

NALSC® NEWS

National Association of Legal Search Consultants Newsletter

Winter/Spring 2021

"Amazing job of pulling this massive feat together."

"As always, you did an amazing job with this event. I really mean it. I've attended a lot of other virtual conferences over the last few months and yours was by far the best produced. You rocked it!"

"I can't believe we've been attending NALSC for nearly 2 decades. The whole event was really produced well. Hats off to the NALSC team!"

"I really enjoyed the Symposium and thought the Whova virtual platform was very effective. I thought the discussions were interactive and substantive, despite the fact that we couldn't gather in person. Thanks for putting this all together!"

"Many thanks to you and your team. The meeting was outstanding!"

"I thought the virtual Symposium was great and very beneficial, despite it not being in-person. You did an amazing job putting it all together, and it went seamlessly! It would have been nice to see everyone in NYC; however hopefully next year."

NALSC VIRTUAL 2021 ANNUAL CONFERENCE



APRIL 8TH

12:00-3:30pm ET

APRIL 9TH

12:00-3:30pm ET

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Dear NALSC Members,

As the first quarter of 2021 unfolds, and I approach the end of my term as your President, I am grateful for how NALSC is situated right now. As much as we all are hoping for a return to normalcy in the near future, as an organization we have weathered 2020 and, in fact, come out much stronger.

As we know, NALSC comfortably adapted to a fully virtual structure. In addition to our nearly monthly programs throughout the year, the virtual NALSC 2020 Fall Symposium was a strong success. While nothing can replace an in-person conference, we received feedback that the sessions were very informative, and our Whova platform made networking possible, and even interactive and fun. The usual NALSC camaraderie and energy still came through, even virtually.

The upcoming NALSC 2021 Annual Conference will be virtual (via Whova) and is scheduled to take place on Thursday, April 8th and Friday, April 9th with half-day programming on each day. We carefully set NALSC agendas to incorporate member suggestions and feedback from prior events and virtual forums. We heard a desire for even more audience interaction and practical take-aways, and this is what you can expect. Sessions will include:

- Keynote presentation: "Game of Phones: Build Better Rapport and Make Better Placements"
- Navigating employment law risks for recruiters
- Strategic Planning for talent acquisition and retention, based on NALP research and data
- Virtual law firms and recruiting
- Perspectives from the candidate side
- Advice from recruiters who have worked in both law firms and search firms ("Switching Sides" Part II)
- A variety of interactive breakout session topics

In addition, our conference will incorporate time to visit sponsors via virtual exhibit booths, reconnect with colleagues, and network with clients. Enjoy the friendly camaraderie over Friday cocktails (including a live virtual piano party!) and toast to NALSC with us. This event will combine education with virtual meetups among sponsors, vendors, fellow recruiters, and our newest members.

In addition to the Annual Conference, upcoming programs will include "NALSC Presents" resource webinars, Board-moderated "Office Hours" for your recruiting questions, and more. The Board also is exploring ways to provide more structured breakout groups during the year, which will add a deeper level of connection and facilitate the exchange of information and best practices among members. Additionally, two key initiatives for NALSC this year include a higher level of NALSC Code of Ethics® education as well as greater brand awareness. Our Website Committee, Code of Ethics Chair, and VP of Long-Range Planning are working with a social media consultant in conjunction with our new Advisory Committee (consisting of law firm representatives), to help NALSC further broaden its scope in the legal environment.

Regarding the Board of Director elections, results will be announced officially on April 9, 2021 during the Annual Conference. However, those who ran will be notified sooner. Because NALSC has term limits (and certain members must step off the Board after a period of time), we are excited to welcome new faces and ideas on the Board.

Overall, under the leadership of a great Board and Headquarters, NALSC continues to flourish, even in light of 2020's challenges. We are 200+ members strong, as an increasing number of legal search

President's Message

by Dan Binstock



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firms are seeing the value and joining. Also, NALSC is partnering with more law firms as sponsors and supporting members. The connection fostered between search firms and law firms is crucial to NALSC's mission of upholding the highest ethical standards, building relationships with clients, and the overall success of our industry. Furthermore, NALSC deeply appreciates our corporate sponsors who provide the legal search community with valuable goods and services.

Thank you to the Newsletter Committee under the guidance of its Chair, "Eagle Eye" Valerie Fontaine, and excellent contributors Raphael Franze and Scott Love for your time and dedication in putting together these informative semi-annual NALSC Newsletters. We receive so much positive feedback on the exceptional NALSC newsletters.

Lastly, as my term comes to an end, I want to thank all of you for helping to make NALSC what it is today. It's quite remarkable that a group of competitors – in such a competitive industry – are able to come together in the name of further lifting our profession and, as a result, each other. NALSC is an example of what happens when people think bigger and envision how it can benefit all of us. None of the successes we have had would be possible without the invaluable Headquarters (Stephanie and Alice, who keep the trains running on time day-in and day-out), the outstanding Board of Directors, who are so committed and thoughtful during the year, our various committees, and all of our members. We also thank the many past leaders and members who paved the way for us to continue to thrive.

Among all else, thank you for being wonderful people who make NALSC what it is – a very special organization that lifts up our industry, with great people who value each other, both professionally and personally.

Best regards to all,

Dan Binstock - President of NALSC®

[Link to virtual NALSC 2021 Annual Conference](#)

NALSC® is pleased to welcome 18 new members since the last newsletter (Summer/Fall 2020). We currently have 205 members consisting of 138 search firm members, 9 affiliate members, 10 branch office members, 5 individual members, 42 supporting members (law firms), and one associate member (vendor). The following is a list of recent new members and the cities and states in which they are based.

Our new Regular Firm Members and Affiliate Firms Members are:

- AKF Legal Search Consultants LLC – New York, NY
- Ascension Global Staffing & Executive Search – Coral Gables, FL
- Cardinal Search Partners, LLC – New York, NY
- Crosby Legal Search, LLC – Dallas, TX
- DP Legal Search LLC – New York, NY
- Elevate Recruiting Group – Dallas, TX
- Gillman Strategic Group – Westfield, NJ
- Legacy Staffing Associates – Lauderdale by the Sea, FL
- Prospect Point Recruiting – Austin, TX
- Southern Attorney Search – Austin, TX
- Southern Attorney Search – New Orleans, LA
- Varia Search – New York, NY

Our new Supporting Members (Law Firms) are:

- Allen Matkins Leck Gamble Mallory & Natsis LLP
- FisherBroyles, LLP
- Fisher & Phillips LLP
- Rimon, P.C.
- Sterlington, PLLC
- VedderPrice P.C.

The Board remains at its maximum head count of 13 and currently includes Dan Binstock, Mitch Satalof, Patrick Moya, Valerie Fontaine, Jane Pollard, Ken Young, David Garber, Marina Sirras, Raphael Franze, Avis Caravello, Scott Love, Arthur Polott and Natalie Thorsen Harris. Nick Rumin is Emeritus Director.

There will be eight Board vacancies in 2021 and twelve candidates currently are running for Board seats (four of whom are incumbents). The results of the 2021 Board election will be announced during the upcoming virtual Annual Conference on April 8th and 9th, at which time the newly elected Board Members officially will join the NALSC Board. The following esteemed Board members will term off the Board then: Dan Binstock, David Garber, Marina Sirras, Ken Young and Nick Rumin (Emeritus). We cannot thank them enough for their dedicated service to NALSC over the years. For transition purposes, as well as for maintaining institutional knowledge, Dan Binstock will become Immediate Past President and an Emeritus Director.

Current NALSC Committees include Executive, Nominations, Newsletter, Ethics, Audit/Risk, Governing Documents, Long-Range Strategic Planning, Website, and Advisory. The Executive Committee is comprised of Dan Binstock (President), Mitch Satalof (VP-Long Range Planning), Patrick Moya (VP-Membership), Jane Pollard (Treasurer) and Valerie Fontaine (Secretary).

As members, sponsors, event attendees, speakers, committee members, and Board Directors, we truly appreciate all your efforts on behalf of NALSC in helping to strengthen and grow the organization.

