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NALSC®

National Association of Legal Search Consultants

FALL 2014

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President's Message with Symposium Details and Conference Preview

by Warren Smith, LL.B.

Dear NALSC® Members,

I hope everyone enjoyed their summer. I am thrilled to report that NALSC® continues to run strong! Our membership has grown by 4% since last year and we have a steady stream of new members joining the organization.

Our NALSC® 2014 Fall Symposium is almost here! Taking place at the New York office of Proskauer LLP on Friday, October 24th, 2014, this event once again will have a record turnout. The Symposium continues to be a must-attend event for legal recruiters in the NY metropolitan area and beyond. Our theme this year is "Creating Visibility in the Emerging Recruiting Landscape", and will include a star line-up of dynamic speakers combined with interactive sessions. In response to your feedback of requested topics, the program will focus on aligning your recruiting practice with the changing law firm models; risks and rewards of recruiting partners; marketing and branding initiatives; enhancing your firm's productivity and profitability; and more.

In addition, we are excited to welcome Joseph Altonji, our esteemed Keynote Speaker. As Co-Founder of the LawVision Group, Joseph has spent nearly three decades consulting to law firms and their leaders in the U.S. and internationally. Prior to launching the LawVision Group, Mr. Altonji spent 22 years with Hildebrandt. He will speak about how recruiters can best adapt to the changing business models of law firms. As always, we continue

to offer educational sessions, interactive breakouts, receptions, and great networking opportunities throughout the event. I continue to be impressed with the caliber of our membership and event attendees—from the numerous speakers, discussion leaders, and individual conversations over food and drink – it is inspiring to spend time with so many leaders in the recruitment industry.

Also, we thank our generous sponsors for their continued support of NALSC®. Our Platinum Sponsors are ALM and lawjobs.com; Gold Sponsor is Kelley Drye & Warren LLP; Silver Sponsor is Leopard Solutions; and Bronze Sponsors are Above The Law, Broadlook Technologies, Buchanan Ingersoll & Rooney PC, The Cluen Corporation, Invenias, LegallyLooking.com, and TFI Resources. Also, our law firm Honorary Sponsors are Bilzin Sumberg Baena Price and Axelrod LLP; Cadwalader, Wickersham & Taft LLP; Dechert LLP; Duane Morris LLP; Gibson, Dunn & Crutcher; Greenberg Traurig LLP; Michelman & Robinson LLP; and Proskauer LLP.

Symposium details and registration material are available on www.nalsc.org.

Finally, regarding the NALSC® 2015 Annual Conference, we are very excited that it will take place at the landmark Westin St. Francis hotel located in the heart of San Francisco's famous Union Square. In addition, our Friday evening Gala Dinner will take place inside the beautiful stained-glass Rotunda of Neiman Marcus. The dates for

the Conference will be April 30th to May 2nd, 2015. The hotel, amenities, service and location are second to none. Frommer's said, "If you're looking for a hotel exuding classic San Francisco elegance, the Westin St. Francis with its massive lobby, crown molding, marble columns, and iconic Grandfather Clock delivers." We are looking forward to a terrific event in this fantastic venue! Stay tuned for exciting details...

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

Best regards,
Warren Smith, LLB- President

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The LFQ-Lateral Firm Questionnaire, or What Lateral Partner Candidates Need to Know

by Valerie Fontaine, Esq. and Barbara Mayden, Esq.

A round table discussion group at our recent NALSC conference explored “LPQs” - Lateral Partner Questionnaires. We hope that, by now, most recruiters and candidates are aware of the “do’s and don’ts” of completing them. In reality, recruiters generally have only a “counseling” role here: firms promulgate the forms with an occasional whisper of advice by a trusted recruiter about content; and candidates fill them out—we hope with the recruiter suggesting that they attach to their bosoms during the process the applicable Rules of Professional Conduct and their states’ case law.

