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National Association of Legal Search Consultants

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President's Message by Warren Smith, LL.B.

Dear NALSC® Members,

It is a pleasure to write to you for the first time in my newly elected role as President of NALSC. Truly, it has been a humbling experience. Thankfully, we are blessed with an exceptional board of directors, and I have been able to draw on the wisdom of Marina Sirras, who has now assumed the role of NALSC Chairman of the Board, and Past-President. I look forward to continuing to build upon the successes of our organization, and lead us forward into 2013 and beyond. I welcome your input at any time if there is anything I can do to improve NALSC and our Board and HQ stand ready to help as well. Please don't ever hesitate to contact me direct at 604-643-1711, or by email at wsmith@thecounselnetwork.com.

Turning to this year's upcoming events, we are excited to announce our full-day NALSC® 2013 Fall Symposium will take place at the New York office of Dechert LLP on Friday, October 18th, 2013. You should have received your personal invitation in the mail earlier this summer, and we look forward to welcoming you this fall at the event. This year's theme is Education & Inspiration- A Recruiter's Perspective – in response to your feedback that we focus more on recruiter specific issues, and leverage the experience of our members to help us all become stronger recruiters in the field.

Geri Krauss will lead off the day with her keynote presentation and we will then move to panels that will explore the fundamentals of top performing recruiters and their businesses – including a discussion on top performers, entitled "Who Wants To Be A Millionaire?...Rising to the Top," along with an in depth analysis of effective interviewing techniques, Neuro-Linguistic Programming (NLP), and the highly requested Social Media in Recruiting, including participation by a senior executive with LinkedIn. As always, we continue to offer great networking opportunities throughout. Symposium details and registration material are available on www.nalsc.org.

Also, we thank our generous sponsors for their continued support of NALSC®. Our Platinum Sponsors are ALM and lawjobs.com; Gold Sponsor is Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.; Silver Sponsor is Leopard Solutions; and Bronze Sponsors are Broadlook Technologies, The Cluen Corporation, LegallyLooking.com, and TFI Resources. Also, our law firm Honorary Sponsors are Bilzin Sumberg Baena Price and Axelrod LLP; Cadwalader, Wickersham & Taft LLP; Fox Rothschild LLP; Gibson, Dunn & Crutcher; Kelley Drye & Warren LLP; and Michelman & Robinson LLP.

On a personal note, thanks to all who attended our NALSC® 2013 Annual Conference in San Diego, and in particular, a thank you to

Valerie Fontaine and Seltzer, Fontaine, Beckwith who worked diligently with the Board and NALSC Headquarters to prepare a dynamic and informative program.

Finally, please Save the Date for our NALSC 2104 Annual Conference scheduled for May 1st -May 3rd, 2014, at the Ritz Carlton in Charlotte, North Carolina. We are excited to host our first ever conference in Charlotte, which as you may know, is the 2nd largest financial center in the United States (after New York). Stay tuned for exciting details on this upcoming, must attend event!

I wish you all much success for the remainder of the year!

Best regards,
Warren Smith, LLB- President

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Warren Smith is President of NALSC®. He is a Managing Partner of The Counsel Network-Canada (www.thecounselnetwork.com). Warren can be reached at wsmith@thecounselnetwork.com.



2013 Conference Wrap-Up/Symposium Preview by Joseph E. Ankus, Esq.

On Friday, Oct. 18th, NALSC will host its regional Fall Symposium at

the New York offices of Dechert, LLP. We expect this full-day event

to be dynamic, engaging, and thought-provoking. The selection

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of speakers and panels will focus on a wide variety of subjects that you- our members- have requested, particularly "recruiting topics discussed from a recruiter's perspective."

Traditionally since the Symposium has been such a large success, we expect over 100 people to attend. Presentations will focus on Best Lateral Recruiting Practices, Top Biller Techniques, Effective Interviewing and Social Media. Our goals are for participants to leave with practical tips, strategies, and goals to take home with them back to their businesses.

