

# MEMORANDUM

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TO: Jennifer Queen, NALP Board Liaison, Recruiting Section

FROM: Erin Springer

DATE: April 11, 2011

RE: NALP Recruiting Section Board Report

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Please find below the final report of the Recruiting Section's activities during the 2010-2011 NALP Year.

## Summary

The Recruiting Section is ending the year on a strong note. Our fourth and final section call was held on Wednesday, March 30, 2011 and included updates from our work groups, a brief announcement about the importance of attending the section meeting for those who will be in Palm Springs, and an open discussion on trends and issues currently facing our members.

## Work Group Updates

- **Cutting Edge Information and Analysis, and Real-Time Data Collection.** Randy Liss of Bryan Cave provided an update on his work group's progress. The Real-Time surveys continue to be a huge success. The surveys allow for timely and relevant information to be distributed to the membership on issues of importance. Another survey will be sent out shortly with the topic being the summer program. Ideas for upcoming surveys include diversity related hiring and lateral hiring. This is definitely a project that should be maintained through NALP and/or the 2011-2012 Recruiting Section.
- **NDLE Work Group.** Megan McGrath (McKenna Long & Aldridge) is representing the Recruiting Section as a member of this work group. Lisa Dickinson is chairing the work group and Susan Robinson is the Board Liaison. Megan provided the following information during our section call:
  - Lisa Quirk and the NALP team have started interviewing vendors and reviewing RFPs for the updated site.
  - The committee is in the process of discussing fee structures for the site. For example, should there be an incentive for firms who complete both collective and individual office forms.
  - Static and dynamic data - how important is having a set of "frozen data" with the same data available for updating?
  - The pdf/hard copy version of the NDLE is one page and is different than the on-line version which contains more information. Can we eliminate this different/one page form and have firms print/save/utilize the one version of the document? Some Firms use the one page data collection form but do not submit the data on the longer on-line version.

- Should there be functionality that would allow NALP members to print the contact information for "batches" of firms?
  - We are also reviewing the content of the forms including the names/addresses/demographic and diversity data. A few will review the practice area list and make recommendations about revisions and how to classify attorneys who split time between different practices.
- **Experienced Attorney Hiring Work Group.** This work group is being co-chaired by Elaine Kent of Gardere Wynn Sewell LLP. The purpose of the group, as defined by the Board, is as follows: "This work group will examine the new practice of judges hiring "deferred" associates as unpaid interns after graduation, as well as the more established practice of judges hiring experienced attorneys as their law clerks. The group will identify the extent of post-graduation unpaid intern hiring and how the experience is viewed by the interns and future legal employers. The group will also continue to examine the practice of judges hiring experienced attorneys, including hiring students still in school for "future" clerkship openings after the students have committed to work for one or two years, as well as hiring currently practicing attorneys for immediate or future clerkship openings. The group will bring together NALP members from the school side as well as from the employer side to discuss the impact of such experienced attorney hiring clerkship counseling, recruitment and retention. The results of these discussions will be shared with the membership either as Bulletin article(s) or for future conference programs."

In speaking with Sheila Driscoll, the Chair of the Judicial Clerkship section, I learned that a call took place on February 21 in which the work group brain-stormed and developed outreach questions for law firms. Said outreach was then conducted with the firms and the information collected was passed on to the speakers of the topic program at this year's conference. Sheila indicated that the topic is starting to achieve momentum, and she shared with Marcy that it would be great to see the work continue next year.

- **Research Advisory Group.** Kathy Fox from Wayne State University Law School is serving as the Recruiting Section's liaison to the Research Advisory Group. She was not on our Section call. I presume the RAG is still focused on two key projects: the 2011 Conference, and the pre-law website project. She provided us some preliminary information about the pre-law website, its purpose and possible timeframe, and said that as the project progresses she may solicit volunteers from the section to help with content development.

### **NALP Bulletin Submissions**

Our presence in the NALP Bulletin is progressing as anticipated:

- In the March 2011 issue: Vanessa Dobson had a great article on lateral hiring
- For the May 2011 issue: Amanda DiPolvere & school-side author on behavioral interviewing.

### **Feedback and Trends**

In my last Board Report, I shared two significant issues facing members today:

1. The use of staffing models such as contract, hourly or staff attorney positions as an alternative to hiring full-time, partner track lateral associates. This is especially true now that employers are starting to see an increase in the need for attorneys. Employers seem to be using these alternative models as a way of protecting themselves from overstaffing as the economy continues to recover. Such positions are more profitable for the firm (less overhead, little or no benefits, higher billing rates and lower hourly rates) and don't carry the long-term investment. While there will be a program at the 2011 Conference entitled "Lateral Hiring in the New Normal," this seems like an emerging area that may benefit from longer-term study. Perhaps a work group can be formed this year or next to conduct environmental scanning, help to define new lawyer classifications, and educate members either through Bulletin articles, conference program or even best practices guidelines put forth by the section on behalf of NALP. That said, it is possible that the program at this year's conference will be enough.
2. Alternatives to headhunters and flexible arrangements with search consultants. One member commented that his firm has negotiated free submissions for contract and staff attorney positions with a guarantee that the firm will use them on a retained basis for more specialized, permanent positions. Another member spoke of Linked In and the use of their paid job site as an alternative to headhunter fees. Several members indicated a desire to better understand the options where headhunters are concerned as well as effective alternatives. Like number one above, this seems like a timely and relevant topic that may be a worthy endeavor of the Recruiting Section going forward.

An additional topic of interest/concern was raised on our last call related to the integration of senior laterals and/or groups. This may be a potential area for collaboration between the Recruiting and Professional Development Sections, particularly since so

Lastly, one newer member of the section indicated a need for guidance on how to achieve a level of credibility within her organization that will allow her to become an integral part of the lateral hiring process. Her experience is that the partners often proceed without her. I suggested that she raise the issue during the section meeting at the conference, and that I would be happy to do so on her behalf if she is unable to attend the conference.

cc: Fred Thrasher, NALP Deputy Director

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