Equally important is what lateral partner candidates should ask their prospective law firm employers. Astonishingly—especially given “the recent unpleasantness” that beset what many considered top drawer law firms in recent years—a 2013 American Lawyer survey found that most lateral partner candidates never ask the most basic questions of their potential new firms: About finances. About their partnership agreements. And these are partner candidates laterally from the country’s most prestigious firms.

Why? How could this possibly be?! These sophisticated business lawyers never would allow a client to enter into a business combination without scouring the books. We can only guess. One theory is that partners who have been with one firm for many years assume that all law firms are alike. From 40,000 feet they may seem like it, comprised of smart, usually personable lawyers, with sophisticated clients and businesses. But some of us who are law firm partners

turned recruiters have learned that, once you drop below 40,000 feet, below the all nice, personable lawyers with sophisticated clients and businesses, firms are very different. Compensation systems vary and management styles vary, all resulting in different incentives and different firm cultures. Perhaps that’s fodder for another article, but for purposes of this article, suffice it to say that, for a successful lateral partner move, it’s important to know that:

- Firms Are Different.
- There are Questions To Be Asked.

So, We Are Here To Help.

As we know, at some point in the courting ritual, most firms require that prospective lateral partners complete a “LPQ” – a Lateral Partner Questionnaire – containing information critical to the firm’s decision-making process. We propose that a senior lawyer contemplating a move consider something similar –an “LFQ” – a “Lateral Firm Questionnaire,” so to speak. Perhaps not specifically in those words or even handed to the firm, but at least a checklist of the information he or she needs to make a sound decision.

So, as a Public Service, your co-authors have crafted for our fellow NALSC members a generic LFQ – Lateral Firm Questionnaire – so you can better shepherd your lateral partner candidates through this process.

But, before we roll it out, a couple of caveats:

Caveat #1: Who should use our LFQ? Who should be most concerned about the hard questions that *American Lawyer*

finds aren’t being asked?

Certainly there are questions that more junior lawyers should ask in addition to the obvious ones about money and practice group, such as about training and partnership prospects, but our LFQ is not aimed at the junior lawyer. That’s an article for another day.

Our LFQ is for the more senior lawyer whose compensation most likely will be based upon a combination of individual performance and firm performance. Thus, he or she will need to know a lot more, such as,

- What is the general health of the firm?
- What is the firm’s history with laterals?
- Are the firm’s structure and billing practices likely to positively affect the lateral’s ability to attract and service clients?
- What is the firm’s leadership modus operandi?

Caveat #2: When to ask? Timing is everything.

Just as the easiest way to scare off a potential girlfriend or boyfriend is to ask on the first date about future plans, earning potential, and the like, clearly, the candidate and prospective law firm want to be making googly eyes before broaching the hard questions. Even in the age of the Twittersphere, there is information that is sensitive. The best time is when the prospective firm serves up its LPQ, as in “I’ll show you mine, if you show me yours”. With that symmetry, it’s a lot less awkward. But remember, our “LFQ” is a little tongue-in-cheek. It doesn’t have to be a formal document;

“...your co-authors have crafted for our fellow NALSC members a generic LFQ – Lateral Firm Questionnaire – so you can better shepherd your lateral partner candidates through this process.”

“Our LFQ is for the more senior lawyer whose compensation most likely will be based upon a combination of individual performance and firm performance. Thus, he or she will need to know a lot more...”

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rather, it's more of a checklist to make sure the candidate gets all the relevant information. There may be opportune times to pick up bits and pieces along the way.

Caveat #3: How? Don't be too pushy – the candidate wants this job!

Yes, the candidate wants this job, but also needs this information! The firm where the candidate wants to be is one that values lawyers who make important decisions based upon germane information, gathered at the appropriate time. The firm the candidate doesn't want is one that doesn't want to provide it.

