



ATTORNEY SEARCH

By: Peter Smith, Esq.

Conducting a Professional Legal Search, A Personal Approach

I have had the pleasure of giving the below explanation of my philosophy and approach towards professional legal recruiting to hundreds of attorneys on countless occasions. I thought that I would reduce this information to a writing for those who may wish to get a preview of how I work as they contemplate entering into a professional relationship with me. I hope that this will provide the reader with a sufficient introduction to my services.

1) Preliminary (or continuing) professional advice: My core philosophy and approach towards the legal recruiting function is that it is primarily one of education. I believe that a recruiter is one part of a whole (albeit informal) team of professionals that each attorney should work diligently to create for themselves. To that end, I believe that recruiters can provide a vital function to the attorney before, during, and/or after his or her placement, or in lieu of placement for an attorney who believes that his or her current firm's platform fulfills his or her professional goals. And that is *the function of keeping the pulse on the legal market*. Having a recruiter as a collaborator has distinct benefits in this regard. A recruiter knows what the firms are in a given market, who their clients are (to some extent), what markets they are attempting to expand into, and what markets they have retreated from. More broadly, a recruiter keeps up with trends in the industry, in basically all practice areas. A recruiter may not be a specialist in more than a few particular niche markets, but quite simply knows more about a greater number of markets than the typical practicing attorney. In my own practice, I make it a habit to communicate with my candidates, as well as with my other attorney collaborators, on a regular basis through newsletters and other alerts and to draw their attention to timely pieces written by others.

2) Preparation: Each recruiter approaches his or her professional differently. I tend to stress professional-development issues. Below I have described the three main categories of issues to be addressed in the actual search process:

a) First, I like to provide a thorough analysis of a candidate's resume content. Of course, different attorneys have different levels of commitment regarding how their resumes will look and read. If you do not want to entertain the idea of incorporating changes to your resume, that is fine. On the other hand, my candidates who have allowed me to critique their resumes find that it is a very enlightening process. Perhaps more important, I invariably hear from candidates coming out of their call-back interviews that the partners interviewing them were amazed at the content and quality of their resume presentation. It can be real work, but it is worth the effort in my view. Usually, this is conducted in a series of emails, phone calls, and personal interviews, if logistics permit. Usually, we can make marked improvement in only two or three rounds of revision.

b) Next, and perhaps more controversially, I ask my candidates to complete, if they will accept the challenge, of writing the "I love me" email. Laugh if you will. But it is an intriguing concept and a powerful tool. I ask for a long, free-flowing email about a candidate's professional, academic, and other real-world experiences, challenges,

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strengths, and successes—from undergraduate days on through to the present. It is a challenging but very enlightening exercise. On the most banal level, it gives me as your recruiter something to work with to flesh out my cover package for prospective firms. However, this aspect is not to be underestimated. Let me explain. The old paradigm of an attorney working his or her entire career at one law firm—and the depth of knowledge and level of intimacy that that would engender—is still a strong one. I have had partners tell me that they feel that they know my candidates better, after reading my cover letter, than they do their own, “home-grown” associates. Knowledge, in this context, is a very great power, indeed. This is the post-modern world; the individual is all. Firms want to know who their people are; in reality, the only difference between one firm and another is its people. For this reason, firms are spending vast sums of money figuring out who they are, who they want, how to attract that talent, and how to retain it. Thus, a firm that feels it understands a particular candidate is much more likely to hire that person, even over another candidate that may be marginally better on paper, but whom they do not feel they understand. Regardless, the exercise of the “I love me” email will go a long way, to the extent a candidate has not already done so, of fleshing out what his or her true strengths and desires are, to say nothing of discovering the individual’s true “professional temperament.”

