

# NALSC<sup>®</sup> NEWS

National Association of Legal Search Consultants Newsletter

Winter 2022

## PAST EVENT TESTIMONIALS

*"Another excellent program!"*

*"I appreciated the diversity content."*

*"I liked that several of the sessions were very actionable and task-oriented."*

*"Assortment of speakers who presented well."*

*"I always find the sessions so informative and appreciate the valuable insight the speakers have to offer."*

*"Practical advice we could use immediately."*

## NALSC 2022 Annual Conference March 3 - 5



[Link to NALSC 2022 Annual Conference](#)

## In This Issue

- President's Letter
- NALSC Membership Growth
- NALSC Long Range Planning
- "Recruiting is like Poker" - What Does This Mean?
- Hot Tip: The "Shelf Life" Problem
- Three Tips for Making Meaningful Connections on LinkedIn
- Point/Counterpoint: Candidate-Centered vs. Client-Centered Recruiting
- Using Chambers Research to Boost Your Recruiting Efforts
- Preparation is Key to Counteroffer-Proofing Your Candidates
- Introducing the NALSC Podcast Series, "Recruiter Stories"
- Advisory Committee Report
- Recruiting Roundtables
- New Directory Functionality
- Well THAT Was a Surprise!
- Member Profile: Mary Clare Garber
- Burned Bridges? As Counter-offers Increase, More Laterals Are Revoking Acceptance of New Positions

Dear NALSC Members,

As the year begins, we find ourselves pleasantly surprised with all we have accomplished and all that is in store. Despite the pandemic which has pushed the limits of our patience over the last two years, NALSC finds itself in an overall positive position. We continue to stand tall by maintaining the ability to pivot effectively - adapting to the challenges, working together to strengthen our industry, and constantly thinking about how to add value for both members and sponsors in the legal recruiting community.

In our efforts to keep NALSC on its upward trajectory, we've implemented new initiatives such as increased functionality for our online searchable database; Recruiting Roundtables for both our search firm and law firm members; a new campaign to increase and expand NALSC's visibility via podcasts, blogs, and various new social media channels. Also in development is a creative marketing program to boost NALSC's brand awareness.

Under the leadership of our top-notch Board and HQ, membership continues to grow. We are now 220+ members strong, as an increasing number of legal search firms as well as law firms join the Association. Search firm membership benefits include affiliation, credibility, networking, education, advertising, visibility via NALSC directories, adherence to the NALSC Code of Ethics®, and more.

Our new tiered structure for membership has officially gone into effect. Basically, tiers have replaced branch offices. This translates as legal search firm members now paying dues based on the number of legal recruiters in their entire entity (including all offices). Other membership categories such as Legal Divisions (Individuals) and Affiliate Members will work similarly with tiered pricing. Since all offices of a legal search firm member will be required to abide by the NALSC Code of Ethics®, all legal search firm consultants within the entity will enjoy NALSC membership accordingly, but only those search firms willing to make that commitment will be welcome as members.

In addition, NALSC is partnering with more law firms as sponsors and supporting members. This 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 improving on the overall success of our industry. Furthermore, NALSC appreciates our corporate sponsors who provide the legal search community with valuable goods and services.

Although virtual, our most recent virtual NALSC Fall Symposium (2021) was a great success attracting 250 attendees! Testimonials echoed these sentiments.

The upcoming NALSC 2022 Annual Conference is scheduled to take place on Thursday, March 3rd (beginning at 3pm MT) through Saturday, March 5th (ending at 10:30am MT). It is planned to be held as an in-person event at The Scottsdale Resort at McCormick Ranch. We are, first and foremost, committed to parameters that meet the highest levels of safety for all of those who attend. HQ and the Board monitor pandemic conditions on a regular basis and should there be any needed modifications, we will notify everyone with updates as they happen. A limited virtual option is available via Zoom. [Click for details and registration.](#)

As to content, it is our commitment to our community to carefully set NALSC sessions to incorporate member suggestions and feedback from prior events and virtual forums. We hear you about the desire for even more audience interaction and practical take-aways, so this is what you can expect in Scottsdale:

- Keynote "Compliments, Confidence & Closing: A Blueprint for Success" with renowned speaker and prior top-rated trial lawyer Pat Gillette
- Update: An Insider's Look at the Financials of the Legal Marketplace
- How Ethical Rule Changes May Impact Moves and the Legal Market

## President's Message

by Mitch Satalof



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- In-House Recruiting
- Breakout: The Secrets of Partner Compensation and the Impact on Lateral Recruiting
- Breakout: New Associate Survey Results from Chambers Associate
- Managing Partners' Perspectives
- A Behind the Scenes Look at Running, Growing & Synergizing a Recruiting Business to the Next Level
- Sensitive Situations (Part II)
- A variety of Interactive Roundtable Discussion topics and a Town Hall Meeting

In addition, the conference will incorporate time to allow for sponsor visits via exhibit booths, reconnecting with colleagues, and networking with clients. All receptions will be outdoors. This event will combine education with meetups among sponsors, vendors, fellow recruiters, and our newest members. I am so looking forward to the friendly in-person camaraderie over Thursday and Friday cocktails, nightly entertainment in the Hospitality Suite, a Gala Dinner under the stars, a Garden Luncheon, and more. So, please register ASAP. Scottsdale is lovely in March. We look forward to seeing everyone there!

A big thanks goes out to the NALSC Newsletter Committee chaired by Valerie Fontaine, and the excellent contributions of Cheryl Brown, Raphael Franze, Natalie Thorsen Harris, Scott Love, and Kathy Richardson. Your time and dedication in putting together these high-quality informative semi-annual Newsletters is obvious and member feedback continues to be exceptional.

Most of all, kudos to our entire membership who make NALSC the special organization that it is today. It is my privilege and honor to know many of the search firms and law firms that comprise our organization. We all are advocates of what NALSC means to our membership. We stand as an integral part of the commitment to the growth and development of NALSC and the elevated role which we continue to contribute within the legal landscape.

No article or statement I make can ever land at your door without recognizing our amazing Executive Director, Stephanie Ankus. Were it not for her constant vigilance, her unbridled enthusiasm, and her daily guidance, NALSC would not be where it is today. I know I speak for everyone who takes advantage of what NALSC has to offer in saying that we are beyond grateful for Stephanie's continued role in the organization.

Best regards to all,

**Mitch Satalof** - President of NALSC®

NALSC® is pleased to welcome 12 new members since the last newsletter (Fall 2021). We currently have 224 members consisting of 152 search firm members, 11 affiliate members, 10 branch office members, 6 individual members, 44 supporting members (law firms), and one associate member (vendor). Following is a list of recent new members and the cities and states in which they are based.