In addition, we are excited to announce that the NALSC® 2014 Annual Conference will be held 5/1 to 5/3 in beautiful Charlotte,

North Carolina at the luxurious Ritz Carlton. Charlotte is known for its hospitality, exciting attractions (including the NASCAR Hall of Fame) and local charm.

This three-day event will begin on Thursday (at 3pm) and end after a Breakfast Town Hall Meeting on Saturday morning to allow maximum time for attendees to enjoy all that this incredible destination has to offer.

With a star line-up of dynamic and informative speakers combined with interactive roundtables and workshops, we expect this event to be an enormous success with useful take-aways. Add a few surprises and we know this is an event you should be racing to attend!

ABOUT THE AUTHOR:

Joe Ankus is Executive Director and past board member of NALSC®. In addition, he is the President of Ankus Consulting, Inc. (www.ankusconsulting.com) at which he has specialized in legal recruiting for over 21 years as well as training seminars specifically for legal recruiters. Joe can be reached at info@ankusconsulting.com.



"Traditionally since the Symposium has been such a large success, we expect over 100 people to attend."

So You Want to Go In-House

by Valerie A. Fontaine, Esq. - Reprinted from *Corporate Counsel* 9/30/2013

Many law firm lawyers yearn to move in-house with a corporate law department, noting such benefits as abandoning the hassles of timesheets and eliminating the pressure to develop business. However, to successfully make this move, you must understand how the ideal in-house candidate profile differs from that for most law firms, and how best to present yourself as such a candidate in an interview.

The Ideal Candidate

While lawyers at a firm typically specialize in a specific practice area, most in-house counsel are generalists, juggling anything law-related that comes their way. They handle a varied caseload where no two days are the same. This requires multitasking and legal triage skills to quickly prioritize tasks and delegate as

needed. Most lawyers make the move in-house while mid-to senior-level associates, or later, having garnered solid law firm training. New law school graduates typically lack sufficient business experience and exposure to a variety of practice areas and legal tasks to immediately step into an in-house role.

In-house legal departments primarily hire lawyers with transactional expertise, especially in corporate, securities, mergers and acquisitions, and—depending upon the company's business—real estate or intellectual property; labor and employment expertise also is desirable. While litigation management skills are valuable, most corporations other than those with the largest

law departments send active litigation matters to outside lawyers. Consequently, law department positions for pure litigators are few and far between.

Companies overwhelmingly favor lawyers who know and understand their business. The ideal in-house candidate has experience either working within, or representing clients in, the same or similar industry as the prospective employer. Especially attractive is an attorney with secondment experience, where an attorney from a law firm works "on loan" at a corporation's location for a set period of a few months to a year or more. At a minimum, the candidate must understand the target company's business workings and its market position.

"While lawyers at a firm typically specialize in a specific practice area, most in-house counsel are generalists, juggling anything law-related that comes their way."

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In-house employers usually don't value academic credentials such as law school prestige and the candidate's class rank as highly as law firms do; rather, they weigh experience and interpersonal skills much more heavily. This depends, however, on the backgrounds of the corporation's executives and general counsel—if they have fancy pedigrees, they are more likely to want candidates with similar backgrounds.

Excellent verbal and written communication skills are mandatory. You need confidence and strong negotiating skills, not just for deal-making across the table, but also to advocate for your recommendations within the company. You'll interface with non-lawyers at all levels of the organization, from board members and executives to line workers and everyone in between, including salespeople, scientists, engineers, and administrative staff. You must know how to translate from legal jargon and clearly recommend what the company should do as a result of your advice.

A strong in-house candidate also combines legal skills with creativity to resolve complex business problems. Many businesspeople resent their lawyers as roadblocks who only offer reasons why a strategy won't work. A good in-house counsel must produce innovative solutions with acceptable levels of risk, so the company can achieve its goals yet stay out of trouble.

