



## Working with recruiters

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The movie Jerry Maguire told the story of a sports agent hounded by phone calls from an aspiring professional athlete who kept insisting, "Show me the money!" Sometimes lawyers, although they know better, think of legal recruiters or search specialists in the same way—as if they might be their personal agents. So they wonder why their resumes are often not acknowledged or their phone calls never returned. Though recruiters such as BCG Attorney Search can be quite helpful in searching for an attorney position, there is a significant difference between an NFL player's agent and a legal "headhunter." Legal recruiters court skilled lawyers and work very hard to market their abilities to potential employers, but they are not paid by the lawyer. Their fees are paid by the client company or law firm to locate, screen, and then recommend qualified legal candidates.

In addition, recruiters work with a relatively small but select percentage of legal-job seekers. The Drake Bean Morin annual Transition Survey suggests that executive recruiters fill only about 12 percent of corporate positions. This percentage would seem to track comparably for job placements by legal recruiters.

### **Retainer and Contingency Arrangements**

Legal-search firms are not all the same. Some are described as "contingency," others are called "retainer," and many are hybrids of the two. In general, the difference is primarily in the manners of their remuneration, but their market niches, and the roles they play in the hiring process, also differentiate them.

Contingency firms receive their fees on a placement-by-placement basis. As the name suggests, they are paid a percentage of the salary of the lawyers they actually place. They tend to work with legal professionals who will earn salaries less than \$200,000, although this figure will vary with the general level of legal salaries and is not necessarily a fixed ceiling. In addition to direct-hire services, these firms may also place lawyers, as well as paralegals and other support staff, on a temporary or temporary-to-permanent basis. They usually present a larger number of candidates for particular positions, and in general, the client corporations or law firms are more involved in the interviewing, screening, and decision making regarding the selection of particular candidates.

Retainer firms, on the other hand, work with more highly qualified lawyers, whose salaries often greatly exceed the \$200,000, particularly at the partner or general counsel levels. Some of these firms market themselves as specializing in permanent placements for "outstanding" law firms and in-house positions for large and small corporations. Retainer firms are often paid yearly figures—hence the name—for the continuing services they provide a particular firm or corporation. In some cases, they receive a fixed fee at the start of a service. Retainer firms typically are more actively involved in the interviewing, screening, and selection of a smaller number of candidates, who are then presented for particular positions.



Hybrid firms conduct both types of placements. They may work on a contingency basis or for a retainer.

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### **Credentials for Ideal Recruiter Candidates**

Retained recruiters traditionally seem attracted to candidates who possess certain significant backgrounds and qualifications:

#### 1. A Superior Academic Record

Normally, retainer-search specialists will seek to market candidates from at least the top 25% of their law school classes. If the lawyer has other academic or law school credentials-such as being editor of law review, Order of the Coif, or winner of a regional trial competition-so much the better.

#### 2. A "Top" Law School

This does not necessarily mean that a top-10 or an Ivy League law school is a legal recruiter's absolute requirement. A quick scan of firm profiles in the online Martindale-Hubbell listings or on firms' own websites will reveal that many top firms have lawyers from second- or even third-tier law schools on their rosters. However, a top-10 law school is an automatic plus with the recruiter.

#### 3. Transferable Credentials

Because retainer search firms tend to represent either in-house corporate legal departments or law firms representing corporations or financial institutions, they do not seek generalists, but instead look for lawyers with specialized and readily transferable credentials. In the case of a lateral move, business portables would be such a transferable credential.

#### 4. Significant Legal Experience

Recruiters will generally look for candidate lawyers with more than two years of experience in a specific practice area. If seeking an in-house placement in a corporation, then the recruiter will want a lawyer who comes from a specialized background in, say, transactional, regulatory, taxation, or mergers and acquisitions, depending upon the particular needs of the client company.

If the placement is with the litigation department of a law firm, then the candidate may be someone who has held a significant judicial clerkship at the appellate level or with the Supreme Court or in some particularly specialized field of civil litigation.

### **Variables**

There is a difference between what an employer *advertises* and what it will accept. The same holds true for retainer recruiters. In reality, there may be a shading of credential requirements. One candidate, for example, may not be from a top law school, but may possess an outstanding academic record. Another applicant's academic credentials may not be as ideally sought, but he or she may bring to the table compensating experience and high ratings from a particularly excellent firm.

### **Contacting Recruiters**

Lawyers often complain that recruiters never acknowledge their letters and resumes. A motto for some legal recruiters could be "Don't call us; we'll call you." Remember that recruiters serve a narrow legal niche. Many of the resumes they receive do not match the profile of their searches.



Further, search firms simply lack the discretionary time for pro bono career counseling of some job-seeking lawyers and recent law school graduates who ask for their help. A recruiting firm's first allegiance is to its client law firms or companies.

However, there are lawyers with excellent credentials who, for one reason or another, are sometimes overlooked by recruiters, retained or contingency. Sometimes this happens because the lawyers' approaches may be unpolished. For lawyers who feel their credentials deserve a recruiter's attention, we suggest a strategy that sometimes works:

Do not mail your resume. Phone the recruiter's office. Introduce yourself with a well-delivered, short summary of your profile statement. Then ask to speak with the recruiter in the organization who works with lawyers possessing your credentials. Usually the person answering the phone will reply by telling you to mail your resume. Don't. State firmly that you prefer to speak with someone in the organization who deals with lawyers possessing your particular credentials.

A recruiter will often then come on the line. Introduce yourself. Repeat your profile statement. Again inquire if he or she has an active search for someone with your credentials. Short, probing questions will usually follow from the recruiter. Use brief accomplishment statements to describe your skills, and speak confidently. Make yourself memorable as a candidate. If the recruiter then asks for your resume, send it in. Try calling several other search firms, whether contingency or retained. Practice makes perfect. Cold calling a headhunter is not an easy task, but this method offers the possibility of circumventing the usual way of approaching a recruiter. It may just work.