Our new legal search firm members are:

- Bahareh Legal, LLC - Seattle, WA
- The Brookland Group - Washington, DC
- Fujitani Consulting-Attorney Recruiting Division – Elk Grove, CA
- Hillcrest Staffing - Orlando, FL
- Legal Marketing & Staffing - Parker, CO
- Legal Search, Inc. - New York, NY
- MP Legal Search, LLC – Metuchen, NJ
- Smith Legal Search - Vancouver, BC
- Vine Attorney Search LLC - Solana Beach, CA

Our new law firm supporting members are:

- Cooley LLP - New York, NY
- Faegre Drinker Biddle & Reath LLP - Minneapolis, MN
- Miles & Stockbridge P.C. - Baltimore, MD

For the upcoming renewals process, NALSC is in the process of implementing a new tiered membership structure to replace branch offices. As such, all legal search firms pay dues based on the number of legal recruiters within each of their entities (including all physical and remote offices). Consequently, all consultants within all offices of a member search firm will be required to abide by the NALSC Code of Ethics® while also enjoying the many benefits of NALSC membership.

In the event that only one or more individuals within an entity meet NALSC's membership eligibility requirement of receiving at least 51% of net revenues from the placement of attorneys into full-time legal positions, such members may qualify under the new "Legal Division" category (previously categorized as "Individual").

We also are excited to announce that the online searchable directory <https://www.nalsc.org/members/> has been updated for increased functionality. Members now are able and encouraged to expand their profiles with geographic focus, market sector focus, and practice focus information. Each of these searchable fields feature corresponding percentage fields as well. If you have not yet updated your online profile and need your username and/or password to log on, please contact HQ at [info@nalsc.org](mailto:info@nalsc.org).

The Board remains at its maximum head count of 13 and currently includes President Mitchell Satalof, VP of Membership Natalie Thorsen Harris, VP of Long Range Planning Arthur Polott, Secretary Valerie Fontaine, Treasurer Jane Pollard, and Directors Cheryl Brown, Avis Caravello, Raphael Franze, Mary Clare Garber, Scott T. Love, Patrick Moya, Kathryn Holt Richardson, and Ross Weil. The Immediate Past President and Emeritus Director is Dan Binstock.

Current NALSC Committees include Executive, Nominations, Newsletter, Ethics, Audit/Risk, Governing Documents, Long-Range Strategic Planning, Website, Events Prep, and Advisory. To see the members of these committees, see <https://www.nalsc.org/committees/>.

NALSC truly appreciates all of our members, sponsors, event attendees, speakers, committee members, and Board Directors, each of whom has played an integral part in helping to grow and strengthen the organization. It's a team effort and we thank you!

## NALSC Membership Growth

by Natalie Thorsen Harris



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# NALSC Long Range Planning

by Arthur Polott

NALSC's Long Range Planning Committee has the unique and exciting responsibility to propose and implement initiatives which support our membership as well as enhance our footprint in the industry. We aim to respond to both immediate and long-range needs by focusing on improvements in quality to enrich the NALSC membership experience. As the only organization representing legal search firms, NALSC continues to become even more essential to its members.

Our recent virtual NALSC 2021 Fall Symposium was a tremendous success with 250 registrants and exceptional testimonials. Sessions were dynamic, interesting, and relevant. We look forward to our upcoming Annual Conference and Fall Symposium in the coming year. The NALSC 2022 Annual Conference agenda, details and registration can be found at <https://www.nalsc.org/2022-annual-conference/>.

In addition, we periodically offer virtual programs such as "NALSC Presents," Office Hours, and surveys of both our search firm and law firm members with Town Halls to discuss industry results. These 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. One of our latest initiatives is virtual "Recruiter Roundtables," championed by Patrick Moya, in which members break into smaller affinity groups based on their business practices to discuss specific topics, similar to Mastermind Groups.

Also, we eagerly anticipate embarking on a targeted marketing, branding, and public relations campaign focusing on four key goals to increase NALSC's visibility in the marketplace: 1) continue promotion of the NALSC brand and the NALSC Code of Ethics® within the legal community; 2) improve membership retention; 3) drive new membership for non-affiliated legal search firms; and 4) increase law firm sponsorships on a nationwide basis.

After extensive research, we solicited proposals from six respected marketing and communications-based public relations companies to determine the most efficacious and cost-effective program to meet our four goals. The consensus among the six companies is that a successful campaign should include a comprehensive assessment of NALSC's positioning in the legal search industry combined with focused digital outreach which may include podcasts, testimonials, hosted events, speaking opportunities, advertising, media briefings, blogging, bylined articles, press releases, event marketing, social media promotion, expert commentary, and targeted messaging to key industry leaders. As part of this campaign, we will boost our existing presence on media platforms such as LinkedIn, Twitter, Facebook, and YouTube.

We expect to begin implementation and evaluation of the campaign within the first half of 2022. HQ and the Board of Directors will communicate regularly with our public relations company and share updates with the members as appropriate.

Many thanks goes out to our Long Range Planning Committee chaired by Patrick Moya and including committee members Cheryl Brown, Kathy Richardson, Mary Clare Garber, Ross Weil, and myself.



## ABOUT THE AUTHOR:

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# “Recruiting Is Like Poker” – What Does This Mean? by Raphael Franze

During my time in NALSC, I have often heard that “recruiting is like poker.” As a poker enthusiast myself, I strongly agree with this sentiment as many aspects of poker – psychology, probability analysis, game theory and financial management, among others – play a significant role in the life of an effective recruiter. How each recruiter applies the lessons of poker to their specific desk, though, can vary greatly.

For me, I liken the discipline and thought process with which I select prospects to represent in the marketplace to that with which I chose the two hole cards to play or fold in Texas Hold’Em. Much as I largely favor Aces and/or face cards (Kings/Queens/Jacks) as my hole cards and fold on most anything else in this most vital first round of betting, I look to engage and go to market in my Associate practice only with those prospects who are from elite law schools and who work in nationally-ranked law firms for their niches.

I believe that this is the most impactful decision I can make in establishing favorable odds for efficiently placing my prospects over those of other recruiters “at the table.” Of course, just as lesser hole cards can occasionally make up a winning hand in Texas Hold’Em depending on the overall circumstances of the game, a recruiting prospect with less impressive credentials can also prevail due to a number of factors (stellar interview skills, unique industry-specific experience, etc.). Over the long run, though, I know that the odds will heavily be in my favor if I pre-qualify my candidate pool based on these criteria.