In a corporate legal department, you're paid for results, not your time. Unlike in a law firm, where you can research all aspects of a legal problem and polish your work product, in a business environment you must be decisive and willing to make a judgment call, even if you're

not 100 percent certain. You must develop the ability to accurately determine when "good" is "good enough" to get the job done, and focus on critical tasks that add value to the business. There's no time for "analysis paralysis."

The ideal in-house candidate is a people person. You must engender respect, yet work collaboratively with a proactive, service-oriented attitude. Corporations usually don't have their attorneys, even the junior ones, work in back rooms, isolated from the businesspeople. You share office space and meet with your client on a daily basis. To give advice based on a thorough understanding of how the business works, you must get out and see how people do their jobs.

The In-House Interview

When interviewing at law firms, you meet with attorneys almost exclusively. However, when looking in-house, expect to interview with people at various levels of the corporate hierarchy and from different departments. Your initial interview may be an in-person or phone screening with a member of the human resources department. Next, someone from the legal department vets you for skills and fit. You may or may not meet the general counsel during the process, depending upon the size and structure of the legal department and the company itself. You'll probably interview with executives or members of other business departments with which you'll interface if hired.

The attorney-conducted interviews cover your legal skills, much like for any law firm job. People from the business side, however, want to know what you can do to grow the company. Show them you've thought about their business goals, their legal

problems and how you'd approach a solution. Executives want to hear how you can help them keep legal costs down. In the business world, solving legal problems quickly and cheaply is paramount.

Discuss how each entry on your résumé relates to the company's legal needs. If the job description highlights specific competencies, note a few examples of work you've done utilizing those skills or in those practice areas. Highlight instances when you showed the intangible attributes that corporations seek, and briefly relate relevant stories.

For more senior in-house positions, you'll need demonstrable management skills. Show you can delegate responsibility and provide feedback, and recruit, mentor, and develop talent for current and future roles—and, possibly, fire people. Discuss experience in making and managing legal budgets. If you don't have experience with people directly reporting to you, cite project team leadership, firm committee chair responsibility, and key roles in professional and community organizations.

You must convey your understanding that the priorities and mindset for an in-house position are different than what's required in a law firm. Express a willingness to roll up your sleeves and do whatever work is necessary. You probably won't have a cadre of junior associates, paralegals, and 24-hour support staff at your beck and call. While it's appropriate to ask whom the company uses as outside counsel, don't ask how much work is farmed out. You'll risk appearing to seek a cushy job where you primarily supervise outside lawyers. Assume you'll be doing the heavy lifting, and discuss your desire and ability to do so.

The trickiest question you'll encoun-

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"The attorney-conducted interviews cover your legal skills, much like for any law firm job. People from the business side, however, want to know what you can do to grow the company."

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ter when transitioning from law firm to in-house is why you want to make the move. Never say you're looking for a "lifestyle change"! While it's true that jettisoning billable hours and rainmaking pressures are attractive features of the switch, corporate counsel understandably are wary of anyone who signals a desire for an easier job. Better ways to answer that question include:

- The opportunity to work for one client, rather than many.
- A more varied workload and involvement in transactions from conception through completion.
- A chance to develop a thorough understanding of their business in order to create strategies and solutions that make long-term sense for the company, not just for a particular matter.
- Your research into litigation or deals involving this

company reveals legal issues you find stimulating and a good fit for your substantive experience.

- You want to be part of a team or organization with the ultimate purpose of (fill in product or service the company provides), and give a compelling reason why it's important to you. Note, however, that demonstrating artificial passion about the business might get you hired, but real interest in their mission will make you happier on the job.

The biggest difference between working for a law firm versus a corporate law department is your role in the business enterprise. When practicing in a law firm, you're a revenue generator since the firm's business is law. As an in-house lawyer, you're part of overhead because you're not engaged in producing the product or service the company sells in the

marketplace. With that in mind, you can better portray yourself as the ideal candidate in an in-house interview.

ABOUT THE AUTHOR:

Valerie Fontaine is a partner in Seltzer Fontaine Beckwith, a legal search firm based in Los Angeles. She can be reached at vfontaine@sfbsearch.com or (310) 842-6985. The second edition of her book, *The Right Moves: Job Search and Career Development Strategies for Lawyers*, was published in March 2013 by NALP, The Association for Legal Career Professionals.