So ladies and gentlemen, without further ado:

**The Fontaine / Maiden
Generic LFQ
(Lateral Firm Questionnaire)**

**[INTERESTING SOUNDING
LAW FIRM COURTING ME]**

**LATERAL FIRM
QUESTIONNAIRE**

I am honored that Interesting Sounding Law Firm Courting Me (the "Firm") shows interest in my becoming a partner. The Firm gave me a Lateral Partner Questionnaire to complete and, as we enjoyed substantive conversations that are continuing, I am pleased to complete that "LPQ." Just as it is important that relevant data about me be available to you for the Firm to assess whether the combination of my practice with the Firm is wise, it also is important that I review relevant data for a similar assessment. Accordingly, I request the following information from the Firm.

I. FINANCIAL DATA

1. Liabilities. Describe liabilities of the firm, including leases and debt. Is there a Pension Plan? Is it Fully Funded?

2. Billing distribution. Has any client/affiliated group represented more than 25% of the Firm's billings in any of the last 5 years?

II. BILLING MODELS

1. Billing Rates. List for all levels of partners and associates as well as differentials for location and practice group.

2. Alternative Billing Arrangement. Describe the nature of any alternative billing arrangements used by the Firm and the frequency used. What flexibility does each partner have to utilize an alternative billing arrangement?

III. PARTNERSHIP STRUCTURE

1. Tiers. Describe any tiers in the partnership structure.

2. Retirement. Mandatory? Describe policy.

3. Business Development Expectations. Describe.

IV. COMPENSATION

1. Decision-makers. Describe the compensation/advancement decision-making structure. Is it open or closed?

2. Criteria. Describe the considerations factored into compensation decisions. Business development? How is business origination credit allocated—by client or matter? Is credit given for administrative duties? Pro bono?

3. Timing. Describe the timing of payments to partners, i.e. when draws are made; profits distributed.

4. Capital Contributions. What is the required capital contribution? When payable, does the Firm arrange financing? What are the conditions of repayment?

V. BUSINESS DATA

1. Profits Per Partner:

Current year: \$

Last year: \$

Two years ago: \$

2. Revenues Per Partner:

Current year: \$

Last year: \$

Two years ago: \$

3. Average Billable hours, Partners:

Current year (annualized):

Last year:

Two years ago:

Three years ago:

4. Average Billable hours, Associates:

Current year (annualized):

Last year:

Two years ago:

Three years ago:

VI. FIRM OPERATION AND MANAGEMENT

1. Committees. Describe the primary Firm Committees. Include information as to selection of members and representation of offices and practice groups.

2. Operational Structure. Describe how the Firm operates across offices. Is the firm organized by office or practice group? Are there multiple profit centers?

3. Management. Describe any professional management in addition to lawyer managers.

VII. FIRM PERSONNEL

1. Leverage. Describe in general the number of associates and the number of partners at the firm. How are they staffed on matters? Describe generally the "required" billables for associates, attrition rates, and compensation levels of the Firm's associates. Is paralegal support available?

2. Support Personnel. How is secretarial support apportioned?

VIII. MARKETING

1. Professional Staff. Describe formal/professional marketing support at the Firm; the Firm's track record of supporting lateral partners in growing their client bases.

2. Cross-Selling. Describe any intentional cross-selling undertaken by the firm.

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"The firm where the candidate wants to be is one that values lawyers who make important decisions based upon germane information, gathered at the appropriate time. The firm the candidate doesn't want is one that doesn't want to provide it."

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3. Budget. Is there a Business Development budget?

IX. CHANGE IN NATURE OF THE FIRM

1. Are any transactions currently contemplated such as a merger, acquisition, a group or a practice or spin-off, or a group or a practice addition, or other Firm expansion or contraction that could significantly change the nature of the Firm as currently constituted?

X. FIRM PROFESSIONALISM

1. Pro Bono Commitment. Describe any formal Pro Bono programs undertaken by the Firm.

2. Lawyer Leadership: Are “extracurricular” activities encouraged by the Firm? Describe leadership roles in the community or in bar associations undertaken by Firm lawyers.