NALSC Membership Growth

by Patrick Moya



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Supporting our members during the pandemic prompted NALSC leadership to develop even stronger programming, educational seminars, and expanded networking opportunities. As we are the only organization representing legal search firms, we believe that, in times such as these, NALSC has become even more essential to its members. Recognizing our responsibility to membership, we pivoted to considering both immediate and long-range needs by embracing improvements in quality that enhance the NALSC membership experience. With record attendance and extremely positive feedback, a silver lining to COVID may very well be our success in presenting a greater number of events with a larger variety of topics, now virtually – but eventually in-person, as well.

Our recent virtual NALSC 2020 Fall Symposium was hailed as a tremendous success with nearly 300 registrants and exceptional testimonials. Sessions were dynamic, interesting, and relevant to our niche industry of legal recruiting. The Whova platform allowed easy meetups with clients, members, sponsors, speakers, and exhibitors. It even included contests and leaderboards making the entire experience not only worthwhile, but fun. Based on this successful experience, we are planning our upcoming virtual NALSC 2021 Annual Conference to occur over two half days on April 8th and April 9th and, once again utilizing the Whova interactive platform. The event agenda, details and registration can be found at <https://www.nalsc.org/nalsc-2021-virtual-annual-conference/>.

In addition, we plan to continue offering our “NALSC Presents” series (such as the recent webinar “The State of the U.S. Legal Recruitment Market and How to Get the Most Out of Chambers Research”) while continuing our “Office Hours” series as well as utilizing future survey input of both search firm and law firm members with “Town Halls” as a forum to discuss industry results. These virtual vehicles continue to provide content for those seeking up-to-date trends and developments in the world of attorney placement as well as forums for sharing recruiting questions and advice.

In an ongoing effort to build our membership size and resources and improve our overall organizational health, we continue working to add new programs. In the near term, NALSC will offer affinity group discussions based on recruiting practice areas, law firm vs. in-house recruiting, associate vs. partner placements, and search firm size and geographic areas. Initially, we plan to offer these breakouts via virtual NALSC “Office Hours” sessions. Sharing knowledge within affinity groups helps develop ideas for success, build synergy, solve problems common among colleagues, and reduce the recruiting learning curve.

In addition to our emphasis on programming, we are in the process of new NALSC Board elections. This is an unusual year, as we have eight open Board seats and twelve candidates who have chosen to run. The twelve candidates include CHERYL A. BROWN, ESQ. of Wegman Partners; MARKO EVANS of Now Hiring You, LLC; MARY CLARE GARBER of Princeton Legal Search Group, LLC; BARBARA MAYDEN, ESQ. of Young Mayden, LLC; PATRICK MOYA (incumbent) of Quaero Group; JANE POLLARD, ESQ. (incumbent) of Momentum Search Partners; ARTHUR POLOTT, ESQ. (incumbent) of Gateway Legal Placements, LLC; KATHRYN HOLT RICHARDSON, ESQ. of HR Legal Search, LLC; MITCH SATALOF (incumbent) of Juris Placements, Inc.; LIZ STONE, ESQ. of Stone Legal Search; BILL VOCHOSKA, ESQ. of Lex Rex Partners, Inc.; and ROSS WEIL of Walker Associates. Sadly, out of this stellar group of candidates, only eight will be elected to the Board. We thank all the candidates for their interest in running and will announce election results during the upcoming virtual NALSC 2021 Annual Conference.

I would be remiss were I not to take this opportunity to honor the extraordinary Board members who will term out this year: Dan Binstock, Esq., David S. Garber, Esq., Marina Sirras, and Kenneth E. Young, Esq. Over their years serving NALSC, these incredibly dedicated Board members have served in multiple roles within the organization where they volunteered their time, devoting unconditional hours to help the organization while offering institutional knowledge that will be sorely missed. Dan, David, Marina and Ken

NALSC – Long Range Planning in the time of COVID-19

by Mitch Satalof



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Mitch Satalof is the CEO of Juris Placements, Inc. Mitch serves on the Board of Directors for NALSC and is the Vice President of Long Range Planning.

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have comprised the backbone of NALSC, making tremendous contributions to its growth and success over the years. I speak for everyone on the Board in stating how much we greatly appreciate everything they have done. We strongly encourage you to reach out when you have a moment to thank them directly.

Leverage the Lawyer Personality to Maximize Success by Valerie Fontaine

Lawyers are different than most people.

Many of us are former practicing lawyers, and our clients and candidates are lawyers, so this news should not come as a surprise. Scientific research done by Dr. Larry Richard, an expert on the psychology of lawyer behavior, backs this up. At NALSC's recent virtual Fall Symposium, Dr. Richard laid out the details of exactly how the lawyer personality differs from the norm, and how to use this information to increase our recruiting success.

Using the Caliper Profile <https://calipercorp.com/caliper-profile/>, Dr. Richard studied more than 5000 lawyers, including 250+ law firm leaders, and discovered that lawyers are outliers on seven specific personality traits. And those of you who are not lawyers aren't off the hook; he found that other professionals who work with lawyers tend to resemble them as well. Compared to "civilians," lawyers scored high on skepticism, autonomy, urgency, and abstract reasoning and low on sociability, resilience, and cognitive empathy. These outlier traits can both help and hurt recruiting and there are some science-based steps we can take to help mitigate their impact.

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How to deal with lawyers' outlier personality traits

- On the high side

High skepticism means that all parties to any transaction must both sell and scrutinize all aspects of the deal. Assume skepticism and be prepared to establish trust. Overprepare with facts and be armed with information that reassures. Dr. Richard's tip: Be skeptical about the information and trusting with the people.

High autonomy means that lawyers want to be in control (big surprise!), so don't be over-directive. Phrase your advice as "would you like to" rather than "you should." Give choices, even if they are illusory, and share the rationale for your recommendations. Don't try to use the carrot and stick strategy because offering incentives actually diminishes the sense of autonomy.

The good news about the **high urgency** trait is that your client or candidate might push to move things along, but they may not take adequate time for reflection and thorough consideration. Try to mirror your candidate's or client's urgency—be at same level of speed—while encouraging proper analysis of the situation.

Almost by definition, lawyers are smart. But their **high abstract reasoning** means you're not only dealing with a quick study but also someone who may like to argue and debate. Sidestep it. Avoid the temptation to confront or respond. It can lead you down an endless rabbit hole of back-and-forth.

- On the low side

Low sociability makes it difficult for lawyers to talk at a personal level, show vulnerability, and share their hopes and dreams—all which are necessary for us to make the best match between candidate and client. Since lawyers tend to be very private about their emotions, avoid putting them in unscripted situations where they can feel vulnerable. Unfortunately, the recruiting process often calls for just those kinds of impromptu interactions during interviews, meet-and-greets, etc. so do your best to provide lots of preparation and background information. Try using role-play and suggest game-planning the situation.

Lawyers' tendency towards **low resilience** makes them defensive and easily hurt or offended. Handle them with care and be prepared to do considerable hand-holding—with both candidates and clients. Rehearse empowering thoughts with them to minimize self-sabotage.

Low cognitive empathy means that lawyers may have difficulty understanding others' needs. Dr. Richard's research shows that this score has been dropping even more over past few years among the younger demographic, so watch for it especially with your Millennial and Gen Z clients and candidates. To handle this, guide them to think about how another person would experience something, to "walk a mile in their shoes." Again, role-playing might be helpful.

Don't forget that, while we are attempting to manage our clients' and candidates' outlier personality traits, we need to handle the same tendencies within ourselves. Knowing more about how we—and other lawyers in our lives—tick can help us make the most of those "Lawyer Brain" differences and maximize our chances of recruiting success.

Larry Richard, J.D., Ph.D. of [LawyerBrain LLC](https://lawyerbrain.com/) (*Improving Lawyer Performance Through Personality Science*) may be reached by phone at (610) 688-7400 or by email at dlarryrichard@lawyerbrain.com.



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Leaving AmLaw

Understanding Virtual Law Firms and Why Partners Make the Move

By Christopher S. Harrison, Managing Partner, Sterlington PLLC

Almost 10 years ago, I was debating with the executive committee chairman of my AmLaw 20 firm, where I was co-head of an M&A group, about modernizing to create flexible work structures. I told him that he was “trying to run the firm from the 1960’s.” Despite my directness, I’m afraid the message was not understood. So I got a toy music box shaped like an old typewriter that played the song “Yesterday,” and displayed it in my office. Still, that device could not get the message through. Don’t get me wrong, my law firm was as good as it gets in its legal practice; it was the infrastructure supporting those talented lawyers that I was talking about.