“Never say you’re looking for a ‘lifestyle change!’ While it’s true that jettisoning billable hours and rainmaking pressures are attractive features of the switch, corporate counsel understandably are wary of anyone who signals a desire for an easier job.”

Book Review of The Right Moves: Job Search and Career Development Strategies for Lawyers 2nd Edition by Kenneth E. Young, Esq.

After reading The Right Moves: Job Search and Career Development Strategies for Lawyers 2nd Edition by Valerie A. Fontaine (NALP, 2013), there are two primary reasons I plan to buy at least 10 copies to keep in our office library for both candidates and clients.

The first is Valerie's in depth assessment of the 2008 recession, the changes law firms made as a result, and how it affects the current and challenging recruiting landscape that we all face. The book features topics such as how the law firm pyramid became a diamond, outsourcing, technology changes, contract lawyers, use of social media and new recruiting websites (several of which I was unaware), international law firm mergers using Swiss Verein holding methods, and much more. Valerie weaves it all

together in an easy to read style. Also particularly interesting to me was the month by month analysis, from January to December, of what goes on internally at law firms from a recruiting standpoint, and how law firm hiring relates to swings on Wall Street.

Secondly, after expertly outlining the "forest" of the legal industry at present, Valerie's attention to detail in describing the many "trees" in recruiting and making solid placements is exceptional. No longer will I need many separate files on resume formats, interviewing tips, social media do's and don'ts, negotiating strategies, etc.- it's all in one place and easy to find in the 396 pages of The Right Moves. My favorite chapter was how candidates should conduct themselves in interviews on the

telephone, video conferencing or Skype as well as in the office, at meals, or at Starbucks.

From the recruiting landscape to internal hiring protocol to body language and table manners, The Right Moves is a must-read and a wealth of information for all professionals in our industry.

ABOUT THE AUTHOR:

Kenneth E. Young, Esq. practiced labor and employment law on the management side for 30 years before founding Young Mayden LLC, a legal search and consulting firm that provides services to law firms and law departments nationwide. He also serves on the ABA Law Practice Management Section Council. His direct dial is (704) 366 - 8546, and his email address is kyoung@youngmayden.com.

“From the recruiting landscape to internal hiring protocol to body language and table manners, The Right Moves is a must-read and a wealth of information for all professionals in our industry.”

Useful Resources for Recruiters

by Dan Binstock, Esq.



Welcome to the second installment of “Useful Resources for Recruiters” (creative title, eh?). As always, you are welcome (and encouraged) to contribute your own resources or interesting finds. If interested, please contact Dan Binstock at dbinstock@g-s.com. I hope you find these resources useful.

WEBSITES

The Fordyce Letter (www.fordyceletter.com/) – One of the leading industry newsletters for recruiters (for over 40 years). This website is not focused on legal recruiting (or any industry in particular), but most articles are relevant to all type of recruiters.

Google Analytics (www.google.com/analytics/) – Do you know how many people visit your website each day? Each month? How this month compares with the same month last year? Do you know how visitors find your website? Which pages they visit the most? How long they stay on each page? Which countries they are from? The type of browser they are using? Get Google Analytics and you will be able to monitor this ... and much more. (Thanks to Warren Smith for reminding me of this one.)

Workflowy (www.workflowy.com) – A simple note-taking program (online) that takes outlining and organizing your notes to the next level. Very useful for maintaining large amounts of information in a non-complex fashion.

Doodle (www.doodle.com) – This website enables you to coordinate meeting dates/times with multiple people much more efficiently. You will thank me (as I have thanked Amy McCormack many times for showing me this tool).

Kolbe Personality Testing (www.kolbe.com) – Very good personality assessment with application to many areas of your practice and business (including hiring and management). The focus is on your natural instincts and working preferences. For example, do you tend to gather lots and lots of facts before getting started, which can cause you to delay too much? Or do you jump in and get started on projects a bit too quickly? Given how intertwined recruiting is with our own personalities, this is an insightful tool.

