfully. They usually emerge even stronger because of that investment.

Although professional skills in the practice of law are always important, the best return on an investment in skills development comes from practical business skills, rather than traditional continuing legal education.

For example, Walker Clark, LLC, has identified ten Core Business Skills that young lawyers need to develop into fully productive, profitable law firm partners. They include:

- Coaching and feedback
- Crisis management

- Delegation and quality assurance
- Working with international clients and lawyers
- Designing profitable proposals
- Marketing and sales skills
- Meeting management
- Negotiations
- Time management
- Law firm economics

Detailed information about the goals and content of the Walker Clark Core Business Skills Development Programs is published at the Walker Clark website: www.walkerclark.com/core_skills.html. These programs were developed in response to client requests for skills training that have a direct impact on individual and group productivity and financial performance.

The competencies of emotional intelligence are another set of business skills that are very important to long-term success in the law firm environment. All of the skills of emotional intelligence can be learned.

Lawyers are most likely to improve their emotional intelligence skills if they:

- See how the skills will help them to achieve their goals and objectives, whatever those are.
- Know what behaviors are expected of them by the firm.
- Recognize that the choices they make about their own behavior will be viewed by their partners as a measurement of their contribution to the firm.
- Understand the link between knowledge and skills and business results.
- Have the opportunity to learn and to practice new skills in a supportive environment that does not demand perfection and that rewards incremental progress through feedback and coaching

The learning must be relevant; and lawyers should be able to apply the skills immediately to both internal and external clients. External programs, such as generic sales training, often produce disappointing results because of the lack of a business or professional context for most lawyers. Some of these programs can be helpful for networking and for basic knowledge. However, the classroom knowledge frequently does not translate into action in the lawyer's practice.

Our clients tell us that internal training and development programs, designed and produced specifically for the firm, usually achieve more tangible business results. In part, this is because colleagues are able to learn skills, test their knowledge, and practice together in "real work" situations, rather than generic academic case studies.

How can we ensure that all lawyers are successful in our firm?

You can't. However, there are a few things that you can do to improve the chances that lawyers will succeed both short and long term.

- Create a motivating work environment with opportunities for both monetary and non-monetary rewards
- Provide skill training and development
- Have regular performance review discussions
- Coach and mentor lawyers with an emphasis on professional and career development
- Expect all lawyers to participate in a variety of leadership roles
- Invite feedback from the lawyers and take any concerns seriously; act accordingly.
 - Offer opportunities for increasingly complex legal work and exposure to clients.

- Remember that performance is the result of the total work environment, and seldom is the result of only one person's individual weaknesses or strengths.

A new lawyer is not performing to expectations. What should we do?

Most good law firm managers know that they should address performance problems as they occur. They have learned from their past mistakes and the consequences of those mistakes, that there are negative ramifications of not addressing performance concerns early.

So, why don't we do what we know that we "should" do? How can we avoid the inevitable procrastination that takes place?

We are always evaluating our colleagues -- at least informally. It's a natural thing to do. So, why not do it in a manner that gets the best business results for the firm and sustains valuable professional relationships?

Feedback that works requires an investment. It means taking time to plan, prepare and to improve our skills. The feedback process is also an emotional investment. We have to deal with our own anxiety, self-confidence and willingness to share of ourselves in the relationship. That said, being prepared means that we are less likely to procrastinate and more likely to get the desired results.

It's much easier to discuss performance issues when a law firm owner or managing partner explains performance expectations right from the beginning of the lawyer's career in the firm. Don't leave it to chance. If you have a professional environment where people need to perform, say so. At the same time, be clear about what the performance expectations are, and how they will

be measured, so that there are no misunderstandings or surprises later.

Sometimes lawyers are concerned about damaging the professional relationship when they provide feedback. They want to be able to "tell the truth," yet still say things in a "positive" way. Hardened, preconceived ideas about "criticism" can create a mental block to providing constructive feedback.

Emotional reactions can also get in the way. It's natural to feel annoyed, frustrated and even angry, when lawyers don't meet performance expectations. Yet, solving the problem by "doing it yourself" or ignoring the situation only leads to more complications later on.

Keep the focus on developing skills for the future. Law firms want lawyers to take an active role in improving their performance. Partners can lead by example when they do the same.

By meeting their potential challenges directly and dealing with them, partners are communicating that they value the learning process, too. Leadership by example is a powerful tool for saying: *"This firm is a professional environment where people need to perform, and managers are no exception."*

The recruiting art in your firm

Successful lawyer recruiting requires thoughtful preparation. This sometimes means that partners must look deeply into their own professional and business aspirations. There is no universal magic formula to good hiring decisions; but these proven strategies and best practices can be tailored to the unique culture and circumstances of each law firm.

The art of lawyer recruiting comes not from the tools, but the skill, insight, and creativity with which they are used.



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