

12

The Care and Feeding of Head Hunters: How to Work Effectively with Legal Recruiters.

- 12-1 The Basics
- 12-2 Assessing Whether a Legal Recruiter Can Help You
- 12-3 How to Select a Particular Recruiter
- 12-4 Avoid the Most Common Mistake When Working with a Recruiter
- 12-5 Negotiating Compensation Issues
- 12-6 Additional Resources

12-1 The Basics

Legal recruiters can be effective players in a successful job search. But there are few basic rules you need to know.

Rule # 1: Legal recruiters work for and get paid by the prospective employer.

If you are the candidate looking for a position, legal recruiters may work with you, but not for you. Legal recruiters generally work on commission, as a percentage of the first year salary of the position that they are seeking to fill. It is not unusual for them to get paid in two installments; once when you accept an offer, and once after you have stayed at the employers for a certain amount of time (often 60-90 days). Moreover, employers are a source of repeat business for the recruiter, individual candidates aren't.

Rule # 2: Legal recruiters have an incentive to make money. Quickly.

And that is why you need to be cautious. Unlike lawyers, who must pass the bar, pretty much anyone can call themselves a legal recruiter. So how can you separate the good from the bad? There are at least as many varieties of bad recruiters as there are flavors of Baskin Robbins ice cream. But the quintessential trait of a bad recruiter is that they will try to get you to accept a position quickly so that they get paid quickly.

Rule # 3: Recruiters can be helpful in a relatively narrow range of positions.

Recruiters tend to concentrate on helping employers that have the interest and inclination to pay sizable fees. And that primarily means large law firms and, to a smaller extent, corporations that have openings in-house. Legal recruiters are not likely to be very helpful if you are interested in the government, small firms, starting your own business, or if you want to work outside the practice of law.¹

¹ That is not to say you couldn't work with recruiters if you seek to change careers. Others fields have their own recruiters. Many recruiters seek candidates for a wide variety of tech and corporate positions.

Rule # 4: Recruiters make money by screening out people who in their judgment are not likely to be hired.

Recruiters have a difficult job. They have to evaluate quickly who is worth spending more time and resources on and who is not. A recruiter who spends all of their time working with candidates who almost get hired is a hungry soon-to-be-out-of-business recruiter. Recruiters therefore tend to have a somewhat mercenary attitude when evaluating candidate's qualifications; they aren't referred to as head hunters for nothing. Recruiters may be helpful in that they can give you a sense of how the market, or certain aspects of it, may view your marketability. But don't take their views as gospel. They are looking for the candidates that are the easiest to place. You can find a position even if you don't fall into that category.

Rule # 5: Have a fairly strong conviction that you are interested in the kinds of positions recruiters are seeking to fill.

Expressing angst about whether a law firm job is really for you is not the way to go with recruiters. It is of course appropriate to have questions about a specific employer or position. Don't be railroaded into accepting a position you don't really want. But be fair to yourself and to the recruiter, and figure out your basic interests (not to mention resume) before you talk to them.

12-2 Assessing Whether a Legal Recruiter Can Help You.

So should you work with a recruiter if you are committed to finding a position at a large law firm or corporation? The answer depends on whether a recruiter's strengths outweigh their drawbacks in your particular circumstances.

The Pros and Cons of Working with Legal Recruiters.

Pros

Working with a legal recruiter may provide significant advantages. Chief among them is that you don't pay for their services. In addition, legal recruiters may:

- (1) be more knowledgeable than you about a particular market;
- (2) have an effective network of contacts;
- (3) have a good reputation of finding good candidates;

And recruiters sometimes serve small, niche markets. For example, a few recruiters specialize in filling teaching and administrative spots for private, secondary schools.

Successful Career Strategies For Law Firm Associates

(4) have a good track record or special relationship with a particular employer or within a specific field;

(5) be able to be an effective advocate on your behalf. For example, if the employer has narrowed its search to a few candidates, and you are one of them, the recruiter may have an incentive to sing your praises. And earlier in the process, they may be able to be persistent (to the point of being obnoxious) about contacting the potential employer and finding out where your candidacy stands.

But legal recruiters may also come with significant drawbacks.

Cons

(1) They make you an expensive date, by adding approximately 25 percent to the cost of hiring you. Thus, carefully consider whether your contacts and market knowledge are sufficient to avoid increasing your price tag. In short, the more you know, and the more contacts you have, the more it may make sense for you to contact the employer directly.