I left the firm for unrelated reasons to take a job as the Chief Investment Officer of a multibillion-dollar family office client that was making its money in technology and AI. Since then, I have focused on how best to create the future of modern legal practice, using my experience as a professor teaching negotiating M&A deals at NYU Law and legal technology at Fordham Law, and then founding a law firm focused on practicing law through a distributed and diverse team of integrated attorneys.

I see the future of law as focused on excellence through efficiency, quality, and diversity. Modern “virtual law firms” are at the forefront to achieve this by investing in firm infrastructure, utilizing technology, and supporting a flexible work environment, which lays the foundations for an enhanced lifestyle to meet the diverse needs of a modern inclusive team. Partners can take home substantially more income by leaving traditional, institutionalized law firms and joining these new types of practices.

So, who is a good candidate for a virtual law firm?

A great candidate for a virtual law firm is any partner who:

- Wants to take home a larger share of their own revenue. Virtual law firms share most top line revenue with their partners. In many cases, a lateral partner can take home 25-75% more than at their current firm.
- Has a smaller or larger book of business than a traditional law firm desires. Virtual law firms are more flexible.
- Needs professional marketing and business development support to grow their practice. Virtual law firms invest in services to support their partners, who they view as clients not servants.
- Is not a friend of mandatory office “face time” and who desires a flexible lifestyle.

What are the real benefits?

Economics. More revenue in the partner’s pocket.

Flexible hours and lifestyle. Any partner wishing to work less than full time or avoid traditional office hours is welcomed in a virtual law firm, while they are treated like second class participants in a traditional law firm. That is not to say remote lawyers do not work as hard as any others. Instead, they work more efficiently and productively in a distributed work environment.

Talent retention. Flexible accommodations keep top talent from leaving the industry or their careers.

All of this leads naturally to greater wellbeing among partners, a better sense of community with the team, and greater diversity and inclusion.

How can recruiters identify the right candidates?

Given the enhanced economics and lifestyle, it is an option that every lateral partner should consider. Virtual law firms are more attractive than ever for lateral partner candidates.

How is a virtual law firm different from just working remotely?

Virtual law firms work together more closely than lawyers across two offices of a major law firm, surpassing the constraints of location and time zones. Once entirely untethered to a physical location, partners can move anywhere they like, for family reasons or to further enhance their economics by taking advantage of geographic arbitrage.

What do virtual law firms do for their partners?

Virtual law firms are in the business of serving their partners. Providing the best possible services to the partners is the revenue driver for the firm, not a cost center, leading virtual law firms to invest heavily in operations to attract lateral partners to the platform.

In particular, virtual law firms go out of their way to provide extensive business development support for their partners, as well as automation and information technology to make partners more productive.

Is the partnership economic model the same?

Virtual law firms have more sophisticated – and lucrative – economic structures for their partners than traditional law firms.

Most importantly, in a virtual law firm, producing partners take home a share of their own revenue, rather than being at risk for variable firm profits. In a traditional law firm, partners share profits with partners they do not know, which are reduced by overhead expenses they do not control.

In a virtual firm there are typically two equity classes. The first class grants the producing partners a share of their own revenue. The second class manages the firm’s operations and is responsible for its overhead. It acts as the service provider to the partners.

How to work with a virtual law firm

Virtual law firms are optimized to work with recruiters. Not only are the fees higher (because partners earn more), but they also have professional recruiting functions. Virtual law firms are focused on expansion and making it work.

At Sterlington we actively seek team members with different backgrounds. I wanted to move away from my own early experience of a firm dominated by a group of men who were educated at the same schools and had the same hobbies. By being an advocate and encouraging a team with different experiences, I knew we would grow to be a stronger team with richer experience, ready to navigate the future and the unexpected.



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Will the Legal Industry Experience a K-Shaped Recovery Too?

Many economists today predict a K-shaped recovery for 2021: some sectors of the economy will bounce back quickly and sharply as we enter a post-pandemic world, rapidly returning to pre-COVID heights (if not higher).

By Marcie Borgal Shunk

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Offensive players

- Ramped up client outreach
- Proactively offered alternative billing solutions
- Made targeted investments (post spending freeze)
- Adopted new approaches to train and educate lawyers and clients
- Supported talent, culture and DEI

- Restructured operations
- Deployed a spending freeze
- Aggressively minded financial health
- Prioritized technology, especially work-from-home

- Emphasized cost-cutting over smart spending
- Scaled back on client outreach and BD efforts
- Cut professional development programs

Defensive players

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Smart Strategy

Many economists today predict a K-shaped recovery for 2021: some sectors of the economy will bounce back quickly and sharply as we enter a post-pandemic world, rapidly returning to pre-COVID heights (if not higher). Others, such as largescale events or hospitality, for example, will be slow to rebound, facing longer-term repercussions as companies and people simply do not revert to former ways of doing things. For the legal industry, much of which has suffered more of a minor scratch than a major blow in 2020, what does 2021 have in store? It depends. Some legal service providers will thrive, even flourish, in the coming years. Others, mirroring the K-shaped model, will have decidedly bleaker outlooks. How can a firm know its fate?

For the legal industry overall, a K-shaped recovery sounds like a boon. The parallel upward trajectories of both cyclical and countercyclical work will provide larger, full-service firms with a wealth of opportunity. Growth prospects are higher even than in recent years. An active transactional market, an onslaught of backlogged litigation, a spate of new employment issues and a surge in bankruptcy filings will spur demand. Plus, a new political regime, likely to include renewed interest in infrastructure and clean energy and sweeping changes in tax, regulation and environmental, will further spark market expansion.

Against this backdrop it is difficult to see the downside. However, as at least a handful of firms already know, not every firm is positioned to take advantage of this potential upsurge. How firms responded to the dynamic changes of 2020 and how effectively and proactively they approach 2021 will determine whether they come out ahead. Successful firms will have made—and will continue to make—their mantra to be deliberate and intentional. In the face of sweeping changes and remote work, no other strategy will yield optimal results.

While most firms fortified their operations in 2020, making structural changes to reduce overhead expenses and boost reliance on technology, only the top performers simultaneously laid a solid foundation for long-

er-term growth. Defense-only firms hunkered down, scaled back on client outreach and business development and emphasized cost-cutting over smart spending. The refrain from leaders at these firms was one of “wait and see,” with the suggestion that “clients have a lot on their plates right now; we are here for them but will not bother them with business development calls.” Partners floundered, wondering what to do in this new environment. Internal departmental budgets from marketing to professional development to recruitment were slashed alongside salaries, most often for support staff but also for associates and partners.

Blanket spending freezes were common in 2020. Yet while protectionist firms maintained these long enough to result in some of the most profitable years on record, firms with a longer-term lens evaluated changing needs and put the right dollars back into play as quickly as possible. Investments either in high demand areas, such as pricing and billing support, financial analysis, technology and communications, or in areas with high expected payoffs, such as selective recruiting, professional development, or even awareness-building, took precedence. Restoring salaries or even rewarding talent with bonuses or raises came next, with leading firms attempting to rebuild confidence.

Perhaps the greatest distinction between those firms poised to reap rewards in 2021 and those not, though, is in how each approached client and talent engagement in 2020. While many firms—and lawyers—fumbled, reluctant to continue client outreach in the midst of the pandemic, others leaned in. While some adopted a “business as usual” policy with associates and staff, others reevaluated. Partners with especially high EQ or strong relationship-building skills leveraged these strengths to build deeper connections. They called clients, checked in on Associates and staff, and demonstrated genuine interest in people’s well-being. Similarly, firm leaders with the same mindset institutionalized these efforts, providing guidelines and training to lawyers and staff on how to engage with clients in unusual circumstances, encouraging outreach and setting the right tone with respect to the importance of dialogue and mental health.