BOOKS

Smart Calling (by Art Sobczak) – Many books on cold calling are utter junk. This is not one of them. Why? He focuses more on researching and developing substance prior to making the call, and how to incorporate this research into your discussions. He also provides some useful “scripts” and wording. Some of his scripts are quite good but there are also a few doozies that might have lawyers rolling their eyes (it seems to be unavoidable in these types of books given that they are written for all types of audiences). That said, when compared to the competition, this is certainly one of the better ones.

Negotiation Genius (Deepak Malhotra & Max Bazerman) – A very substantive book on negotiation written by two Harvard Professors.

The Now Habit (Neil Fiore, Ph.D.) – Every recruiter faces procrastination in some manner. This book is recognized as among the best books written on this subject. Eye-opening on several levels. Had I heeded his advice, I would have finished this column much sooner.

USEFUL TECHNOLOGY

Mindjet (www.mindjet.com) – If you tend to conceptualize things in a non-linear fashion and find charts, diagrams, and flowcharts to be a preferable way to learn/digest information, “mind mapping” is for you. There are numerous mind mapping programs on the market, and many are free and very good. But I’ve found Mindjet to be the best (although it’s several hundred dollars). I use it to organize my candidate pipeline as well as my search pipeline. It also has task list features built in so it can sync with Outlook.

Lenovo Yoga – This is a small, sleek, light, and powerful laptop that also converts into a tablet. Despite my reluctance bringing a computer to client or candidate meeting (“Will it look slightly odd to type instead of write notes? Will it create an invisible boundary with the other person?”), I’ve taken the plunge and won’t go back given how thorough my meeting notes are. You can also purchase a spiffy protective sleeve for carrying. Two other recruiters in our office have since purchased it and have been very happy.

TaskTask (for iPhone and Windows phones) – If you rely on the task list in Outlook (and have an exchange server), this app enables you to see your Outlook task list on your iPhone or Windows phone. There are other programs that provide this functionality but I’ve found TaskTask to be the best given the range of features.

If you would like to share some of your favorite resources or cool finds with your fellow NALSC members, please do so by contacting Dan Binstock at dbinstock@g-s.com.

Moving Into Legal Temporary and Contract Placements by Judy Collins

Don't miss out on a constant revenue stream. Temp and contract placements are open to any recruiter, no matter what your business model is. Hiring models are changing. The new federal healthcare reform will impact your business. Many baby boomers are retiring but still want to keep working. Temp and contract positions are perfect for someone who has the professional skills that are needed in today's work place, but these positions offer the opportunity to work on a specified time basis. Many companies will prefer to add temporary and contract positions before hiring additional full time staff. By adding temp and contract alternatives to your existing business model you can create a full service option to both new and existing clients. You can give them an option on how you can help them satisfy their staffing needs. With so much competition it is all about providing the right option.

The advantages of adding or expanding your business to include offering temporary and contract placements can outweigh the hesitation to move in that direction. When a client company asks for help regarding a temporary or contract staffing need, you have two options – either find a way to accommodate their needs or leave them to start a relationship with one of your competitors. The key to the success of any business is keeping the client happy. Many companies are choosing “temp to perm” as their preferred method of hiring. As this trend grows, all permanent placement recruiters need to be able to accommodate this type of request. Companies are utilizing a core of “regular” staff surrounded by growing numbers of contingent workers. It will become increasingly difficult for recruiters to ignore this mega-trend and provide only limited staffing services. The option of offering temp and contract placements is a win/win situation for your client company, your applicants and you.