XI. PLEASE PROVIDE

1. With this questionnaire, or at a time deemed more appropriate

(a.) A copy of the Firm’s Partnership Agreement

(b.) [Financial Statements] for the previous three years

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9 Things That Might Surprise You About Going In-House

by Susan Moon, Esq. and Reprinted With Permission From *Above The Law* June 10, 2014

So let’s assume you know the basics about switching over to become in-house counsel — you don’t bill hours, you’re more of a “business” lawyer, and you become part of a cost center. Instead of having partners who don’t care about you, you’ll have an actual boss who’s supposed to care about you at least a little bit or she’ll look bad. Salaries are probably lower, but it’s all good because you’ve been told that your improved work-life balance will make up for it.

What else is there that you should know before making the move? Well, plenty. Let’s take a look, shall we?

1. To search for in-house jobs, you should use multiple recruiters. Unlike most companies, law firms publicize their open positions everywhere. If you use a half-decent recruiter, she’s bound to have a fairly complete list of law firm jobs in the city you’re interested in. So it’s

generally fine to use one or two recruiters to hunt for law firm opportunities.

Whether a company will do a good job of publicizing their job openings is kind of a crapshoot. Some will, but many won’t. Plus companies sometimes have “exclusives” with recruiters, so you won’t find out about a particular job unless you happen to contact that particular recruiter. (What’s up with that — it’s almost like they don’t want you to find out about them?!) Therefore, if you’re looking for an in-house gig, the more recruiters you use, the more you increase your chances at learning about the different job openings out there.

2. Litigation positions are few and far in between. If you’ve just graduated from law school (congratulations!) and your ultimate goal is to work at a mid-sized or large company, forget

litigation. Litigators typically comprise only a small fraction of the lawyers at these companies. Think about it — if a large company finds itself in need of a lot of litigators, is that a good sign??

If it’s too late for you because all you’ve been doing is lit work for your entire career, you may have better luck at small companies. Really small ones that have only one or two lawyers. Very small companies will often hire litigators because business people don’t have a clue about how to draft motions or deal with court deadlines. (Thinking about how to spell “subpoena” gives them a headache, so forget about taking care of one.) Find yourself a promising startup like Facebook or Google and you’ll be set! Also, check out companies in certain industries, such as insurance, that handle a lot of complaints/litigation as these will tend to need more litigators.

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“Therefore, if you’re looking for an in-house gig, the more recruiters you use, the more you increase your chances at learning about the different job openings out there.”

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3. Interviews are different. For law firm jobs, you'll interview with a bunch of lawyers and all they really care about is that you're smart and not a jerk. This is because you'll be doing most of the work on your own, and for the occasions when you'll have to work with others, they want to make sure that you'll at least be tolerable.

In-house lawyers spend a lot more time communicating, collaborating, and negotiating with other people. So being smart's great, but at least as much weight is given to qualities other than your IQ. In your interviews, you may end up being asked more about your soft skills and meeting non-lawyers who help to evaluate your non-legal qualities.

4. You need to know (or be willing to learn) numbers. I wrote about this before, but it was eons ago. So for you newbies and others who may have forgotten, companies are all about their numbers and financials. The earlier you get that, the earlier you'll truly understand your role in the company and gain the trust of your business colleagues.

5. You may not have an office. Some companies have gone with an open floor plan, which means no one has an office — everyone's in cubes or just desks all over the floor. A lot of tech companies have gone this route, but some non-tech companies do it too. I actually think it would be pretty cool to work in an environment that eschews hierarchy in such a way. But remember, there will be no privacy when you're on the phone with a recruiter strategizing your next big move.

6. You will do a lot of non-lawyering. At a law firm, you stick to legal issues and legal work, such as

drafting contracts and motions. At a company, you'll spend a good amount of your time lawyering the way you did at a law firm. But you'll also have plenty to do that isn't legal work at all. For example, you may end up managing projects or coming up with policies and processes for the company. You may help evaluate new products or review budgets. It's great because you'll develop a diverse set of skills useful in many different settings. But in the process, you'll become less of a pure legal specialist.