I have inquired with four of our esteemed NALSC members/poker enthusiasts to offer their thoughts on how recruiting and poker are alike; here is what they had to share:

GARY MILES

I have spent the entirety of my career recruiting partners, facilitating the acquisition of practice groups, and occasionally brokering big and small law firm mergers. As someone who also has been playing high-level, tournament Texas Hold’Em for over a decade, I believe the poker analogy captures the essence of my professional approach. I have always felt that the process behind each and every one of my placement transactions is very much like playing a hand of tournament poker against elite competition.

In any process, just like in the game, there are innumerable dynamics and elements that can impact how that process plays out and whether or not the recruiter will inevitably “win the hand and rake the pot.” In poker, when determining whether or not you will even play a given hand, you must first evaluate the fundamental factors including (but not limited to) the value of your hole cards, your position relative to the dealer, the skill level of the players at the table, your chip stack (relative to theirs) and any action that has taken place prior to the point it is your turn to act – and that’s just the beginning! As the process plays out in a placement transaction, similar evaluations and micro-decisions pertaining to evolving circumstances and dynamics occur; as a result, the complexion of the entire situation can drastically change moving forward (sometimes on a daily basis).

As I’ve often said at NALSC events, every placement transaction has a multitude of reasons why it should fall through and only a handful of reasons why it would result in a successful placement. As in poker, you must home in and hit on all the right reasons. Otherwise, you find yourself heading for the rail prematurely.

SCOTT LOVE

“There is more poker theory in legal recruiting than there is in a real game of poker.” – Scott Love

In a poker game, if you are not involved in the action, it’s always best to pay attention to the play of others by playing the solitary mental game of observation called “What’s he got?” As you see how people make plays throughout the game, you will notice certain patterns and you will learn and understand why people make certain plays based on their previous actions. If you see a change in their pattern of behavior (how they raise or bet), then it means that you need to pay attention because a new variable may now exist in the equation. For example, they may normally bet large with a modest hand, so if they bet small, they may have a stronger hand and are seeking to hide their strength.

Similarly, in the game of recruiting, pay attention to how quickly people respond to your communication at the beginning and throughout the process. If there is a change in this response time, then you should know that a new variable may now exist in the calculus. For example, if they always respond to your messages by the end of the day, and as the process

goes on it is then three days and they have not yet responded, then something probably has changed, such as a change of interest or another firm may be interested in your candidate. Either way, pay attention to trends and patterns of behavior and you’ll get better odds in the game of legal recruiting.

MARY CLARE GARBER

I have been in legal search for 23 years, and I enjoy running a business. I also love working “in” the business; there are a lot of nuances, and it requires thoughtfulness, insight, and informed decision-making. And discipline – a lot of discipline. I am newer to poker and, as a novice player, I am painfully aware at times of the value of being nimble, having the ability to pivot, and the need for real-time decision-making coupled with a long-term perspective.

In poker, like recruiting, the possible situations and combinations can change on a dime. It is vital to remember it’s never personal. There is a direct parallel between learning to pivot mid-game in poker when the cards flow in a different direction and pivoting mid-search when human beings make decisions and change course.

You may think you are on your way to a winning hand in poker, and the cards can shift dramatically. I have made the rookie mistake of quickly betting on a “full house” only to find that another player had a “full

*“psychology, probability analysis, game theory and financial management, among others – play a significant role in the life of an effective recruiter.”*

Continued on page 6

house" with higher cards. In recruiting, I've learned that betting on one candidate may not be the best strategy and that you significantly increase your odds of success on a search by "playing alternate hands" – that is, presenting a slate of qualified candidates so that your client has choices. We are working with human beings on both sides of a transaction who have preferences, and this is where nuance, insight, and thoughtfulness come into play.

When you invest in seeing through either a poker hand or a potential placement, both require quick and varied decision-making skills. Processing countless inputs at the table or in a negotiation when the stakes are highest is key for anyone looking to advance their game. While not every decision made will be correct, the confidence developed over time to make real-time decisions will serve you well in the long run.

I have also seen poker players burn out rapidly by overzealously betting early on and not pacing with the game's intensity. Similarly, I have seen recruiters who come in guns blazing, making impulsive decisions, and then exit the business just as quickly as they arrive. Relationship building and pacing are critical success factors in recruiting and poker. You want to be invited back for the next search or tournament, and paying attention to human detail, like needs, interests, and client/player preferences, will increase performance in both fields. Both are "long games" that require perseverance.

JOE ANKUS

Having been both an avid poker player and a full-time legal recruiter for over thirty years, I believe two of the key similarities between poker and recruiting are having both resilience to take a "bad beat" and stamina to perform well for extended periods of time.

*"...two of the key similarities between poker and recruiting are having both resilience to take a 'bad beat' and stamina to perform well for extended periods of time."*

Bad beats are inevitable, both in poker and recruiting. I have been lucky (or perhaps skillful) when I can send one candidate to one client and place them. I also have been unlucky (or perhaps unskillful) to send a candidate to multiple clients, get multiple offers and still not close the deal. Many times, for reasons both in and out of my control, I get the ball to the one-yard line but can't score. I have learned, over time, never to become married to any client or candidate or even a seemingly closed deal as outcomes are unpredictable. If I use my best efforts to help my client and candidate, follow my instincts and still am unable to close, I learn what I can while doing my best to maintain a healthy attitude and look forward to the next challenge. As with everything, memory and time erase much of the pain.

Also, if you are going to be a serious poker player or recruiter, you must have stamina as both are a marathon and not a sprint. Should you commit to making recruiting your career, you need to develop staying power. Much like a poker player who makes it to the final table of an all-day 300-person tournament that goes well into the early morning hours, you need to find it in you to finish effectively and ante up again the next time (regardless of the outcome). By analogy, I have seen the best and worst legal recruiting has to offer. I have both closed eight non-split deals in a month and have lost seven non-split offers (with seven different candidates) in a row. The only common threads linking both outcomes were time and stamina.

Management experts often say, "plan your work and work your plan" and it is true. Stamina is the fuel necessary to stay on the phones, to reach out to potential candidates, to accept a "no" and to push yourself and your plan. I was told early in my career that nothing much happens as a recruiter if you aren't making it happen. I promise you that if you don't put in a sustained and coordinated effort, you will likely accomplish little. That's why 90% of new recruiters choose a different career after their first year. For the 10% that remain, financial and personal rewards await.

See you at the tables and good luck!

#### ABOUT THE AUTHOR:

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idea to put reminders in place for each submission. In these instances, the placements can be saved if the recruiters re-submit with their candidate's authorization shortly before the end of the six-month period.

While it is cumbersome, we recommend setting up a reminder system at the time of each submission because, as we all know, many placements can take longer than six months to close.

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Avis Caravello, Esq. founded Avis Caravello Attorney Search Consultants, and is also NALSC's Chair of Ethics and a NALSC Board Member.