Forward-looking firms, also, did not lose sight of the market opportunities. Some repurposed and retrained lawyers to support bankruptcy. Others leaned on pricing advisers to devise innovative, sound ways to offer alternative billing options to clients, often proactively. Still more explored and invested in the diverse and growing needs in talent development and culture, with a handful making significant and notable strides in acknowledging the need for holistic, top-to-bottom approaches to truly advance DEI efforts. In short, the top performers deployed a combination of offensive and defensive tactics to stay not just in but ahead of the game.

Consider an analogy—a youth football or soccer tournament perhaps, where one team is playing strong offense, making moves to unseat the competition; a second team is standing up a powerful defense, protecting its turf, though not necessarily gaining advantage; and a third team is combining both tactics for a winning strategy. The same is true of law firms—those who make both offensive and defensive strides in 2020 are in a stronger place for 2021. (As an aside, we would be remiss not to extend the analogy to include those players, common in youth

sports, daydreaming in the middle of the field while others make moves all around them. Those, too, exist in among law firms and can expect to be knocked down by the force of what's to come in the next 12-24 months.)

"To capture a piece of what the coming year may offer demands leadership and aggressive action."

Fortunately, for those firms that engaged in more defense than offense in 2020, the game is not yet lost. While the advantage goes to those firms that already made the right moves, the wealth of opportunity 2021 promises is still within reach for others (admittedly, perhaps not the distracted midfielders.) To capture a piece of what the coming year may offer demands leadership and aggressive action. A punch list of how to approach the year:

- **Strategy 2.021.** First and foremost, every firm must take a renewed look at its strategy – no industry or geographic region is left unchanged by the collective events of 2020. Evaluate the positions of individual clients alongside prospects for their industry sectors and global operations.
- **Anticipate talent wants and needs.** Work-from-home is no longer merely an idealistic concept reserved for punchy startups or whimsical tech companies. The ability to attract and retain talent will hinge on how law firms respond to demands for flexibility which are higher than they have ever been in the legal industry and beyond.
- **Diversity matters.** Diversity efforts centered around tracking metrics and mandatory training are so 2020. Organizations are finally acknowledging the link between diversity and culture and the need for comprehensive assessments of culture, belonging, toxicity and more to create inclusive environments where all people can thrive. Educational programming is not enough.
- **Connect with clients.** The pandemic opened up people's lives, literally allowing partners to enter their clients' living rooms, virtually, if they made the overture. As long as remote work continues, and hopefully beyond, the opportunity to create personal, lasting connections with clients is stronger than ever.
- **Lateral boom, anywhere.** To those firms willing to entertain the

possibility, the lateral market for top talent in markets outside of the firm's geographic footprint creates a whole new adventure—and, potentially, value proposition for all involved. Be sure to get a tax specialist involved before making any major steps.

- **Elevate the analytics.** Whether to anticipate the flexibility clients will need around billing, to ensure profitability of existing and new ventures or to evaluate market shifts and opportunities for the firm and its clients, investments in analytic capabilities (and the data clean-up to use them) are long overdue.
- **Arizona, Utah, California, oh my.** In the wake of all else that happened in 2020, it is easy to overlook recent moves to permit or pilot outside ownership of law firms. While for some regional firms this model is still a hypothetical, for virtually every national or international firm these changes, alongside Big 4 investments in U.S. legal tech, alliances and more, signals a real and increasingly imminent threat.
- **Leadership and the long game.** Finally, someone to lead it all. With just a third of law firms offering any kind of leadership training and those that do averaging just 11 hours annually, it is imperative firms step up their educational game to ensure existing, incoming and emerging leaders have the tools, self-awareness and coaching to lead this transformation.

It is true this crisis has, in many ways, offered a silver lining to law firms—and with 2021 promising even greater returns it will be tempting to continue to play the game the way the firm always has, minding financial health and awaiting return to "normal." This time, though, what if normal never comes? What if our shared experience has permanently and irrevocably changed the fabric of who we are as people, organizations, and cultures? Playing the offense and making the right moves can not only help position the firm for growth, it may, in some ways, be what is needed to simply continue to exist.

ABOUT THE AUTHOR: is president and founder of The Tilt Institute, a firm dedicated to unveiling new perspectives on law firm growth through intelligence, innovation and intuition. She specializes in helping law firm leaders make better, data-driven business decisions. Shunk is also a member of the [ALM Intelligence Fellows Program](#).



Practicing Law Remotely and Ethically

By Tina B Solis and Christina E. Kurow

Introduction

In response to the pandemic, the vast majority of lawyers are working remotely. Practicing remotely has made it possible for some lawyers to relocate during this time, perhaps to a vacation or family home or to a rental residence out of state. Some young lawyers have returned to their parents' homes out of state during the pan-

demic. All of these situations involve a serious issue facing many in the profession today: whether a lawyer working remotely while physically located in a state in which that lawyer is not licensed is engaging in the unauthorized practice of law? On December 16, 2020, the American Bar Association's Standing Committee on Ethics and Professional Responsibility issued Formal Opinion 495 ("Formal Opinion 495"), providing some commonsensical guidance with regard to this issue.¹

Formal Opinion 495 provides that a lawyer may ethically practice law in a jurisdiction in which he or she is admitted (the "licensing jurisdiction") while physically located in another jurisdiction in which he or she is not admitted (the "local jurisdiction") if certain criteria are met. Specifically, Formal Opinion 495 provides that lawyers are not engaging in the unauthorized practice of law if:

- 1) The local jurisdiction has not determined the conduct is the unlicensed or unauthorized practice of law;
- 2) The lawyer does not hold himself or herself out as being licensed to practice law in the local jurisdiction;
- 3) The lawyer does not advertise or otherwise hold himself or herself out as having an office in the local jurisdiction; and
- 4) The lawyer does not provide or offer to provide legal services in the local jurisdiction.²

Formal Opinion 495 explicitly defers to each state's specific rules regarding the unauthorized practice of law, and so the rules of the licensing jurisdiction and the local jurisdiction both must be consulted. Particular attention must be paid to the local jurisdiction's rules as penalties for engaging in the unauthorized practice of law are severe and include suspensions, disbarments, sanctions, and fee forfeitures. A high-level overview of Formal Opinion 495's key findings follows.

Formal Opinion 495

ABA Model Rule of Professional Conduct ("Model Rule") 5.5 prohibits the unauthorized practice of law.³ Rule 5.5 provides that a lawyer shall not (1) "practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so;" (2) "establish an office or other systematic and continuous presence in [the] jurisdiction [in which they are not admitted] for the practice of law," or (3) "hold out to the public or otherwise represent that the lawyer is admitted to practice law in [the] jurisdiction [in which they are not admitted]."⁴

In concluding that relocated attorneys are not engaging in the unauthorized practice of law, Formal Opinion 495 drew upon the purpose of Model Rule 5.5, which is "to protect the public from unlicensed and unqualified practitioners of law."⁵ Formal Opinion 495 held that this purpose is not served by "prohibiting a lawyer from practicing the law of a jurisdiction in which the lawyer is licensed, for clients

with matters in that jurisdiction, ***if the lawyer is for all intents and purposes invisible as a lawyer to a local jurisdiction where the lawyer is physically located, but not licensed.***"⁶ The Standing Committee characterized the relocated lawyer's physical presence in the local jurisdiction as merely "incidental" and "not for the practice of law."⁷

For relocated lawyers to maintain their "invisible" status in the state, Formal Opinion 495 makes clear that the lawyers cannot (1) hold themselves out as performing or available to perform legal services in the local jurisdiction; (2) perform or offer to perform legal services for clients in the local jurisdiction; and (3) establish an office or provide any other indicia of a systematic and continuous presence in the local jurisdiction.⁸

In order to comply with Formal Opinion 495's guidance, a lawyer should not offer to provide services in the local jurisdiction. Moreover, a lawyer's website, letterhead, business cards, and advertising should identify their jurisdictional limitations.⁹

Similarly, to avoid the appearance of a systematic and continuous presence in the local jurisdiction, a lawyer should not publicize his or her local address as an office address, and the local address should not be included on the lawyer's letterhead, business cards, or websites.¹⁰ To avoid client confusion about the relocated lawyer's whereabouts, Formal Opinion 495 suggests including notations such as "by appointment only" or "for mail delivery" with publications of the lawyer's address in the state in which the lawyer is licensed.¹¹