7. You may be doing grunt work as a "senior" lawyer. What's considered "senior" in an in-house environment varies. Depending on the size of the company, you may be viewed as "senior" if you're several years out of law school or only after a couple of decades out. In any case, don't expect that as a senior lawyer, your junior schlubs will do all of the menial work that minions are expected to do. Every once in a while (and more often than you'd expect), senior lawyers do end up doing grunt work, such as legal research or drafting a consent.

8. You will address areas of law that you know absolutely nothing about. Often, companies can't hire in-house lawyers for every area of specialty that the business may touch on. So even as a basic commercial contracts lawyer, you may be asked about issues relating to social media, employment law, privacy, or a whole host of other areas that you don't even remember being covered in BarBri. How to deal with what you don't know? Sometimes you can use outside counsel, but that can be expensive and impractical (the bad ones take forever to get back to you). If your outside counsel

budget is only \$5, you can try online resources and do some offline research (i.e., other in-house lawyers who will respond to your pitiful cries for help).

9. Being a nerd isn't necessarily cool anymore. Okay, maybe it never really was all that cool. But as you may have guessed from Mindy Kaling's Harvard Law commencement address, when you leave a law firm, you're not in Kansas anymore ("Harvard... Yale... Stanford.... From where I stand from an outsider's perspective, here's the truth: you're all nerds."). Who are those outsiders? Yep, they're your colleagues now and they probably make up about 95% or more of the company. But it's okay — since companies tout teamwork and culture so much, they'll have no choice but to invite you to the Christmas party.

There are a lot of other items that I originally had on the list above. But then I realized that I should reserve something for future posts. And I was also concerned that if this column got too long, the ATL editors may cu—....

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Susan Moon is an in-house attorney at a travel and hospitality company. Her opinions are her own and not those of her company or anyone she works with. Susan may share both her own and others' experiences (especially the experiences of those who have expressly indicated to her that they must not under any circumstances be shared on ATL). You can reach her at SusanMoonATL@gmail.com and follow her on Twitter at @SusanMoon.

"In-house lawyers spend a lot more time communicating, collaborating, and negotiating with other people. So being smart's great, but at least as much weight is given to qualities other than your IQ. In your interviews, you may end up being asked more about your soft skills and meeting non-lawyers who help to evaluate your non-legal qualities."

The 8 Types of Legal Department Job Interviewers

by Valerie Fontaine, Esq. and Reprinted With Permission from *Corporate Counsel* June 16, 2014

When looking to join an in-house legal department, you will meet a

variety of interviewers. Some will be lawyers and others not. While

your legal department interviewers may be excellent lawyers or

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The 8 Types of Legal Department Job Interviewers

by Valerie Fontaine, Esq. and Reprinted With Permission from *Corporate Counsel* June 16, 2014

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businesspeople, they might not all be the most effective recruiters. You may encounter good interviewers having a bad day, inexperienced or unprepared interviewers, or those who have ineffective methods for eliciting the information they need to make the best hiring decisions.

Regardless of their skill as interviewers, they are, nevertheless, the gatekeepers between you and the legal department.

It's your duty, as interviewee, to make sure you understand the position being filled and to present your qualifications in their best light. Therefore, it's up to you to handle the interviewer's foibles in a manner showcasing your suitability for the position you seek. How you go about doing so can make the difference between interview disaster or job-search success.

1. The Unprepared Interviewer

The company's lawyers and business people are very busy handling their everyday workload, so your interviewer may not have taken the time to skim your résumé, let alone study it—and possibly cannot even find it. Cheerfully offer a copy which you, of course, brought along. Then ask some version of, "May I take you through some highlights of my career as they relate to this position?"

2. The Inexperienced Interviewer

Interviewers unused to sitting on the employer side of the desk may be even more nervous than you are. They may have no idea where to begin or what to ask. If you come prepared with good questions about the company, its industry and the position, you can subtly direct the interview if necessary. Conversely, your interviewer may have prepared a list of questions and wouldn't be comfortable with a less-structured conversation. It's best to go with the flow because if you try to make some

points out of order, it may throw the session off track or make the inexperienced interviewer feel inept.