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## Hot Tip: The "Shelf-Life" Problem

The "shelf-life issue" can adversely impact your hard work and placement revenue even when you were the sole "but for" in a firm's hiring of a candidate.

The situation unfolds after the contractual shelf life for a submission expires. In such a case, the search firm submits the respective candidates per the contractual agreement with the client firm but the placement is not closed at the expiration of the contract period (six months). Shortly after the six months tolls, the candidate is hired by the client law firm and, strictly contractually, the search firm is not entitled to a fee.

One would hope a client firm recognizes that "but for" the search firm's submission they would not have known about the candidate. Yet, if you are bound to a shelf-life period in your contract, it is a good

# Three Tips for Making Meaningful Connections on LinkedIn

By Beth Granger

You probably know the LinkedIn® professional networking and recruiting platform can be a powerful tool for recruiting, professional branding, and sales, but people often tell me they are a bit uncomfortable becoming more active there because they don't want to risk damaging their reputation or doing the wrong thing. When they say LinkedIn is constantly changing or adding new features without telling users about them, they are correct.

I like to share ways to use LinkedIn strategically and intentionally.

Today, I will share three tips for making more meaningful connections on the platform, because that is where LinkedIn truly shines.

## Tip One: Engaging with Content

Of course, you can share your own content as part of your strategy on LinkedIn but I would like you to consider spending time engaging with the content of others. It is an incredibly underused technique. Support your referral partners, clients, and prospects by engaging with their content.

What do I mean by engaging with their content?

First you must consume the content: read it, watch it, listen to it. Then:

- The easiest way is to “like” the content
- Even better is to pick one of the other reactions: celebrate, support, love, insightful, and curious
- And best of all, comment on the content

Everyone who shares content wants people to see it and engage with it. By spending a little bit of time, you're staying top-of-mind and supporting people who can be helpful to you.

Bonus: A new feature is rolling out that makes it much easier to know when people who are important to you have shared new content. You might not realize LinkedIn doesn't show content to everyone—just a percent of your network—so I previously suggested you make bookmarks to the All Activity page for people you want to support. Now there is a new feature that means you no longer need to do that.

Visit the profile of a first connection and look under their background graphic, to the right of their profile photo and name you will see a notification bell icon. Click once to be notified every time they post, click a second time to only be notified about Top posts— Posts LinkedIn decides are “Top” that is.

## Tip Two: Making Specific Asks

Reaching out to people you don't know can sometimes work, but because of the incidents of annoying behavior on LinkedIn many people have their guard up. They worry that if they connect with you, they will receive a sales pitch next, or that you're just looking to mine their connections.

It's much better to get introduced... but how?

The best way is to make a specific request for an introduction from one of your strong referral partners, a first connection in your network. If you make a vague request, such as for trusts and estate attorneys, it

makes them do the work of thinking who they may know. If you do the work and ask for a specific action, you're more likely to get it.

If someone searches in my connections and asks to meet a specific person, I'm much more likely to make that introduction happen. Even if I can't or don't want to for some reason, I'm likely to suggest someone else instead. It also becomes a two-way conversation, strengthening the relationship.

There are two ways to conduct a specific search that makes sense:

1. General search and then see who your common connections are
2. Search in the connections of a specific person you know will make an introduction, or that you are having a networking conversation with; In “Using All Filters” pick “Connections Of” and enter the name of a specific connection

Note: Remember tip number one, engaging with content? If you have supported someone regularly by engaging with their content, don't you think they will be more likely to want to make an introduction for you?

*“If you have supported someone regularly by engaging with their content, don't you think they will be more likely to want to make an introduction for you?”*

## Tip Three: The Dog-Walking Trick

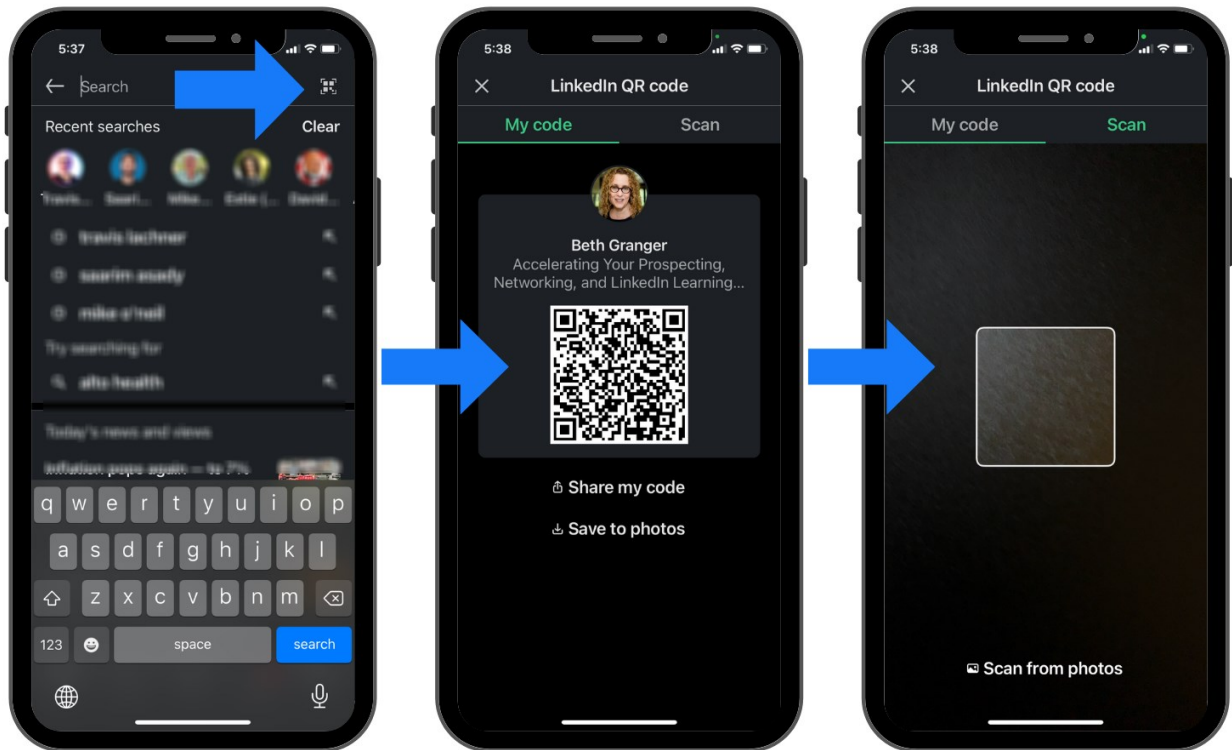
When I spoke at the NALSC Fall Conference, I shared this technique and people loved it.