Temp and contract placements can create a revenue stream. Recruiters that focus only on “perm” placements can experience significant fluctuations in cash flow especially in a down turn economy. Fees from contract placements can be predictable, regular and stable over a long period of time. You know how much profit you are making per hour before your applicant ever starts. Contract employees can be paid weekly, bi-weekly or semi-monthly. I have found most temp and contract employees prefer being paid on a weekly basis. Once you pay a temp employee, you take the signed timesheet and invoice your client company. Usually payment terms range from due upon receipt to 30 days after receipt of invoice. Beware of longer payment terms included in many staffing agreements or MSAs – Master Service Agreements. Make sure you specify your payment schedule in writing. A good rule of thumb would be if you would not place a candidate at a company for a perm fee, then you would not work on a temp or contract position. Always check the credit rating of the company you are doing business with if you have not worked with them before. This promotes a good long term working partnership.

An average mark up on a temp or contract employee is 50% of the pay rate. This can depend on your niche market. You can choose to lower your markup rate on a long time client or a client that will have multiple assignments. You can also use higher rates for hard-to-fill positions. When you are calculating your cost, keep in mind your expenses. Payroll burdens include: state and federal unemployment, matching employer taxes – FICA and Medicare, and various insurance coverage including workers' compensation and general liability. Workers' compensation is based on a work comp code. These costs vary depending on the job. Check with your insurance broker for the cost before you bid on any job. You calculate these costs off of your pay amount. You pay taxes and insurances based on your gross payroll. Additional charges may include

the cost of funding your payroll, payroll processing, back ground checks, credit reports, education verification and pre-employment drug screens.

Even client companies that do not pay permanent placement fees may have a budget for temp and contract workers. Sometimes the fees earned from temp employees can exceed a permanent placement fee. You can also, offer a buy out or conversion fee for a candidate after 90 to 180 days. This will help the hiring manager with their immediate need and also help your candidate start working earlier. It is a good opportunity to introduce your applicant to your client company and for your applicant to get to know your client company's work culture. When you are calculating your conversion fee, only look at your profit margin, not your total billings. The total invoice amount includes what you are spending on payroll, taxes and insurance. If you out source your back office, also take out your cost for payroll funding and payroll processing. Include language in your placement agreement that your conversion fee will be calculated off of total profit for the term of the assignment. If your client company chooses to hire your candidate within one year of the last day worked, a conversion fee will be due.

Many different outsourcing companies offer these back office services including assuming the responsibility of becoming the employer of record. By outsourcing the back office functions you can focus on the main job which is finding the right person for the job.

ABOUT THE AUTHOR:

Judy Collins is the General Manager of TFI Resources, the independent recruiter's resource for temporary and contract placements. TFI provides payroll funding, payroll processing, invoicing, collections, and employer-of-record services nationwide including federal and state tax remittance, W-2 distribution, and access to benefits. Contact Judy Collins at: Judy@TFIresources.com or at (713) 975-7576.

“Don't miss out on a constant revenue stream. Temp and contract placements are open to any recruiter, no matter what your business model is.”

“By outsourcing the back office functions you can focus on the main job which is finding the right person for the job.”

Do the Right Thing

A candidate called my firm yesterday. They had told me that they were thinking of leaving off a job they held for less than a month on their resume. Upon further questioning, they confirmed that this job was their first job after law school, it was a bad fit and it was "a memory that they would rather forget." I counseled them that all jobs should normally be included on a resume no matter how long or short the tenure was and they said that they were concerned it could impact them getting a future position if a future employer saw

the brief period of time they stayed there. I told them that if they chose to leave the job off, I was going to be unable to represent them to my clients. They became irate and told me I was being "ridiculous" because they were employed for less than 3 months." When I questioned them on why 3 months made a difference versus 1 month, they hung up without further comment. I called back two days later and they told me that I was being too detail conscious and that another recruiter had agreed to represent them with the altered resume.

...What would you do?

Note: "Do the Right Thing" is not reviewed by the NALSC® Ethics Committee, nor does NALSC® approve or disapprove of the thought process or proposed resolution of the dilemma presented. If you would like to submit a "Do The Right Thing" scenario for future Newsletters you can email it to HQ at info@nalsc.org.

"I told them that if they chose to leave the job off, I was going to be unable to represent them to my clients."

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