To spotlight information you think is crucial but may not be "on the list," ask if you can talk about a few relevant projects after you finish with their list of questions. The interviewer still will feel in control, yet you can present your qualifications.

3. The Distracted Interviewer

A busy attorney or businessperson may believe their work takes precedence over your interview. If you're left cooling your heels in the reception area, wait graciously and use the extra time to review the points you want to make and questions to ask. Or pull out your smartphone and handle email (making sure it's silenced already).

Ideally, once the meeting gets started, your interviewer will focus and not constantly take calls, answer emails or allow other interruptions. Sometimes there are true emergencies, and the interviewer may ask your indulgence while quickly handling the situation. In that case, sit silently (not eavesdropping). Use the time to assess how the interview is going and how to direct the conversation to emphasize your qualifications. If the interruptions persist, offer to come back at a less hectic time. If the interviewer accepts your offer and is just as distracted on your second visit, consider this a sign of how things work at this company.

4. The Loquacious Interviewer

Some interviewers won't allow you to get a word in edgewise. While it's important to let the interviewer lead, and you want to learn as much about the company and position as possible, you also want to make sure you express why you're the best candidate for the job. Wait for the

overly talkative interviewer to take a breath and interrupt respectfully, refocusing the conversation on your skills. Try to segue with something like, "I understand what you've said about that and I have some experience with . . ." Or, "That reminds me of a question I'd like to ask . . ."

5. The Rambler

If the interviewer transitions from discussing the job and the company to telling you about his or her personal life and everything else under the sun, continue paying close attention. Although the conversation meanders, you may get a better idea of the attributes the organization seeks in a new hire, insight into your prospective colleagues and what your life would be like should you join them. This information may stand you in good stead for further interviews with this company, help you make a decision should an offer be forthcoming or provide hints for achieving success if you accept the position.

If you need to end the interview, wait for a pause and politely convey your regret that you must get back to the office, expressing an interest in continuing the conversation at a later date. Make sure, however, before you leave that the interviewer has a good sense of who you are and what you offer, regardless of the topics covered by the conversation.

6. The Cross-examiner

Try not to shrink from an aggressive and direct interviewing style. Some interviewers, especially current or former litigators, seem to think it's their job to see if the candidate is tough enough for the job; thus, they act as if they're cross-examining a hostile witness. While remaining calm and pleasant, match the interviewer's cadence and intensity. Keeping pace will signal that you're up to the challenge and will foster respect.

"While your legal department interviewers may be excellent lawyers or businesspeople, they might not all be the most effective recruiters. ... Regardless of their skill as interviewers, they are, nevertheless, the gatekeepers between you and the legal department."

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Responding to rapid-fire questioning is a great opportunity to show off your skills. While confrontational or formal interviewing styles aren't the most pleasant to endure, mirror the interviewer's demeanor (politely); don't try to fight it. Otherwise, the message you're sending is: "I'm radically different from you," a red flag to an interviewer looking to find a "fit" for the corporate culture.

7. The Silent Type

Savvy interviewers use silence as a strategy. After you respond to a question, they look at you in silence, trying to pressure you into filling the gap and saying more, perhaps something you might not otherwise disclose. Calmly return their gaze and ask, "Does that answer your question?" By turning it around and respectfully questioning the interviewer, you facilitate conversation.

If the interviewer remains reticent, state the points you wish to communicate regarding your skills and fit for the position. Ask the questions you prepared beforehand to elicit the information you need to determine whether the job and company are right for you. If your attempts to open dialogue still aren't generating responses, ask for a tour of the offices

or whether there are others you need to meet. Before you leave the interview, inquire about next steps in the hiring process.

8. The Negative Interviewer

You might encounter an interviewer who describes in detail the backbreaking workload and difficult, unhappy colleagues. Resist the temptation to jump in and dish about your current or former employers. Rather, remain neutral and ask follow-up questions. While appreciating the candor, you must consider the source. Try to determine whether the interviewer has a hidden agenda for dissuading you from the job—and then proceed with caution. If, however, you know in your gut that this isn't the place for you, it's best to be candid. Tell the interviewer that, based on this description of the job, you think you wouldn't be a good match for the position and offer thanks for meeting with you. The interviewer will value your honesty and that you didn't waste time during the interview process.

