

5 Attorney Recruiting Mistakes To Avoid

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Recruiting the right attorney candidate has never been more critical to legal departments across the country. While, companies have begun to increase the capability and capacity of their legal department; the numbers still remain low. The key is to add a few, but highly effective attorneys. Therefore, making the right recruiting decision will determine success. Every organization makes recruiting mistakes. Here are 5 attorney recruiting mistakes to avoid:

1. Focusing on Hard Skills Only

The list of technical skills required for in-house attorneys has increased exponentially. Today's in-house counsel needs to know how to navigate through more practice areas than ever: corporate, regulatory, employment, intellectual property, etc. These "jacks of all trade" are also often required to be "masters of several skills," typically in more specialized practice areas. It's easy for companies to focus almost exclusively on these skills when recruiting attorneys. Check the box by every skill you are requiring, and you are likely to find a few good candidates to meet them. And will these be the "best" candidates for your organization? While technical skills are important, more often than not, soft skills like motivation, work ethic, and communication can make up for a missing technical skill. While technical skills can be learned, soft skills are simply inherent. Therefore, you should recruit attorneys for both skills and attitude, and consider soft skills to make up for some technical gaps.

2. Recruiting Within Your Circle

There is a sense of security that comes from recruiting people you know, or candidates that are referred to you by current employees or colleagues. That should be weighed against doing a thorough evaluation, and casting a wide enough net to identify the very best candidates available, rather than the "known" candidates available. The best business decisions are often made with the head, rather than with the heart. Candidates that are only one step removed from the process – referred internally, or "known" – are not often as thoroughly vetted as the others, and weaknesses that should have been detected, often aren't. During the course of conducting a search for a regulatory attorney on behalf of a large pharmaceutical company, we were given a resume from an internal referral by one of the company attorneys. She had met this candidate at a professional function, sympathized with him, and referred him to her general counsel. The candidate was likeable, so it was easy to see how his resume ended up on the general counsel's desk. However, once that candidate was fully vetted, it was discovered that this individual had difficulties adjusting to change and learning new areas, which accounted for the majority of his transitions during the course of his career. On paper, he had the required skill set, and from his meeting with the company attorney, his personality was a good fit. However, a thorough review of his candidacy revealed fatal flaws that would have ultimately made him a short-term hire. This is something that might not have been identified through an internal review, where standards are often relaxed, because the candidate is known, referred internally, or by someone who is sitting high in the hierarchy of the company. Therefore, before you recruit such a candidate, be sure to do a thorough evaluation and reference screen.

3. Looking at the Currently Employed Only

For some reason, legal employers have historically been averse to recruiting the jobless. While there might be some validity to the age-old argument that if you are unemployed, then you are not indispensable, and if you are not indispensable, then you are not one of the top performers. While that may have rung somewhat true when the unemployment rate was low, that is less likely to be accurate in the wake of this last recession. Very deep cuts have been made, and the legal sector saw thousands of attorneys being laid off, many of them high performers who would be an asset to any company. This is especially true to in-house counsel who are viewed as part of overhead, and

who are often wiped away when there is a change at the top when the new CEO wants to bring in his or her own team onboard. Being unemployed does not equate being an underperformer, and yet the stigma persists. While companies may have both logical and illogical reasons for excluding the unemployed, doing so could cost them the opportunity to hire highly talented and motivated attorneys. There is a multitude of quality people who would be an asset to any organization out there. It would be foolish to exclude them simply based on their unemployment status, not to mention, that the practice may soon become illegal. The EEOC recently held hearings on the legality of excluding the unemployed from consideration. This issue has come under increased scrutiny, and could potentially give rise to new legislations designed to curb this ongoing practice.

4. Not Selling The Opportunity

Simply because a candidate has sent a resume and agreed to interview does not mean they are automatically sold on joining your organization. This is why you have to make sure that you are “pre-closing” your candidates before the offer stage. What does this mean? By the time you are presenting an offer, it may already be too late for you to promote the benefits of working for your company. This is something you need to be doing during the interview stage. While you are evaluating candidates, you must remember that they are also evaluating you. You need to be able to discuss why they should take this position come to work for your company. You need to address any and all of the upswings that are available for them in joining your organization. It could be anything, like cutting-edge work, opportunities for advancement, or your unique corporate culture. Whatever it is, you need to make sure that your applicants are made aware of it, and can fully appreciate what this position and your organization have to offer.

5. Failing to Close the Deal

Even in a competitive job market, simply making an offer does not guarantee that the person will accept it. The first mistake many organizations make is to fail to make a decision quickly. Once you know that this is the candidate you want, waste no time in putting together an offer. Otherwise, any delay in making an offer may cause you to lose the best applicant. You may also lose some credibility in terms of your ability to make a decision. Putting together a job offer quickly can show that candidate that you are very interested in them joining your organization, and that your organization is well managed. Put together your best offer – don’t hold back in trying to save a few dollars. If this is a top-notch candidate, treat them accordingly. Moreover, show some creativity and flexibility when it comes to the package you are offering. If a high starting salary is not possible, consider sweetening the pot with other financial incentives, such as stock options or signing bonuses. More and more candidates, especially those who want to work for smaller companies, can be enticed with “lifestyle” benefits that help them balance work and life, such as flex-time or telecommuting. So, to close the deal, don’t be afraid to think outside of the box.