As mentioned above, the laws of the local jurisdiction and the licensing jurisdiction must be consulted to ensure lawyers are not engaging in the unauthorized practice of law. As Formal Opinion 495 held, if the local jurisdiction prohibits a relocated attorney from practicing in the state, even if not servicing local clients, such a practice would constitute the unauthorized practice of law.¹²

So far, not many states have weighed in on this issue. But the few that have, agree with Formal Opinion 495's rationale.¹³

For instance, Maine Ethics Opinion 189 (2005) provided:

Where the lawyer's practice is located in another state and where the lawyer is working on office matters from afar, we would conclude that the lawyer is not engaged in the unauthorized practice of law. We would reach the same conclusion with respect to a lawyer who lived in Maine and worked out of his or her home for the benefit of a law firm and clients located in some other jurisdiction. In neither case has the lawyer established a professional office in Maine, established some other systematic and continuous presence in Maine, held himself or herself out to the public as admitted in Maine, or even provided legal services in Maine where the lawyer is working for the benefit of a non-Maine client on a matter focused in a jurisdiction other than Maine.¹⁴

Along these same lines, Utah Ethics Opinion 19-03 (2019) held: "what interest does the Utah State Bar have in regulating an out-of-state lawyer's practice for out-of-state clients simply because he has a private home in Utah? And the answer is the same—none."¹⁵

While the trend appears to allow a lawyer to practice law in the state in which he or she is admitted while physically located in another state, attention must be given to both the licensing jurisdiction's rules and the local jurisdiction's rules.¹⁶ Pursuant to Mod-

"While the trend appears to allow a lawyer to practice law in the state in which he or she is admitted while physically located in another state, attention must be given to both the licensing jurisdiction's rules and the local jurisdiction's rules."¹⁶

el Rule 8.5, a lawyer who has been disciplined for the unauthorized practice of law in the local jurisdiction also may face reciprocal discipline in the licensing jurisdiction for the same conduct.¹⁷ Therefore, it is best to consult with counsel knowledgeable in this area prior to engaging in any remote work.

¹ABA Standing Comm. on Ethics & Prof'l Responsibility, Formal Op. 495 (2020).

²*Id.* at 1.

³Model Rule 5.5.

⁴*Id.* at 5.5(a)-(b).

⁵Formal Op. 495 at 3.

⁶*Id.* (emphasis added).

⁷*Id.* at 2.

⁸*Id.* at 2-3.

⁹*Id.*

¹⁰*Id.* at 2.

¹¹*Id.* at n. 3.

¹²*Id.* at 3-4.

¹³*Id.* at 3.

¹⁴*Id.* (citing Maine Ethics Opinion 189 (2005)).

¹⁵*Id.* (citing Utah Ethics Opinion 19-03 (2019)).

¹⁶See Florida Bar Standing Committee on the Unlicensed Practice of Law, Prop. Advisory Op. 2019-4 (Aug. 17, 2020) (holding lawyer living and working out of Florida residence for a New Jersey firm with no offices in Florida was not engaging in the unauthorized practice of law if solely practicing federal intellectual property law, and not holding out as a Florida lawyer); District of Columbia Committee on Unauthorized Practice of Law, Op. 24-20 (Mar. 23, 2020) (stating a lawyer residing in D.C. is not engaging in the unauthorized practice of law if the lawyer "(1) is practicing from home due to the COVID-19 pandemic; (2) maintains a law office in a jurisdiction where the attorney is admitted to practice; (3) avoids using a District of Columbia address in any business document or otherwise holding out as authorized to practice law in the District of Columbia, and (4) does not regularly conduct in-person meetings with clients or third parties in the District of Columbia.").

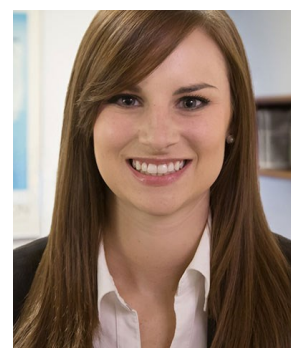
¹⁷Model Rule 8.5(a).

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The Advisory Committee Report

Our NALSC Advisory Committee, consisting of supporting law firm members, was established to provide counsel to the NALSC Board of Directors on how NALSC can best meet the needs of its law firm members, and how law firm members can best contribute to the overall success of NALSC.

As a liaison between law firms and search firms, this committee provides (a) knowledge of legal industry trends, (b) suggestions to refine legal recruiting best practices, (c) insight into in-house law firm legal

recruiting strategy and structure and (d) strategic thinking on potential relevant programming. The committee reported recently that key priorities for NALSC growth should be increased brand awareness and Code of Ethics education in the legal community. Based on this recommendation, a social media expert will consult with NALSC to build an action plan with specific steps to effectively implement these initiatives.

We are extremely grateful for the support, dedication, and constructive feedback from our Advisory Committee and entire supporting membership.

The Advisory Committee currently consists of:

- Karen Kupetz, Senior Director of Legal Recruiting for Goulston & Storrs PC (Chair)
- Carryn Sheen, Senior Director of Lateral Partner Recruiting at Crowell & Moring LLP (Vice Chair)
- Stephanie Casker, Recruiting & Legal Personnel Manager at Kelley Drye & Warren LLP
- Chuck Curtis, Firmwide Director of Attorney Recruiting at Pillsbury Winthrop Shaw Pittman LLP
- Shannon Davis, Director of Legal Recruiting at Mintz, Levin Cohn, Ferris, Glovsky and Popeo, PC
- Carmen Kelley, Director of Lateral Attorney Recruiting at Morrison & Foerster LLP
- Sabrina Lonergan, Director of Lateral Partner Recruiting at Goodwin Procter LLP
- Melissa Peters, Senior Manager of Lateral Recruiting at K&L Gates LLP

The Recruiter's Bookshelf

SMACKED: A STORY OF WHITE-COLLAR AMBITION, ADDICTION, AND TRAGEDY by Eilene Zimmerman

By Raphael Franze with guest author Joseph E. Ankus

In her debut book, *Smacked*, Eilene Zimmerman offers a courageous and unflinching account of life as a BigLaw spouse. Taking this emotional journey with her, the reader learns of the private agony of an outwardly successful family and the addictions that ultimately lead to its undoing. Upon reflection, Zimmerman shares both her personal blind spots and biases as well as her research and findings that shed light on greater issues that pervade not only BigLaw but also white-collar America in general.

We are introduced to both Eilene and her husband, Peter, in the opening chapter as twenty-somethings on a courtship journey. It is here that Zimmerman most thoroughly delves into their respective personalities and the emotional baggage each brings to the relationship. The following chapters fast forward two decades into a marriage ending in divorce and the attempts both make afterwards to pick up the pieces. It is at this point where we learn of Peter having pursued a legal career: he is now three years into his partnership at Wilson Sonsini and his approach to work seemingly has taken a toll on the marriage (NOTE: Wilson Sonsini is a long-time Supporting Member of NALSC).

It is then in the heart of the book where *Smacked* hits its stride, as Zimmerman painstakingly describes the last year of her now ex-husband's life as addictions (including substance abuse) lead to Peter's untimely death at the age of 52. Most notable from these chapters is that, while Peter's behavior grew more erratic and his appearance became unhealthier, Eilene and their children and others close to Peter never comprehended that he had descended into an irrepressible hard drug habit. Looking back, Eilene comes to understand that her biases about addiction (most notably that well-off and well-educated professional types do not become drug addicts) blinded her to the evidence that Peter had indeed become a "junkie" himself.

In the latter chapters, Zimmerman takes the reader along on her quest to gain perspective on the factors that contributed to Peter's addictions and subsequent passing. While we learn of Peter's prior baggage that he brought with him into his legal career (casual drug use, social awkwardness originating from an early childhood spent in foster care, strict religious upbringing, etc.) and Zimmerman acknowledges that not everyone in BigLaw and white-collar America is a drug user or abuser, she does inform the reader that the substance abuse problem has grown rapidly due to a variety of personal and institutional factors.