I like to call this the Dog-Walking Trick. It's for when you're meeting someone in person, or it can work for presentations you give, but more on that later.

Imagine you're out walking your dog. You meet someone else walking their dog. The dogs are sniffing each other, and you start a conversation with the other person. You realize that they would be a great connection, but you don't have your business card with you because you're out walking. What do you have? Your phone.

Open your LinkedIn mobile app and have the other person open theirs. See the images below to help clarify the steps to take.

- Click on the search bar on the homepage
- You'll then see a funny little icon in the right side of the search box, and click on that
- One person picks my code and the other picks scan
- The person with the scan puts their phone over the QR code on the other person's phone and voila... it brings you right to their profile so you can send a connection invite
- You look like you're very tech-savvy because a lot of people don't know this technique



Notes: The scanning part works on the phone camera app as well.

Also, if you're giving a presentation with slides, you can save your QR code and put it on a slide to allow people to easily connect with you. Try scanning the code in the image above.

These are just three of the strategic ways to use the LinkedIn platform to grow your business and career, and new ways are being released frequently. I'm now beta-testing the new LinkedIn Audio Events feature and look forward to sharing more about that in the future.

Try the three tips I shared and see if they help you, and if you're comfortable doing so, let me know how it goes.

*Footnote: LinkedIn is a registered trademark of LinkedIn Corporation.*

#### ABOUT THE AUTHOR:

Beth Granger works with organizations and individuals who want to fill their sales pipeline, supercharge their prospecting and networking, advance in their career, and build their professional brand, all using LinkedIn.

She is a trainer, consultant, speaker, moderator, emcee, and certified virtual speaker. She loves helping people who are not comfortable with technology to embrace its power.

Beth also helps produce and facilitate engaging and interactive online networking events for American Business Associates and is a host of LinkedIn Local, a series of events designed to let attendees "meet the people behind the profiles."



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## Point-Counterpoint: Candidate-Centered vs. Client-Centered Recruiting

by Valerie Fontaine, Esq. and Raphael Franze, Esq.

### Point: Candidate-Centered Recruiting – Raphael Franze

About ten years ago, I represented the closest thing I had until that point to a perfect candidate:

- Yale Law Graduate
- Fifth year Skadden (NY) Corporate Associate
- Diversity

- Female
- Attractive and personable to boot

She was eventually looking to move home to Seattle and, given the active market there, I convinced her to look sooner and to allow me to survey on her behalf the Seattle market. Long story short, the candidate quickly got six interviews and five offers and the



Seattle legal market opened up to me in a hurry for future placements. It was in this transaction that I first truly understood the power of "A+" talent in the marketplace compared to the "B+ players" I had unwittingly been pitching and who were often relegated by top law firms to back-up options in a prolonged interview process.

As a result of this experience, I began to approach my work very differently. I less frequently started my recruiting process with a particular job order in mind. Instead, I would first identify in my estimation who the A+ corporate associate prospects are and engage them about what they're looking for and detail for them my experience and approach to recruiting. Once I've done so and gained their permission to represent them in the marketplace, I then look to account for all reasonable options in the marketplace and begin to further educate myself on those opportunities.

I don't oversell any particular opportunity, instead allowing the prospect to compare and contrast them and come to their own conclusions as the process plays out; when asked or when I deem it absolutely necessary, I offer my thoughts and opinions in an objective fashion. As offers are made, I then do my part to assure that the preferred opportunity also is tied to the best offer (or at least one that's acceptable to the prospect). This approach has served me well for a variety of reasons, not the least of which is a shorter placement cycle with multiple offers and therefore greater likelihood of a resulting placement.

Fast forward to a recent afternoon: I am working with an M&A/Private Equity Associate who was referred to me by a colleague of his I had just placed the previous month (both I would deem "A" prospects from the elite firm for their niche). I had submitted this prospect to nine firms and eventually secured him full interviews to eight of those firms. He had just secured his first two offers earlier in the week when the HR head at a third firm called to inform me that they too will be making him an offer. It was the most lucrative offer on the table to this point; he eventually would get six offers.

As we discussed the general state of the market for this prospect and I discussed my approach and my desire to get my prospect the best offer possible along with fulfilling his reasonable start date request, the HR head commented in passing that I should be more focused on serving the firm since they are the client paying the fee. I then responded with something like "well, yes and no, but that's a conversation for another day." We ended the conversation on a positive note, both confident that that the firm was the frontrunner for the prospect's services, given their offer and the previous feedback we had received from the prospect.

After the call, I was irked by the implication that a yet-to-be determined firm should be given the reverence apparently due to one that eventually pays a fee, particularly since I am serving them all in the meantime at no charge and thus currently assuming all the risk, which I have an interest in mitigating. Of all eight firms, only one had amended their fee agreement to incentivize recruiters to secure Corporate Associates for a pre-2022 start (by offering a 35% fee instead of the standard 25% fee). Also, none of the firms were paying me a retainer of any sort, which perhaps may have compelled me to prioritize their needs over those of other firms (having always worked contingent, I can't really speak intimately of the retained relationship).

Short of such an arrangement with a firm, or perhaps a long-term relationship consisting of multiple successful placements and a resulting "preferred recruiter status", it is my contention that the prospect (or the "candidate" in the parlance of our profession) is indeed

the "client" (again, in the parlance of our profession) throughout the entire recruiting process. It is only once the prospect has chosen a particular firm that a recruiter is generally beholden to that firm for only two things (assuming the firm pays the recruiter the agreed-upon fee):

1. To never proactively recruit the prospect from the firm; and
2. To not recruit anyone else from the firm for an agreed-upon period.

While I understand that the eventual employer is the ultimate beneficiary of our efforts, they are just one of many stakeholders in the process, albeit a significant one. In my estimation, the greater stakeholder is the prospect, especially if the prospect is particularly desirable in the marketplace and/or there is a lack of supply as we are seeing now. The "customer is king" attitude that we attach to employers is overstated, particularly when the quality of and demand for the prospects we present keeps them lining up. As such, it is imperative to focus on keeping the prospect happy and with the knowledge that you are working in their best interest to maximize their value in the marketplace. It will keep them loyal to you as a recruiter throughout the process, better assuring you of a successful placement and hopefully generating referrals of other prospects (as is how this one was provided to me).

*"The 'customer is king' attitude that we attach to employers is overstated, particularly when the quality of and demand for the prospects we present keeps them lining up. As such, it is imperative to focus on keeping the prospect happy and with the knowledge that you are working in their best interest to maximize their value in the marketplace. It will keep them loyal to you as a recruiter throughout the process, better assuring you of a successful placement and hopefully generating referrals of other prospects."*

## Counterpoint: Client-Centric Recruiting – Valerie Fontaine

“You must appease the Fee God!” my first boss in legal recruiting insisted. He meant that, since the client is the one paying the fee, we must make the client happy. Forty years later, I remember those words and do my best to put them into practice.