Facing a difficult interviewer is no fun. While you may not be able to control the interviewer's behavior, you do have complete power over yours. Regardless of the

interviewer's attitude, maintain your enthusiasm. A smiling, relaxed and polite candidate is hard to dismiss, so you must be that person until the end of the interview, no matter what happens.

If you get a job offer after a negative interview experience, think about it carefully. If your interviewer is someone with whom you'd be working closely and the opportunity interests you, ask to spend more time with that individual. Sometimes people are uncomfortable in the role of inquisitor, but present themselves more favorably in another situation. Yes, a bad interview may indicate a bad match. But, possibly, the interviewer was just having a bad day.

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“Regardless of the interviewer’s attitude, maintain your enthusiasm. A smiling, relaxed and polite candidate is hard to dismiss, so you must be that person until the end of the interview, no matter what happens.”

Do The Right Thing

A few months ago, I submitted a candidate for a contingent search given to me by a longstanding client. The client quickly interviewed the candidate, and made an offer which was immediately accepted. I was involved in setting up the interviews, and was in constant contact with both the client and candidate as the offer was being negotiated and accepted. As I was getting ready to send our invoice, the client contacted us to say that they had earlier received the CV from another recruiting firm and that they were planning on paying that invoice instead of mine. What would you do?

DISCUSSION: This response focuses on (1) what you can do now, and (2) what you can do in the future to minimize this happening again.

What to do now with the client: Look at your placement agreement to ensure you abided by the terms on your end. Then ask the firm in writing to send you a summary of the time-line of the facts from their perspective, along with any relevant documentation (including the other recruiter's submission). Explain that this does not suggest a lack of trust, but is protocol in the event of a potential dual submission. By asking, it suggests you are not going to automatically roll-over.

What to do now with the candidate: Ask for his/her version of the facts and any supporting documents (e.g., did he/she authorize the other recruiter in writing, or did the other recruiter act unilaterally?). Once you have all

of the facts—which doesn't seem to be the case just yet—you will be in a better position to decide how to approach this conundrum. Hopefully, the fact that you were involved in the transaction at all stages will provide you some leverage.

What to do in the future: Ask your candidates to confirm, in writing, that you are authorized to present them to the firm to confirm they have not previously applied. Candidates often have selective memory when it comes to multiple recruiters, particularly if the first recruiter was not successful in landing an interview and the candidate thinks the second recruiter may yield better results. When the candidate is asked directly, or told to confirm in writing, the odds of this happening again will be much lower.

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.

Member Spotlight: Stacy Humphries, Esq. of Pye Legal Group, Texas

by Dan Binstock, Esq., Co-head of the Partner & Practice Group Division of Garrison & Sisson, Inc., based in Washington, DC

Stacy Humphries works as a recruiter with Pye Legal Group's Houston Office. As you will read below, she's had an accomplished legal career both on the firm and in-house side, lived in various parts of the United States, does a masterful job balancing her professional and personal life, and takes a very karmic approach to her recruiting practice.

Let's start at the beginning Stacy was born and raised in Southern New Jersey. When college rolled around, Stacy planned to attend the University of Pennsylvania (she was waitlisted at Duke). At the eleventh hour, Duke called to inform her she had been admitted and she decided to follow her gut and take the leap to North Carolina. This turned out to be a great decision. Stacy became a Duke basketball fanatic and enjoyed cheering for the team through back-to-back national basketball championship seasons from 1991-92 (Stacy's mom used to joke that her daughter spent more time in line for basketball seats than she did studying).