As a former attorney, I relate to the workaholism that Peter exhibits throughout his relationship with Eilene. While it still existed in tan-

dem with his worsening drug addiction later in life, it is disheartening that even his last phone call on the evening of his overdose was into a work meeting. Such an addiction to work may have shown up as early as his first year in practice when, to Eilene's dismay, Peter insists that the all-nighters that were frequent in law school still would occur moving forward. Zimmerman notes that, while workaholism is a quality prized in professional settings (particularly in America), the pressures on one's time and energy and the resulting lifestyle imbalance can lead these same workaholics down a path of mental illness and substance abuse.

"As advisors to our candidates, it is in their best interest that we help them reflect upon their careers as part of their lives in general. In fact, we may be the only objective party with whom they feel comfortable discussing these topics. While a higher salary and a more prestigious title or brand can be beneficial professionally, work does not exist in a vacuum, and its overall impact on one's life should be assessed frequently."

I also find it noteworthy, as a recruiter, that Peter was on his fourth legal employer, which is to say that there were at least four distinct opportunities during his legal career for Peter to reassess his values and realign them with his career objectives. While Peter and Eilene, in the midst of separation, ponder whether their marital life would have been better had Peter gone in-house instead of aspiring to law firm partnership, Peter acknowledges that he was more ambitious than he previously thought. Whether Peter gave much mind to his values beyond this is unknown to the reader; given the manner in which he prioritized his work over other aspects of life (most notably his family and physical health), I assume that he likely did not.

As advisors to our candidates, it is in their best interest that we help them reflect upon their careers as part of their lives in general. In fact, we may be the only objective party with whom they feel comfortable discussing these topics. While a higher salary and a more prestigious title or brand can be beneficial professionally, work does not exist in a vacuum, and its overall impact on one's life should be assessed frequently.

In closing, I am reminded of the oft cited "Five Balls of Life" commencement speech given by a former Coca-Cola executive and which appears quite antithetical to Peter's life (particularly in his later years):

"Imagine life as a game in which you are juggling some five balls in the air. You name them work, family, health, friends and spirit. And you're keeping all of these in the air."

You will soon understand that work is a rubber ball. If you drop it, it will bounce back. But the four other balls – family, health, friends and spirit – are made of glass. If you drop one of these, they will be irrevocably scuffed, marked, nicked, damaged or even shattered. They will never be the same. You must understand that and strive for balance in your life."

Continued on page 12

JOE'S TAKE

As a 30-year legal recruiter and former BigLaw attorney, I was profoundly impacted by Eileen Zimmerman's memoir about her late husband Peter. The book is candid, raw, and insightful.

The most pressing question for me, as I read it, was simply "why did this happen?" The author provides no absolute answer for such a tragic and intimate event. Peter's challenges likely manifested over decades but culminated at the most fervent of times – when he was a partner at one of the largest and most respected law firms in the country.

In writing this article, I draw my own conclusions and in no way am I indicting BigLaw or the legal profession. To do so would oversimplify a larger, systemic, and complex issue. For many, BigLaw is economically and personally satisfying, while others find it harrowing and debilitating.

Many aspects of every firm's culture are pieces to the larger puzzle. By anyone's definition, Peter was a workaholic. Zimmerman makes it clear that her husband's clients, billable hours, and firm took precedence over family, friends, and his own wellbeing. Being labeled a "workaholic" is neither a badge of honor nor of shame since mental health data shows that labels serve no purpose other than for a qualified clinician to diagnose and treat a patient.

Like many other accomplished attorneys, Peter was drawn to the money, intellectual challenge, and prestige associated with law firm partnership. For many, the transition from associate to partner is seamless and exciting. For others, the combination of client, family, and personal demands can be insurmountable.

At its core, law is combat where the uniform is business attire. Beyond the veneer of legal jargon and a modicum of ethical standards, some lawyers relish the visceral thrill of "scorched earth" litigation or closing the "monster deal" without regard to collateral consequences. Other lawyers do not adapt as well to practice – for a host of reasons – and choose to self-medicate to numb emotional pain or to stimulate themselves to achieve unrealistic goals. In Peter's case, his drug addiction probably was a combination of both.

Obviously, law is a business. Despite protestations and platitudes to a "collegial culture," lawyers were, are, and always will be measured by their collected revenue. An institutional culture that is sustained by billable hours and high realization rates, in any firm, wreaks havoc for some and incentivizes others. The challenge is identifying who is who – for the benefit of all.

Reading *Smacked* reinforced my belief that law firms should be especially vigilant in identifying and aiding their attorneys who may be more susceptible to negative coping strategies. Being a productive and profitable attorney is not mutually inconsistent. The primary challenge is placed fairly on law firm management to understand that, while their charges all may be lawyers, these lawyers still are individuals. We should value them by using a wider lens rather than leading only from the balance sheet, as compensation is but one of many factors that may precipitate a lawyer's dissatisfaction, distress, and possible departure.

Stigma about mental illness is another possible variable as to "why" Peter's life ended tragically. As a Mental Health First Aid instructor

working with law firms and law schools, I know firsthand that there still is significant institutional resistance to discussing the relationship between mental health, attorney productivity, and reduced malpractice. I tell law firm partners that a healthy lawyer often is the most productive lawyer.

Unfortunately, even when I share credible data, it is received with a kind, yet politely dismissive, attitude. I have heard every excuse to avoid difficult discussions; "Sink or swim," "Tough it out," or "Go do something else" are just a few of the phrases used to stifle a conversation. Above all, the one comment that resonated most unfavorably to me was, "If we know there is a problem, then we have to do something about it. If we don't know, we can't be sued." (I did not get the chance to argue that "willful blindness" isn't an excuse because the partner was headed to a management committee meeting.)

While our profession has made significant strides towards a culture of wellness in the last few years, we have a long way to go. For those who still question the need for increased mental health education in the workplace or the "why" surrounding these issues, I highly recommend reading *Smacked* at your first opportunity.

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Hashtags 101: Everything You Need to Know About Using Hashtags on LinkedIn

By Stefanie Marrone

Hashtags amplify the reach of your social media content and they've become increasingly important on LinkedIn for individuals and companies.

Hashtags are trending and commonly used search terms on social platforms (a hashtag uses the # sign followed by the term, so for example #socialmedia). Some users follow and search for content using hashtags and their usage is increasing across all social platforms. Incorporating hashtags into your social strategy will enhance your ability to reach prospects, clients, and other interested parties because individuals who are following or searching that hashtag may see your content even if they are not connected to you.

Use only three to five hashtags, or LinkedIn will mark your post as spam. This is SO important. You can't just stick a bunch of hashtags into your post and think it will help your post get discovered. It only will make your post invisible.

Also, please don't put the hashtags within the body of the post – so don't do this:

#Hashtags are a very effective way of increasing your #visibility and building your #personalbrand on #socialmedia.

This is hard to read for many people. The hashtags should be at the end of your post. Skip a line between the last line of the body copy of the post and your hashtags for readability.

The best way to find the right hashtag is to use the search functionality in the main search bar and type in a term to see how many followers it has. Too many followers will ensure your post will get lost, as will using

a hashtag with only a few followers because no one will see it. Just changing a letter or abbreviating it can make a huge difference in the number of followers of a hashtag. I can't stress the importance of researching permutations of hashtags before you use them. You will see a huge difference in the discoverability of your content IF you take the time to do this!

Don't rely on the hashtag suggestions that LinkedIn provides; they're based on content and AI, and not on the number of the hashtag's current followers. Many people rely on the words that come up when they type in a post, or they just use the ones they think are best without doing research. That's not smart LinkedIn strategy. Double check them first using the main search bar. There is no quick and easy automated tool for this – YOU are the best resource.

I'm not a huge fan of making up your own hashtags, however, because that won't help your content be discovered. (These hashtags have a low number of followers if any at all.) You always must click on the hashtag to see how many followers it has, or you are not creating a strategic social media strategy.

If you find yourself writing about the same topics repeatedly, make a list of the top hashtags in that area so you can copy and paste them. This will make your life much easier. (See graphic for some suggestions relevant to legal recruiting.) Note that a hashtag rarely will lose followers but rather will gain them.

Hashtags are incredibly important on LinkedIn – start using them today!

Happy hashtagging.