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c) As you would expect, there are the basic logistics. I will need a Word version of the candidate’s resume and a PDF of his or her law school transcript (and undergraduate transcript for a candidate with a science background). Further, if available, a list of representative transactions or representative clients is very helpful. Lastly, I will need one or two samples of the candidate’s best writing. Writing samples should be from among the following: i) first, and best, a copy of an appellate brief that the candidate largely wrote (ideally, one that the candidate also argued in person; failing that, it would be helpful to know whether this was a winning argument!); ii) a copy of a brief in a dispositive motion (with the same ancillary criteria as above); and iii) a copy of an in-depth client report/memorandum. Such would need to include law as it applies to facts, with recommendations. For all writing samples, the candidate must ensure that all pieces are spell- and grammar-checked. I am no longer practicing law. I no longer consider my expertise to lie in critiquing written advocacy. Thus, all pieces that a candidate forwards to me must already be sanitized according to whatever standards the candidate feels are appropriate. I am only interested in the type of document provided, not the actual content; the candidate must be the judge of that!

3) Marketing and packaging your skill set: Next, I use my creativity (such as it is!) to write several pieces of text. There is the “official” cover letter (which ends up as a nicely formatted PDF letter), an email cover (for the PDF), as well as a “blind email,” which we may decide to use in addition to the standard approach (more about that below). Once written, **I send these items to the candidate for comment and approval.** There are precious few recruiters who will consent to this process. To me, it is essential. I want to ensure that there is complete seamlessness between how the candidate wants his or her career to be portrayed and how I portray it. (Plus, my candidates usually rave about my cover letters, so it is a great “client-control” technique for me!). Further, BCG’s resources are such that we are able to retain full-time editors. Thus, once my candidate and I agree on the text, the official cover letter is reviewed for grammatical and spelling mistakes, as well as for content inconsistencies by Adam, my personal editor. Adam is amazing. You will never speak to him, but he is an invaluable resource. My email text and email cover letter are not filtered in that way; thus, we have to be extra careful about getting that text perfect. A philosophy I developed as a litigator is one I still espouse: Two sets of eyes are better than one!

4) Identifying firms that may be of interest. There are a number of ways that I do this—all of them proprietary. What you as the candidate need to know is that I am completely open about the relative “warmth” of any particular firm lead. At the outset, once we have come to agreement on how your package will look, I provide a list of firms that are looking for attorneys with needs that roughly equate to your own credentials AND who are currently looking to fill a position. As to these firms, I will seek your authorization to send the submission package. The candidate is in complete control at all times about which firms “know” about him or her. I’m sorry, but I do not allow “*carte blanche*” authorization. I’ll ask the candidate in emails to approve every single firm that I recommend investigating. There is another aspect to the search, and that is to find firms that are a good fit (or potentially so), but which are not currently looking. As to these, I use the “blind email” approach; there are a number of benefits to this approach, and we can discuss this in more depth later. Suffice it to say for now that I do a short “commercial” for the candidate, without revealing the candidate’s name, providing a resume, or giving characteristics sufficiently precise to allow the firm to divine (with any more than normal interest) who the candidate is and where the candidate practices. It is a great tool.

5) Follow up: Then, I follow up by telephone with my contacts at the respective firms as appropriate. I keep the candidate informed of requests for further information, as well as help schedule interviews and generally smooth over any rough patches that may arise. There is an immense amount of work for me in this regard, and none of it is very glamorous. It is just the daily grind of creating and maintaining relationships and open lines of communication with firms. This includes not only advocating on behalf of my candidates, but also arranging screening interviews, call-back interviews, and the basic flow of information between the candidate and the firm.

6) Placement and beyond: I also try to function as a sounding board for comparing offers and generally try to offer whatever assistance I can post-placement. Again, **the recruiting phase is just one phase of an attorney's overall professional development.** I try to make other recommendations as well that will help speed the candidate on his or her way.

7) Resources: If you would like further information on my background, please click on the following link to review my bio (www.bcgsearch.com/pete_smith.html). Beneath that bio are further articles that may be of assistance. I add to the list periodically, so it is worth returning on occasion. Also, many of my colleagues have also written great pieces for the BCG website (www.bcgsearch.com) on a variety of topics. Browse at will!!

Moving forward: At this point, I have provided a substantial amount of information about myself. The next step is for you to advise me what type of service you have an interest in. (It bears mentioning that, of course, all of my services to you are cost-free. I earn fees from firms when and only when placements occur, per standard industry practice). I would be happy to discuss all these issues further by telephone, by email, or in person. Just contact me, and we can discuss how best to begin. Remember, the point of this process is to advance an attorney's career and the enjoyment of it!

Many thanks!

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