



HOW TO SUCCESSFULLY RECRUIT AND RETAIN ASSOCIATES IN A HIGHLY COMPETITIVE MARKET

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I am frequently contacted by law firms which seek advice on how to locate and hire associates, and want to also know how to retain the associate talent they have. This is not just a “big city” problem. Nor is it a problem confined to the counties in Pennsylvania. Large firms wrestle with this issue just as small firms do. We are in a very tight, competitive associate market. The economy is very strong, the job market is wide open, and associates have more choices than ever before.

What clearly separates the small and mid-size firm from the large firm in this area is the resources which can be brought to bear to address this management issue. Large firms have staff devoted to recruiting who create sophisticated presentation pieces, create strategic plans, and do on-campus interviews and special events at numerous targeted law schools. Large firms can competitively offer higher salaries, and better benefits. Large firms can offer a candidate the ability to rotate through a variety of practice areas until a “fit” is found. And large firms can buffer poor choices and defections by hiring large “classes” of new associates each year. What can the small or mid-size firm do to effectively compete for talent?

When I recently attended the annual educational conference of the Association of Legal Administrators, I made it a point to attend sessions on the management topic of associate recruitment and retention. Although the sessions were mostly geared toward large firms, I made a special effort to weigh each suggestion to try to determine whether it might benefit the smaller firm as well. I am always trying to find resources and solutions for those firms which must do more with less.

The first thing I concluded is that only the large firms dare to compete on the basis of wage and benefits. And that isn’t necessarily a good strategy, even for the large firms. Trying to be the top bidder puts the firm in a never ending cycle of escalation — a race which cannot be won. And money alone will never buy long-term loyalty. If a candidate joins your firm solely on the basis of the almighty paycheck, that associate will jump ship as soon as the paycheck becomes fatter elsewhere. And while the cost of recruitment is expensive, the cost of replacing an associate is even more dear, as one must add to the recruitment expense the inevitable reduction of inventory of the departed associate, which clients will insist be credited so that they are not disadvantaged by associate turnover.

If you have associates on staff, use them as a recruitment team to help you build innovative strategies to recruit and attract additional associates. Your associates know what is important and valued by their peers. And they can become effective recruiters for the firm by attractively presenting the firm as a potential employer to their contacts at other firms and in other industries.

Adopt a customer service mindset toward candidates. Try to determine their values, and emphasize those matching values your firm offers as much as possible. And don't think of and refer to your talent as an anonymous group, such as "the summer class of 2000". Get to know the individuals, refer to each attorney as an individual, and try to address concerns and values on an individual basis.

Know your firm well, and deliver what you promise. Don't present your firm as a "lifestyle firm" and then require 2000 billable hours per year. Don't present your firm as one where challenging assignments are the norm, and then pigeonhole the new associate in the library doing research. Those who joined you based on a particular representation of your firm will depart in short order if a disparity between representation and actuality becomes apparent.

Every firm has its negatives. Identify yours. Correct what you can, and openly address what you cannot. If you take the position of "they'll find out when they get here, but by then it will be too late", you're just kidding yourself. That strategy doesn't even work for support staff any more! As the old saying goes, there's a lid for every pot. If you have a very difficult partner who needs associate talent, be candid. It may take longer, but you will eventually find someone who accepts the position knowing what to expect; that will contribute greatly to the likelihood that you will be able to achieve long term retention.

Maximize diversity. Seek candidates outside the normal "box" of your desired credentials. Perhaps a candidate in the top 40% of the class, instead of the top 5%, who has "fire in the belly" to succeed will suit you just as well, or better, in the long run. Perhaps you should be considering an older candidate who had a different career first, or a minority candidate. Could a part timer or telecommuter fit the bill, or can you be more flexible on work hours, with the assistance of some additional technology? Some firms only consider those candidates who have served one or two years as a law clerk first, or have graduated from a certain "tier" of schools. Put hubris aside, and ask whether your firm has determined that you MUST maintain those standards to find a talented associate who will satisfy client needs.

Finally, you may want to consider teaming up with another non-competitive firm in a strategic recruiting alliance, so as to affordably and cost-effectively put on an event to entice potential candidates at your chosen educational institution(s).

There is no doubt that attracting and retaining talented associates in today's competitive marketplace is tough for firms of all sizes. To be effective you will need to see



your firm realistically for its strengths and weaknesses, analyze and identify many sources of potential candidates, and communicate effectively with candidates before and after hiring. In order to level the playing field and compete for associate talent on a basis other than just dollars and benefits, you will need to create and execute some innovative strategies if you are going to develop long-term employment relationships. And when it comes right down to it, that's what your clients expect you to do.

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