Legal Industry/Legal Recruiting Hashtags

General Legal Industry Hashtags

#law 5,530,686 followers
#legalprofession 492,413 followers

#lawfirms 65,793 followers
#lawfirm 41,513 followers

#lawyers 65,370 followers
#lawyer 49,657 followers

Legal Recruiting Hashtags

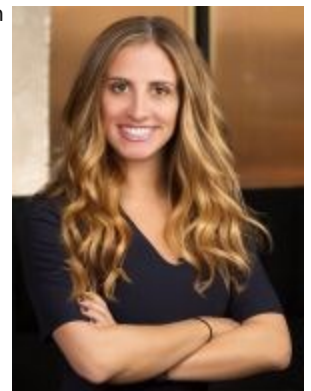
#lawjobs 17,205 followers

#legalrecruitment 1,877 followers
#legalrecruiting 538 followers
#legalrecruiter 30 followers
#legalrecruiters 9 followers

#legalcareers 733 followers
#legalcareer 243 followers
#attorneyjobs 141 followers

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Stefanie Marrone advises law firms of all sizes, professional service firms, B2B companies, professional associations and individuals on the full range of marketing and business development consulting services designed to enhance revenue, retain current clients and achieve greater brand recognition. She also serves as outsourced chief marketing officer/marketing department for smaller firms. Over her nearly 20-year legal marketing career, she has worked at and with a broad range of big law, mid-size and small firms, which has given her a valuable perspective of the legal industry. Connect with Stefanie on [LinkedIn](#) and follow her latest writing on [JD Supra](#).

The Secret Advantage that Most People Ignore

By Cara Hale Alter

The hardest part of my job is getting people to follow my advice. Why? Because what I advise often is so straightforward, so deceptively simple, so apparently “second nature,” that nearly everyone thinks they already do it.

I focus on a skill set that most people think is intangible. Some call it leadership presence or gravitas or an air of confidence. I call it *Visible Credibility* – the ability to project confidence and competence so that your value is on full display. With 20 years of research behind me, I identify specific high-value behaviors that have a disproportionately positive impact on the appearance of Visible Credibility.

But the perception of this skill set is a tale of two extremes. When thought of as a character trait, Visible Credibility often is seen as an elusive “vibe” that is more a matter of innate talent than skill. However, when broken down into its tangible behaviors, it’s seen as a common knowledge skill set, too rudimentary to merit attention. And yet that’s where the magic lies – and the competitive edge! Because these behaviors often are dismissed as simplistic, they remain an underestimated, untapped area of growth for most professionals.

So what are the keystone behaviors that cement an image of Visible Credibility? Start by focusing on strong posture, strong voice, and strong eye contact.

Strong Posture

Whether you’re standing or seated, elongate your spine, square your shoulders, and level your head. Make sure that when you look around, your head moves independently of your shoulders, like a camera on a tripod.

Note that the position of your chin can be very influential. Raise your chin too high and you may appear aggressive; dip your chin too low and you may appear submissive. Focus on being level-headed, both literally and figuratively.

While keeping your spine strong and head level provides an appearance of stability, engaging your hand gestures creates a sense of fluidity and interactivity. A common “tell” of self-consciousness is when your mouth is engaged but your body language isn’t. To appear comfortable, get your hands involved immediately, reaching out to your listeners with interactive gestures.

Strong Voice

We infer a lot about someone’s energy, engagement, and competence based on the quality of their speaking voice. Since the more comfortable we feel, the more freely we express ourselves, it makes sense that we view someone who speaks with strong volume as being more at ease and self-assured.

The good news is that volume is the easiest vocal skill to adjust. However, first you must acknowledge the difference between adequate volume and optimal volume. Most people err on the side of merely adequate, so you can gain a secret advantage by intentionally bumping your volume up a notch. Nearly everyone is capable of speaking with a stronger voice if only they would give themselves permission.

Strong Eye Contact

Eye contact is a key indicator for cultivating trust. Are you familiar with the

phrase, “Can you look me in the eye and say that?” Still, there’s a difference between *making* eye contact and *holding* eye contact. Duration is critical and, in the Western world, *holding* eye contact for three to five seconds per person is considered relaxed and attentive from the listeners’ point of view. (To internalize the rhythm of optimal eye contact, let your sentence structure guide you. Pauses, commas, and clauses are natural cues to move from one person to the next.)

Many people are concerned that increasing the duration of their eye contact will come across as aggressive, intrusive, or impolite. However, “too much” eye contact is less about duration and more about a lack of facial fluidity (i.e. having a poker face). Effective eye contact requires more than staring blank-faced in someone’s direction. Your body language and facial expressions also must acknowledge the listener. By nodding, raising your eyebrows, changing expressions, and reaching out with your gestures, you let your listeners know that they are included in the conversation.

Self-evaluation

Most professionals believe that they are proficient and habitual with all the skills above. And, for a special few, this is true. However, it’s vital to self-evaluate to verify your strengths and identify a potential “skills gap” that you may be blind to.

For self-evaluation, there is no tool more powerful than a video clip. In a perfect world, you’d capture a 5-minute sample of yourself in a real-world interaction – leading a meeting, interacting with a client, giving an update to a colleague. However, you always can create a mock sample by role playing a typical work conversation. (One of the benefits of virtual platforms is how easy it is to record.) Then, take the time to review your sample, filtering for the skills I’ve mentioned above. For bonus points, check for typical derailers like filler words or uptalk (raising the voice intonation at the end of declarative sentences as if they were questions).

After coaching literally thousands of people, there’s one complaint that’s fairly universal: People hate seeing themselves on video. If pressed as to why, most people will admit that they’re surprised by their own behaviors and mannerisms. This only proves that we’re fairly unaware of our own habits and supports the need to get an outside view. You have nothing to lose and everything to gain.

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At SpeechSkills, we work with highly capable people who want to have more influence and make a bigger contribution. Whether your goal is to lead a conversation, a meeting, or a movement, we’ll give you the skills you need to elevate to the next level.



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Looking Your Best on Webcam

In this new paradigm of Work From Home, knowing how to represent yourself well in virtual communication can give you a competitive advantage. To unpack this skill set, we'll use a memorable, but relatively unflattering acronym: FLAB (Framing, Lighting, Angle, Background). The goal is to appear as if you're simply sitting across the table. Try to minimize any signal that the medium is makeshift, artificial, or second best. The more you can make the medium invisible, the easier it is to create an authentic connection.

F - Framing

By filling the frame so that you're visible from "head to heart," your body language can add helpful nonverbal context. Be careful not to crowd your listener by getting too close to the camera and avoid leaving empty space above your head.

L - Lighting

Be sure to face the brightest light source in the room. The natural light of a window works great, but artificial light can work well if it comes from directly in front of you. Avoid back, side, or overhead lighting because of shadows.

A - Angle

To appear "on the level," be sure to adjust the video camera to eye level. If working from a laptop, you may need to prop it up on boxes or books (yoga blocks work great!) and use an external keyboard for easier typing.

B - Background

While there's a lot of room for personal choice here, simpler is better. Whether your background is real or virtual, make sure that the nonverbal message represents you well, and that you're aware of potential distractions from behind, such as movement from a ceiling fan or other people entering the frame.

HI KAREN - HOPE YOUR 2021 IS OFF AND RUNNING AFTER A YEAR WITH SUCH UNIQUE AND DAUNTING CHALLENGES. HAVE YOU HAD A CHANCE TO STOP AND REFLECT BOTH PERSONALLY AND PROFESSIONALLY?

I've really enjoyed how life has been a little bit slower. It's been an opportunity to focus on the things that are important, like family and different types of well-being like exercise, meditation, and eating well – really the basics of life that, in the hurry of things, just kind of get lost. I also have had the opportunity to spend more time skiing – in fact, I'm currently taking a working ski vacation in Mammoth along the Eastern Sierra Nevada mountains of California!

I also would say that I've had the opportunity in recent months to work on my resiliency and flexibility "muscles" in gaining an open mind to doing things differently. As an organization, it's been great to see this sort of thing modeled so seamlessly throughout Goulston & Storrs ("G&S"). For example, we did very little virtual interviewing a year ago and placed a high priority on doing things in-person. It's been terrific to see our recruiting function, and the firm as a whole, transition fully to working remotely while maintaining and, indeed, strengthening our personal connections with one another.