That’s not to say, however, that when I have a great candidate whom I know many of my clients will want to see, that I don’t market that candidate to the max. In those cases, I agree with Raph that candidate-centric recruiting is a valid way to proceed. But, primarily, I’m a recruiter, so I endeavor to proactively find candidates to fill my clients’ needs.

The trick for me is to have clients and job orders that I believe in and can sell to candidates. I find it’s most effective to focus my efforts on searches that are unique in some way or offer something special to the candidate in order to pique their interests. That’s easier with in-house searches, which are more bespoke and are highly desired by candidates. Our occasional high-level government or non-profit searches fit into that category, as well.

What about the law firms that make up the majority of our clients? The key is to know your clients well, and understand what each can offer to lawyers from associate to partner. Focus in on each client’s uniqueness, whether it is practice mix, client base, billing rates, hours expectations, pro bono commitments, diversity, hours expectations, geographic spread, mentoring/career development programs, and so forth. Then look for candidates who value those differences.

Over the years, we’ve built a client roster that includes a variety of law

firm boutiques, as well as mid-sized and regional firms, each of which is easily differentiated from the pack. But, like most legal search firms, much of our work is on behalf of the “usual suspects” and we are on the short list of preferred recruiters for virtually all of them. So, when it seems like all our firm clients are looking for the same types of candidates, how can we make the specific search we’re working on seem special?

When recruiting for the AmLaw 200, it’s important to learn as much as possible about the specific opening you wish to fill. In addition to the information set forth above, get to know the composition of the department, the personalities of the key partners, and the specific clients and matters to be serviced by the lateral attorney. Learn how other laterals have fared there. The process of learning more about your clients has the added benefit of helping build those relationships.

We keep copious notes of client meetings and conversations, as well as information gleaned from our interactions with candidates and prospects, in our database which, with more than 30 years in business, is quite extensive. We comb the legal press daily and attach relevant information to our computer files, as well.

Armed with this information, we are able to communicate why this particular position is right for the specific candidate we are trying to recruit. Prospects will listen if they get that you really know what you’re talking about and have the ear of the firm or company for which you’re recruiting.

Another trick for effective Biglaw recruiting, especially at the partner level and/or for candidates in narrow specialties, is to get the client law firm’s prior buy-in on your well-researched target list. That way, when you make initial contact with the prospective lateral, you can say that your client specifically asked you to reach out to them. That strategy usually gets the prospect’s attention. It appeals to their ego and they’re curious about who wants to speak with them and why. That’s where your research on the client and opportunity comes into play.

I know that when I genuinely believe that I’m making the right match between candidate, client, and position, I not only make the candidate’s professional life better but also help the client build a successful business—thus appeasing the Fee God, which makes me happy, too.

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*“The key is to know your clients well, and understand what each can offer to lawyers from associate to partner. Focus in on each client’s uniqueness, whether it is practice mix, client base, billing rates, hours expectations, pro bono commitments, diversity, hours expectations, geographic spread, mentoring/career development programs, and so forth. Then look for candidates who value those differences.”*

# Using Chambers Research to Boost Your Recruiting Efforts

By Leah Henderson, Global Talent Head of Research at Chambers and Partners

Chambers has several free online resources which can help recruiters and their candidates research and assess potential lateral opportunities and help recruiters and their clients identify and vet potential partner candidates.

To make a smart career move, your associate candidates need to think strategically. And to have any kind of strategy, they need to understand the market they're moving in. This is where [Career Moves](#) comes in.

Chambers Associate's Career Moves platform is a resource for lawyers who are either actively planning their next lateral move or even just considering one. We work with recruiters and law firms to equip associates with the information they need to build their knowledge of the legal market and assess whether a move is right for them. Our articles and interviews address the most common factors that motivate associates to seek new pastures, including career development, opportunities to specialize, changing locations or firm type, and firm culture.

Law firm rankings are one important piece of the puzzle when researching the market, and they can be a powerful resource and tool for recruiters and candidates alike. Candidates can turn to [Chambers USA](#) rankings to build a clear picture of the strengths and prestige of the firms they're interviewing with, and their position in the market compared to competitors.

Recruiters use the rankings to identify the strongest players in the market to inform their searches. And because you can break down your search of the rankings by jurisdiction, you're able to get specific, whether you're looking for firms with market-leading antitrust practices, real estate partners at the top of their game in Florida, or up-and-coming litigators in DC. Knowing which firms have Chambers-ranked practices in different jurisdictions is one way to identify the firms that could be sources of strong potential candidates. But how do the Chambers rankings work?

## The rankings explained

Chambers and Partners (Chambers Associate's parent company) identifies the best law firms globally, whether they are multi-national or boutique, through its independent research process.

This kicks off with submissions: law firms and lawyers provide Chambers with information about a specific practice area, and outline why they think they deserve a ranking. Any practicing law firm can make a submission (it's also free to do so). All Chambers needs to see in a submission is a clear summary of the most significant facts about a practice, such as the size of the team, key partners, associates and clients, work highlights from the past year, industry expertise and areas of recent growth. All this information supports Chambers' research in determining whether a firm or individual should be ranked.

But this is only part of the process – it doesn't guarantee a ranking. Chambers also considers the anonymous feedback of clients, peers, and other independent market sources to inform decisions about rankings. The main purpose of the interviews is to assess client satisfaction and reputation in the market, while submissions primarily are used for assessing recent work and comparing peer-to-peer.

Throughout the research process, Chambers analyzes all this infor-

mation against the following considerations: technical legal ability, client service, depth of team, commercial vision and business understanding, diligence, and value for money. Individual lawyers are ranked in their practice area based on their legal knowledge and experience, their ability, their effectiveness, and their client service. At the end of the process, Heads and Directors of Research analyze the findings and finalize the ranking tables (you can read about what each ranking denotes [here](#)).

With the help of the right recruiter, candidates can use the rankings as a tool in conjunction with other important factors to take a holistic approach to their job search.

*"Knowing which firms have Chambers-ranked practices in different jurisdictions is one way to identify the firms that could be sources of strong potential candidates. But how do the Chambers rankings work?"*

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As Global Talent Head of Research at Chambers and Partners, Leah Henderson oversees the publication and direction of the Chambers Associate careers guide, and its sister publication in the UK (Chambers Student). She has extensive knowledge of the legal recruitment markets on both sides of the pond.