(2) The legal recruiter's reputation may impact how your candidacy is perceived. If their reputation is bad, they may make you a less attractive candidate than you would otherwise be.

(3) They can make your search more cumbersome because, at some point in the process, you are obligated to work with them on a particular position. More about this in section 12-4, below.

(4) They may not have your interests at heart, or worse, may be unethical scum.

In light of these strengths and drawbacks, it is crucial that you select a good recruiter. Let's show you how.

12-3 How to Select a Particular Recruiter.

Ultimately, you have to decide whether to work with a particular recruiter. The following ten questions will help you make that decision.

Questions relating to their credentials.

1. Whom do they work for?
2. How long have they been working as a recruiter? What is their area of expertise? This can be a geographic area or by field (i.e. patent law) or both.
3. Are they a member of a professional organization? If so, do they subscribe to that group's code of conduct or ethics? This may be important, given that legal recruiters aren't regulated.
4. Do they have written materials they can provide; do they have a website, including websites?
5. Can they provide references?

Questions relating to their expertise or helpfulness.

1. What is the nature of their relationship with this particular employer? Have they placed other associates there?
2. Do they have an exclusive relationship with that employer? In this context, an exclusive relationship means that the employer has agreed that for a limited time all the candidates they will see will come from the recruiter.
3. Will you working directly with them or will they be supervising the work of an associate or colleague?

Questions for you to answer (assuming the answers to the questions above are satisfactory)

1. Do you like them?
2. Do you trust them?

At this point, you shouldn't be surprised to learn that you should meet the recruiter in person if at all possible. This is an obstacle if they are in another city. At a minimum, talk to them on the phone. Don't just exchange e-mails. Legal recruiters provide a personal service that you need to assess for yourself.

Are you done? Not quite yet. You need to know the answer to one additional question if you are to avoid the most common mistake lawyers make when dealing with recruiters.

12-4 Avoid the Biggest Mistake When Working With Recruiters

The most common mistake lawyers make is that they don't reach an understanding with the recruiter about the answer to the following question:

Under what circumstances is the lawyer obligated to work with the recruiter?

This question might seem odd; why would you be obligated to work with a recruiter?

Consider the following scenario.

You have met a recruiter who seems to check out; they answered your questions satisfactorily. They have good references. They are reputable. They have seen your resume and want to work with you. You have met them, like them, and feel they are trustworthy. Nothing could be finer, right?

Wrong. The recruiter calls you and tells you that a certain firm has a position; you are interested in it. The recruiter sends your resume to the firm, and then you look at the firm's website and find out that the position is advertised there. Worse yet, it turns out that you have a contact at the firm (a former classmate, a friend, or your Uncle Charlie works there).

Now you have a dilemma. Can you contact the firm directly about the position? It certainly seems tempting to do so. You have a good contact; you can make yourself a cheaper date by avoiding the recruiter, and the recruiter didn't really provide information that wasn't publicly available. But there is that not-so-small matter that, if the firm hires you, the recruiter will expect to be paid by the firm.

Your best strategy is to avoid this predicament in the first place. How? Make sure that you and your recruiter agree to the following rule (or some alternative that is acceptable to both of you).

You are not obligated to work with an employer through the recruiter until you agree that the recruiter will send your resume to that employer. In return the recruiter agrees not to send your resume anywhere without your prior consent.

This agreement keeps you in control. If you find out that Uncle Charlie works at the firm before you agree that the recruiter will send your resume to the firm, you are free to contact the firm directly.

Successful Career Strategies For Law Firm Associates

But it is important that you abide by this agreement. Failing to do so can both jeopardize your chances of getting or keeping a position, and can hurt your reputation. You will harm your chances because, if you go it alone after the recruiter has sent the employer your resume, the recruiter will undoubtedly find out that you are a candidate, or have been hired. At that point, the employer will be faced with the prospect of getting into a fee dispute with the recruiter. And the easiest way for the employer to avoid that dispute is not to hire you. Moreover, both the employer and the recruiter are likely to conclude that circumventing the recruiter was dishonest. You don't want that reputation. Recruiters and employers talk, especially if they are located in the same geographic area.

So get a leg up on many of your colleagues, reach an agreement with the recruiter about when you are bound to work through them, and then abide by that agreement.

You are almost done. There is one more issue to discuss. Negotiating compensation when a recruiter is involved can be tricky—like dancing with two partners simultaneously. Let's show you the steps to that dance.