

This article is one of a series of articles based on interviews with **Keith Wetmore** and **Joanna Herman**, MoFo alumni who are now recruiters at Major, Lindsey & Africa (MLA), a leading global legal recruiting firm.

Keith served as Chair and Chief Executive Partner of Morrison & Foerster for the last twelve of his 35 years with the firm. He joined the partner practice group of MLA in January of 2017.

Joanna was previously an associate in the product liability litigation practice of the firm from 2004 – 2013. Joanna focuses on in-house placements at MLA and has been actively recruiting since 2013.

Understanding How to Work With Recruiters

By Jessica Hernández

This article contains practical advice and guidance from Keith and Joanna on how attorneys can get the most out of working with recruiting firms, both when they are actively looking for a new job and generally seeking career advice throughout their careers.

Law Firm Searches vs. In-House Searches

Law firm searches are typically based on a *contingent* fee model. This means that a recruiter will actively represent a candidate in the law firm market to help them find a new role. If a candidate is not interested in a particular firm opportunity, but remains open to other opportunities, then the recruiter is able to shop the candidate around to various firms. Since the recruiter will get paid for a placement, the search is candidate-driven; recruiters can shop candidates to multiple firms and will get paid by the firm that ultimately hires a candidate.

In-house positions are usually filled by a *retained* search, where the recruiting firm and the company sign an agreement to engage in a search for a particular position for the company's legal department. The recruiting firm is paid in installments leading up to the final installment upon an accepted offer. The recruiter is retained to go out in the market and look for a particular type of attorney to fill a specific role to meet the company's current market needs.

Choosing a Recruiter

Before working with a recruiter, it is a good idea to get a sense of the recruiter's expertise by asking about his or her knowledge of the market and recent placements. This is particularly important in the law firm market.

Keith notes that, for law firm searches, attorneys should be cautious of recruiters who know of only one opportunity, as opposed to demonstrating real knowledge of the market. It is important to understand the recruiter's path into the firm – for an associate placement, do they know the recruiting coordinator, or, on the partner side, have they met with the chair of the firm? For this reason, candidates should be wary if the recruiter is not physically located in the geography in question, as it raises the question of how many people the recruiter could actually know at the firm.

This differs for in-house searches, where recruiters often are only calling a candidate about that one position.

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In either case, before sending a resume to a recruiter, the candidate should get the recruiter's assurance that the recruiter will not submit his or her resume to a job without the candidate's permission.

Working With More Than One Recruiter

On the law firm side, working with more than one recruiter can get complicated. Working with one single established recruiter will allow that person to act as an advisor to you about the alternatives you are considering (even opportunities they haven't presented to you) without being conflicted. Keith explains, "I give advice all the time to candidates who are in front of firms on their own, and I give them good advice about those alternatives." He would, however, be reluctant to get in the trenches and negotiate the deal with a firm to whom MLA has not presented the candidate.

For in-house searches, Joanna explains that each recruiter has his or her own exclusive opportunities. Therefore, it is advantageous for candidates to work with multiple recruiters. As a result, candidates need to manage what their job search looks like, as no one recruiter will have access to all of the opportunities in the market.

Establishing Initial Contact With a Recruiter vs. Other Contacts at a Firm or Company

Often an attorney knows that a certain company or law firm has an open position, and a recruiter is handling the listing. This raises the question of whether the attorney should reach out first to the recruiter or directly to a contact at the organization.

Keith explains that, on the law firm side, it can be tempting to reach out to somebody you know. Though you might think this is a good idea as it saves the firm a fee if they hire you, it may not necessarily be the best avenue. For example, you may not know whether your contact at the firm is somebody who is respected there.

In contrast, if a candidate's résumé gets presented through the channels that have been negotiated between the recruiter and the law firm, the candidate is ensured to be considered by the highest level of decision makers. If the candidate has already impressed the recruiter, then the decision makers will view that person as properly vetted.

For an in-house search, it is critical that the candidate reach out directly to the recruiter running the search. Since the client has retained the recruiting company to run an entire search process with the company, reaching out to the recruiter is the appropriate step to ensure you are considered within that process. If the candidate reaches out directly to the company, it may give the appearance that the recruiter wasn't interested in that candidate through the normal channel.

In addition, the company pays for the retained search in advance; therefore, hiring a candidate outside of that process will not save the company money.