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# Preparation is Key to Counteroffer-Proofing Your Candidates

By Liz Stone with input from Dan Binstock

The best defense against losing placements to counteroffers is a strong offense. Prepare your candidates to give notice, emphasizing what they should expect and how to resist the almost inevitable pushback they will receive from their current employers. Below is a checklist to help you “counteroffer-proof” your candidates.

## Best Practices on Giving Notice

Giving notice can be stressful. You want to leave your job on good terms and look forward to your new opportunity, but you should expect your firm to make it as difficult as possible. However, you can move on to your next opportunity while maintaining a good relationship with your old partners and firm!

## Best Practices

Most attorneys give 2-3 weeks’ notice, depending on their open matters and how much time they expect to transition their matters. It’s ideal to speak to the partner you’re closest with first, and then your group practice leader or Human Resources.

Be direct. Let them know you’ve decided to take another opportunity and, if possible, identify a business reason for the move that is different from your current position. For example, “I’ve decided to accept a position at a boutique firm because long term I know I’d like to be at a smaller firm.”

Be prepared for a strong sales pitch to stay, a possible counteroffer, and a guilt trip.

→ The best way to combat this is to say, “I feel in my gut this is the right decision for me. I appreciate my time here, but my decision is final. I don’t want to waste your time, so I’d like to focus on a smooth transition of my matters.” (No one can argue with your gut feelings, and everyone will appreciate your interest in a smooth transition.)

*“Counteroffers rarely fix the reasons people decided to move in the first place, and most people who accept a counteroffer are looking to leave again within a year.”*

Remember, firms are structured to handle attorney exits and it happens all the time.

## Resisting the Counteroffer

It is partners’ job to make giving notice as difficult as possible. The partners have a fiduciary duty to the firm, which means they are obligated to talk you into staying, even if they know you have a better

career option in front of you. Their obligation is to the firm, not to you, and it will cost the firm time and money to replace you. Trying to talk you into staying is not negotiable for them. (Note: this is less of an issue if you move in-house, as you then become a potential client.)

## What should I expect?

It’s likely that multiple partners will talk to you one-on-one, especially the people with whom you’ve worked with the most, have helped you out, and/or have a close personal relationship.

They will ask where you are going, why you are leaving, what they can do to make you happier here. They will promise to fix every single issue you identify, and may give you a counteroffer.

They will make you feel guilty, they will make you question your choice to leave. This is standard procedure.

1. Be positive about your experience with them
2. Let them know your decision is final
3. Focus on transitioning your matters

Counteroffers rarely fix the reasons people decided to move in the first place, and most people who accept a counteroffer are looking to leave again within a year.

## Will I still be able to leave on good terms?

Yes. Attorneys move jobs all the time and firms are equipped to handle exits and new hires. While your partners may try to talk you into staying, after their obligated sales pitch they will respect your decision and you won’t burn any bridges.

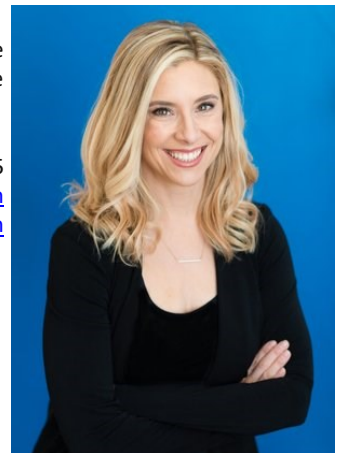
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## Introducing the NALSC Podcast Series, “Recruiter Stories” by Scott Love

*“NALSC is bringing you one more avenue to learn from your industry colleagues. Introducing Recruiter Stories: The Official Podcast of the National Association of Legal Search Consultants.”*

Our trade association is filled with smart people who like to share, and now NALSC is bringing you one more avenue to learn from your industry colleagues. Introducing “Recruiter Stories: The Official Podcast of the National Association of Legal Search Consultants.”

One thing I discovered during the pandemic is that our group of like-minded peers benefited from the frequent interactions we had early on with our somewhat regular NALSC zoom calls. This podcast is a way to keep that connection going by hearing the stories shared with you by some of our generous members.

Mitch Satalof, President of NALSC, will be hosting the series this year and interviewing our members. Our first podcast features two rock stars of recruiting, Ross Weil (NALSC board member) and Keith Fall. Keith and Ross of Walker Associates in New York are two very successful legal recruiters who have earned significant praise and recognition from the

industry.

I also interview Pat Gillette, our keynote speaker at this year’s March conference. Pat is a leading expert in the field of rainmaking for law firms and professional services firms. Tune in to the episode to hear about the secrets she will share in her presentation at our conference as our kickoff keynote: Compliments, Confidence & Closing: A Blueprint for Success.

Please let me know if you would like to suggest one of our members or an industry speaker for an upcoming podcast.

Don’t miss our inaugural episode: <https://www.nalsc.org/podcasts/>

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The mission of the Advisory Committee is to provide expertise 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.

Recently, the Advisory Committee assisted us in building event agendas. Together, we gauged the “appetite” of both the search firm community as well as the law firm community in considering interesting topics and dynamic speakers. As such, we are pleased to report a very successful 2021 Fall Symposium and look forward to an exciting 2022 Annual Conference.

As the only professional organization for the legal search profession, NALSC aims to stay on top of trends and issues in the marketplace and to make a difference in the industry. We are extremely grateful for the support, dedication, and constructive feedback from our Advisory Committee and entire supporting membership.

The current NALSC 2021-22 Law Firm Advisory Committee consists of the following members: Carryn Sheen, Director of Lateral Partner Recruiting at Crowell & Moring LLP (Chair); Carmen Kelley, Director of Lateral Attorney Recruiting at Morrison & Foerster LLP (Co-Chair); Karen Kupetz, Senior Director of Lateral Partner Recruiting & Integration at Goulston & Storrs PC; Danielle Shannon – Chief Talent Officer at Akerman LLP; Mary

### Advisory Committee Report

Beth Walsh – Director of Lateral Recruiting at Dykema Gossett PLLC; Christine Whitehead – Senior Manager, Talent Acquisition-Legal at Goodwin Procter LLP; and Edward Wisneski- Hiring Partner at Rimom Law.

If your law firm is a Supporting Member and you have an interest in serving on the NALSC Advisory Committee in the future, be sure to contact Headquarters ([info@nalsc.org](mailto:info@nalsc.org)).

*“Together, we gauged the ‘appetite’ of both the search firm community as well as the law firm community in considering interesting topics and dynamic speakers.”*

## Recruiting Roundtables by Patrick Moya

In an ongoing effort to build our membership size and resources and improve our overall organizational health, we always are working to add new programs. NALSC currently is offering affinity group discussions called “Recruiting Roundtables” on a periodic basis. These groups are based on recruiting practice areas: law firm vs. in-house recruiting; associate vs. partner placements; and search firm size and geographic areas. Sharing knowledge within affinity groups similar to Mastermind Groups helps develop ideas for success, build synergy, solve problems common among colleagues, and reduce the learning curve.