Shortly after we all started working remotely, the firm launched "GoulstonConnects" to help us find ways to connect with one another that aren't work related. My family laughs when they come into my office and find me painting, knitting, engaged in a book club, trivia night, or when our firm chef and staff teach us how to sharpen our knife skills in the kitchen, and I promise them "I'm working." The connections we are nurturing have had a positive impact on our recruiting because candidates comment on the banter and warmth that we show one another. In many ways, we are coming out of this much stronger because we've adapted so quickly to doing things differently.

GLAD TO HEAR YOU HAVEN'T MISSED A BEAT WHILE ENJOYING SOME FUN MOMENTS WITH YOUR COLLEAGUES! LIKE MANY OF US IN NALSC, YOU CAME TO LEGAL RECRUITING FROM A CAREER AS A LAW FIRM ATTORNEY. HOW DID THAT COME TO PASS?

For starters, I really enjoyed the process of getting my first job as an attorney. Upon graduating law school in Los Angeles, I moved to New York with my husband as he was in graduate school there. Having gone to a regional law school on the other side of the country, there weren't many resources to help me in my job search. As a result, I had to figure out how to get my foot in the door. This is going to sound strange, but I discovered that I really loved interviewing. I enjoyed meeting with attorneys, and some judges, and learning about what they did and what they were looking for in a new attorney. It was all so fascinating to me.

I was fortunate to land a position with a top firm as a bankruptcy attorney, only to realize shortly afterwards that it wasn't really my passion. I realized I enjoyed the challenge of getting the job more than I enjoyed the job itself. Two years into my career, my husband, newborn baby, and I returned to Los Angeles, and I reached out to a recruiter to find a new opportunity there. In the weeks that followed, I became fascinated by the work the recruiter was doing and his overall role in the process. He helped me land the ideal job – it was a part-time position with a boutique law firm. I thought maybe I would enjoy practicing in the more laid-back environment of the West Coast and at a smaller firm.

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I quickly came to realize that being an attorney was not the right fit for me. The daily isolation of sitting in my office researching and drafting briefs, was not suited for me. I wanted a role where I had a lot of interaction with others and where I felt I was having an impact on people's lives. So when I invited the recruiter who had placed me at that firm to lunch, and he offered me a position to join his company, I jumped at the chance. I've never looked back.

What I enjoyed most about being a search firm recruiter was working with law firm and corporate clients in a collaborative manner. I relished the opportunity to work closely with them in formulating their search strategies and guiding their overall decision-making processes. But, after nearly ten years as a recruiter, I was looking for a change – a new challenge. When I was asked by a law firm client to join them and help them rethink their recruiting operation, it was a no-brainer for me, and I jumped at the chance. It gave me the opportunity to take my skills to another level: to go really deep on the needs of a client and to do so from the inside.

As a self-proclaimed "recruiting nerd," I have really been enjoying the journey!

SINCE THOSE EARLY DAYS, YOU HAVE AMASSED AS DIVERSE OF A RESUME WITHIN THE INDUSTRY AS I HAVE COME ACROSS - FIRST AS A LAW FIRM ATTORNEY AND THEN AS A RECRUITER WHO HAS ALTERNATED BETWEEN THE EXTERNAL AND INTERNAL SIDES AND MOVED FROM COAST-TO-COAST ON MULTIPLE OCCASIONS, WORKING ALL ALONG WITH ORGANIZATIONS LARGE AND SMALL. FROM YOUR CURRENT PERSPECTIVE AT G&S, WHAT HAS THIS MIX OF EXPERIENCES MEANT TO YOU?

It enabled me to think outside the box, particularly under challenging circumstances. Having seen the industry from many angles, I've become better at anticipating and addressing the needs of the various stakeholders. I think this is particularly true in collaborating with candi-

dates, my colleagues, and recruiters to bring candidates across the finish line. Understanding each stakeholder's concerns, challenges, and aspirations has proven to be invaluable.

I have been fortunate at G&S and throughout my career to have been encouraged to forge a new and better path. Rather than being beholden to the way things had been done in the past, I am encouraged to take a fresh look and find bold solutions. This has become my mission at the firm and the support I have received here in pursuit of it has been incredible. Inside of my first few weeks, the firm's top management made it crystal clear to me (through both words and actions) that my voice would be heard and valued and that I, indeed, had "a seat at the table." I feel so fortunate to have my role at G&S regarded in such a way and am proud of the work I've done so far.

G&S HAS BEEN A PERENNIAL AMLAW200 FIRM WITH ROOTS GOING BACK OVER 120 YEARS AND STRONG EXPERTISE IN A NUMBER OF PRACTICE AREAS (MOST NOTABLY REAL ESTATE). WHAT DREW YOU TO THE FIRM WHEN YOU JOINED IN 2018, AND WHAT HAVE YOU LEARNED IN YOUR TIME THERE THAT YOU MOST ENTHUSIASTICALLY TAKE OUT INTO THE MARKETPLACE?

It was apparent to me from the start that G&S thought differently about itself. It looks to carve out a unique place in the market and it's not prone to do things just because that's what other peer firms are doing. This sort of culture drew me in immediately and continues to sustain me.

The other piece that was very exciting from the get-go is that G&S has an incredibly talented marketing and business development team. I've always seen recruiting and marketing as two sides of the same coin and never found another firm that understood this at its core – I didn't have to convince anybody that this is the way we should be operating. In fact, I've learned so much about marketing and business development and its application to

"Having seen the industry from many angles, I've become better at anticipating and addressing the needs of the various stakeholders. I think this is particularly true in collaborating with candidates, my colleagues, and recruiters to bring candidates across the finish line. Understanding each stakeholder's concerns, challenges, and aspirations has proven to be invaluable."

our recruiting function. In turn, we've developed an approach to our recruiting that substantially enhanced our ability to attract, integrate, and retain new lateral talent into the firm that has resulted in a 90% retention rate, which is double the industry average! It's been an incredible collaboration between our two departments that, in my opinion, is just scratching the surface.

AS A LONGTIME MEMBER AND SUPPORTER OF NALSC, YOU RECENTLY ASSUMED THE CHAIR OF OUR NEWLY FORMED ADVISORY COMMITTEE. WHAT IS THE ROLE OF THE ADVISORY COMMITTEE WITHIN NALSC AND HOW DO YOU ENVISION IT ADDING VALUE TO OUR MEMBERSHIP MOVING FORWARD?

The genesis of the Advisory Committee came from the increased law firm interest in NALSC as a forum for fostering best practices within the industry. In turn, NALSC was tasked with responding to this heightened interest while also looking to better leverage the wealth of knowledge that the law firms brought to the organization.

In the years preceding the establishment of the Advisory Committee, NALSC had already observed this shift, and looked for ways to speak more to its broadening audience. Discussions evolved over time to include more of this "client-side" input and resulted in programming centered around the law firm/search firm relationship, resulting in many of our best-attended and well-regarded sessions. In looking to expand upon this progress, Stephanie Ankus and the NALSC Board of Directors consulted with its law firm membership with the goal of establishing some sort of advisory function between the two bodies. This resulted in the formal establishment of the Advisory Committee in 2020 and, with that, a great number of law firm recruiting leaders looked to get involved. I was selected to chair this inaugural committee and have greatly enjoyed helping to shape its vision.

The Advisory Committee has been a great way of channeling the interests of the law firm community in partnering with NALSC and the legal search community at large. As we all have been impacted by the events of the last year, the Advisory Committee worked closely with NALSC right off the bat in reimagining its offerings for the new normal in which we operate. With one year now under our belt, we look forward to continuing the collaboration in 2021.

WHEN NALSC OR G&S AREN'T KEEPING YOU BUSY, WHAT DO YOU LIKE TO DO TO FILL YOUR FREE TIME?

I've been swept up in many COVID fads such as bread-baking, planting a garden, and virtual game nights and happy hours with friends on Zoom. One of the silver linings of this time has been spending time with my kids as they attend college and high school remotely. We're also getting a Labradoodle puppy next month!

PUPPIES ARE THE BEST! THEY'RE ALSO A GOOD PLACE TO END A FUN CONVERSATION. THANKS, KAREN!

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