The Feedback Loop

Another advantage of being submitted through a recruiter is the feedback loop. Information flows both ways; when there's an initial conversation between a candidate and a law firm, the recruiter debriefs both sides. In this way, recruiters often serve as an intermediary in misunderstandings or

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mis-emphasis. When the recruiter shares feedback with the candidate and/or the firm after an initial interview, both parties will go into a second round of interviews more honed than the first time around.

Keith describes a real world example where a candidate told Keith he was leaving Firm A because he strongly disliked the person who ran it. During the candidate's interview with Firm B, the chair of Firm B raved about the chairman of Firm A. Keith explained, "I did a little sniffing around, and I found out it's this guy's style, he bends over backward not to criticize any firm he's recruiting out of. But it got misread by the candidate, so I coached the firm around it."

Recruiters can also call up and check on a candidate's status; when recruiters repeatedly nag the employer, the candidate is insulated from having to do so and potentially negatively affecting the process.

Finally, if the candidate doesn't get the job, he or she will know promptly and receive valuable feedback that will be useful for the next opportunity.

Coaching Candidates

Both Keith and Joanna do a lot of coaching as candidates move through the interview process. Candidates benefit from recruiters' years of experience in serving as intermediaries in these conversations.

Recruiters are often able to course correct a candidate's potential error in an interview conversation or ensure that the candidate properly sells him or herself. For example, Keith explains that sometimes a candidate will talk too much about what he or she doesn't like about his or her present firm; this can lead an interviewer to worry about the candidate's view of the new organization. Recruiters also ensure that candidates highlight the right elements of their backgrounds – for instance, if an attorney is interviewing at Morrison & Foerster and speaks conversational Japanese, the recruiter will make sure that the candidate brings that up.

Outside of coaching active candidates through an interview process, Joanna notes that recruiters often provide advice and counseling to candidates throughout the course of their career.

Impressing the Recruiters

Candidates should enter a conversation with a recruiter having thought about what he or she is looking for in their next role. Particularly on the law firm side, recruiters find that candidates may be interested in a move in general, but not really interested in any particular move. And, while it's one thing to explore the market with an open mind, having a view of what you are looking for will enhance your chance of success.

Joanna also emphasizes that candidates need to be dedicated to a job search and aware that this is a time intensive process. This includes researching the companies or law firms in which they are interested, as well as dedicating time to spend with the recruiters, who often have a very lengthy process where they really get to know the candidate.

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For in-house searches in particular, being open to different geographies can enhance a candidate's chance for success. Since each in-house opportunity is so specific, a candidate is more likely to find a role if he or she remains geographically flexible.

Joanna also encourages candidates to be themselves, because there are a variety of opportunities for different types of people. Acting outside of character will not help a recruiter place you in the right environment. For example, if you're a quiet, shy person, there are certain environments that will be a better or worse fit for you. Know your strengths and weaknesses and think about what you want to get out of the conversation before you get on the phone.

Best Timing for Using Recruiters

Each opportunity is unique and every company and law firm is different, and often searches come down to timing.

There are certain times in an attorney's career when they may be less marketable – for instance, it can be difficult in an attorney's first year to find a new position. However, Joanna points out that there may be a law firm where the first-year class was smaller than expected and they really need a first-year litigator to come and round out their practice.

Keith adds that attorneys sometimes choose the wrong role. He explains, “in the course of someone's career, you're allowed a ‘mulligan’ – a mistake where you can demonstrate that it really just wasn't the right fit for you for a rational reason.” If you're in the wrong place and you know it, moving quickly is not necessarily a career sin; in fact, moments like these may be particularly good for using a recruiter who can share the intelligence with you to make sure that next move is a better one.

Parting Thoughts

Joanna reminds candidates that, on the in-house side, there's no cookie cutter placement. It is important for candidates for in-house positions to be patient to wait for the right opportunity.

Keith emphasizes that it is never the wrong time to have a conversation with a recruiter about opportunities. Always bear in mind that staying in place is a choice, too – you want to continue to make that choice in an informed way.

Your resume serves many purposes: it is a marketing tool, a basis for conversation, and a way for an employer to remember you after an interview. Below is a list of frequently asked questions, along with the conventional wisdom on these topics from career counselors and recruiters.

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