In response to the "Why did you become a lawyer" question, Stacy honestly responds, "By default – seriously." As a sociology major, she didn't receive the most practical foundation for getting a job and wasn't sure what to do after college. At Duke she took a skills/interest test which suggested law school. This was not a surprise given her upbringing - her father was a lawyer until he was appointed to the New Jersey bench when Stacy was about 6 years old. Stacy's mother left her career as a teacher to enter law school when Stacy was 14.

While Stacy spent lots of time waiting in line for basketball tickets at Duke, she must have had her books in tow because she graduated magna cum laude and was admitted to Harvard Law School, where she graduated cum laude.

Stacy began her legal career as a transactional associate at Vinson & Elkins in Houston. After 4 years, she joined the Houston Rockets organization as Team Counsel and was soon promoted to Vice President of Legal Affairs. For Stacy, running the legal department of the Houston Rockets organization was, in her words, "The best of times and the worst of times." The experience was exciting, diverse, action-packed, and stressful. From a skill development standpoint, she considered herself lucky to get involved with every aspect of the business and handled non-lawyer work as well as legal work. She loved the business side, but on the legal side felt there were never enough hours in the day to accomplish everything. During her tenure, they were juggling multiple huge initiatives: building and opening an arena, selling an arena football team, running NBA and WNBA teams, creating and launching their own ticketing company, creating a cable network, etc. She summed it up as, "a lot of fun, but also a lot of work."

Becoming burned out from the long hours and heavy demands of her position with the Rockets, Stacy struggled to balance her job with parenthood after her first child. In thinking about her past experiences, Stacy had always enjoyed recruiting— whether it was interviewing law students while at V&E or hiring an attorney to work with her at the Rockets— and she thought legal recruiting might offer a more flexible career while her children were young. If she ended up hating recruiting or was terrible at it, she could return to practicing law.

Ten years later, Stacy is still recruiting. She specializes in recruiting attorneys for in-house legal departments and has placed lawyers at each level: Counsel, Senior Counsel, Assistant General Counsel, General Counsel, and Chief Compliance Officer. The majority of the positions she handles are in Houston, but has placed a lawyer as far away as Switzerland. Most of Pye Legal Group's clients view the firm as an essential part of the hiring process which presents Stacy and her colleagues with many opportunities to counsel and advise the company's General Counsel or HR executive from start to finish. Stacy enjoys being part of the process as a whole: from crafting of a job description through candidate sourcing and screening all the way to developing an offer and (hopefully) the candidate's on-boarding as a new employee.

Recruiting brings its inevitable ups and downs, but Stacy puts her trust in "recruiting karma," which dictates "So long as you are acting ethically and in the best interest of the client and the candidate, you will have many more wins than losses in the long run." In a similar vein, the best advice Stacy received about recruiting is to treat everyone the way you would want to be treated. Someone who isn't a client or candidate today could very easily become one someday. Or that person who you couldn't place but were nice and helpful to could very easily refer you an important future source of business.

Outside of the office, Stacy is a runner and biker/triathlete. How does she balance her career, family, and training? By exercising before work and even before her kids wake up for school. "Get 'er done early!" she says. Most importantly, Stacy is incredibly proud of her family. Her husband, Scott, is partner with a well-known litigation boutique firm and a four time Ironman finisher. Her sons, Jackson and Sam (ages 11 and 8) are smart, athletic, funny, and kind. They travel any chance they get; this year alone they have visited Puerto Rico, Steamboat, Australia, Telluride, and Napa Valley. Stacy also serves as Vice Chair of the Board of Directors for Girls Inc. of Greater Houston, an organization that teaches and inspires girls to be strong, smart, and bold.

A few more random facts: Depending on her mood, Stacy's music will include anything from Jack Johnson to Brandi Carlile to The Smiths. Her go-to favorites are U2, Coldplay, and Bruce Springsteen ("You can take the girl out of Jersey, but you can't take the Jersey out of the girl"); Stacy's favorite TV show is *The Daily Show with Jon Stewart*; and most influential book this year is *Wonder*, which Stacy read at the same time as her 11-year old son, Jackson— the message: Choose Kind.



On the road from Port Douglas to Cairns, Australia (June 2014)

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