In a November 2021 session, search firms specializing in law firm placements participated in a lively discussion on “a strategic approach to help match law firms with your candidates.” The conversation included:

- Specific questions to ask a candidate to determine whether they are serious about making a change and have enough pain/reason to make the change
- Learning to develop a strategy and approach to become a trusted advisor
- Asking the right questions in a non-self-serving way to guide candidates to the best law firms that fit their criteria
- Prepping candidates for interviews to empower them and to allow them to determine whether a law firm is a strong fit for their practice and future

In another November 2021 session, search firms specializing in in-house placements participated in an informative discussion on “strategies to help you win high-level searches.” The conversation included:

- Marketing that will distinguish you from the larger search firms
- Messaging to potential clients that demonstrates your abilities by focusing on results

- Messaging to current clients that will help you win new work or create new opportunities
- Creating a process for your searches that allows you to fill them, while staying in communication with your clients

On January 27, 2022, the next virtual Roundtable discussions will include our law firm Supporting Members. These affinity groups will delve into Law Firm Topics for Partner Placements, which is focused on “Comparing Different Law Firm’s Processes and Creating Great (Partner) Candidates’/ Group Experience(s).” In addition, we have Law Firm Topics for Associate Placements, titled: “In this Competitive, Crazy Associate Market, How You Can Land the Best Candidates.”

So far, there has been a great deal of interest in forming “Recruiting Roundtables.” If you are interested in participating and haven’t already informed us via the original survey, please contact NALSC HQ via [info@nalsc.org](mailto:info@nalsc.org). In addition, if you would like to suggest a relevant topic and consequently lead a discussion, please let us know.

Many thanks to the Long Range Planning Committee as well as to all the members participating and making exciting initiatives like “Recruiting Roundtables” happen.

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## New Directory Functionality

*“New fields include Geographic Focus, Geographic City Focus, Practice Focus, and Market Sector Focus, as well as corresponding percentage ranges to go with each of these new parameters.”*

We are excited to announce new functionality for legal search firm member profiles in the online NALSC searchable directory to make it easier for the right candidates and clients to find you.

These new fields include Geographic Focus, Geographic City Focus, Practice Focus, and Market Sector Focus, as well as corresponding percentage ranges to go with each of these new parameters. You may enter up to five choices for each category.

It should only take a minute to add this data to your online search firm

profile. Clients and candidates use our database on a daily basis so the sooner members add new data the better the searchability!

In case you haven’t already done so, please take the following simple steps to add your new data:

- Log on to [www.nalsc.org](http://www.nalsc.org) with your username and password (contact [info@nalsc.org](mailto:info@nalsc.org) if you forgot)
- Click the gear, click “Edit Profile,” then scroll to the bottom to enter:
  - ⇒ Geographic Focus Search Criteria [Canada options listed at the end of the dropdown]
  - ⇒ Geographic Focus (again-next box) plus Percentages
  - ⇒ Geographic City Focus Search Criteria
  - ⇒ Geographic City Focus (again-next box) plus Percentages
  - ⇒ Practice Focus Search Criteria
  - ⇒ Practice Focus (again-next box) plus Percentages
  - ⇒ Market Sector Focus Search Criteria
  - ⇒ Market Sector Focus (again-next box) plus Percentages
- Be sure to click the blue box “Update Profile” to save the data when you are finished!

In addition, during the first quarter we will distribute a printed spiral-bound version of the NALSC 2022 Directory to members, sponsors, and the legal community. These printed directories will be available to attendees at the upcoming NALP Annual Education Conference in April, as well.

## Well THAT Was a Surprise! by Valerie Fontaine

Just when you think you've seen it all... This is a regular column sharing surprising encounters, interesting moments, strange interviews, and funny stories we search firm and law firm recruiters experience in the course of our careers.

### Do you have a Ghost Audience?

A couple of months ago, I posted the following "aha moment" on LinkedIn:

*I recently learned an important social media lesson: I was speaking with a lateral partner candidate who said, "By the way, I love what you write on LinkedIn. Your posts include very thoughtful and useful tips, and I think they are right on."*

*When I thanked him and asked why he never liked or commented on the posts, he said that he couldn't be seen as reading a recruiter's posts, as that would raise suspicions that he was thinking about leaving his firm.*

*When I thought about it, that made sense. It was obvious, but had not previously occurred to me.*

*Similarly, another connection told me when I ran into her in person that she looked forward to reading my social media posts every day and often forwarded them to friends and colleagues whom she thought would find them helpful. Yet she never liked or commented on my posts, so I had no idea she was reading them.*

*So, remember that, just because your posts aren't always receiving the likes, comments, and shares that you were hoping for, it doesn't mean that they are not being read and appreciated by a large audience.*

*You may have many invisible readers and secret admirers, but this shouldn't be the reason you continue to post. The primary aim is to add value to the conversation regardless of the response.*

*Helping others is much more important than any number of likes, comments, and shares on social media—although, I must admit, those are nice, too!*

Apparently, I hit a nerve, as this was one of the most popular posts I'd ever had on social media, according to those who actually liked, commented, and shared in response. Some folks mentioned that they found it to be a lightbulb moment for them, as well. Others commented that, since they safely could do so, they wanted to thank me publicly for the insight.

One NALSC colleague advised in his comment that it was best to connect with candidates on social media only AFTER you've successfully placed them—good point! (By the way, I connected on LinkedIn with the partner mentioned in my post years ago, after I placed him as an associate with his current firm.) And another NALSC colleague informed me that the post was mentioned at one of the NALSC Recruiting Roundtables, which was very satisfying, since my purpose is to add value to the conversation.

I must admit that I certainly am not a social media expert, and am always learning and experimenting. But now I am not so disheartened by the sometimes disappointing rate of response. I know that consistently posting what I hope is helpful content must help keep me top of mind with some of my contacts since, in the past few months, a couple of former candidates reached out through LinkedIn to engage us to conduct high-level in-house searches for their current companies.

As one poster said, it's not the number of people you reach, it's the quality of the contacts you make. So, keep at it. You probably have a larger audience than you think. And it helps build business.

**Now, it's your turn to surprise us!** Please send [info@NALSC.org](mailto:info@NALSC.org) the most surprising thing you've encountered in your recruiting career. We'll select one and a member of the newsletter committee will work with you to craft an article for the next newsletter. We might learn something unexpected!

*"One NALSC colleague advised in his comment that it was best to connect with candidates on social media only AFTER you've successfully placed them - good point!"*



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Recently joining the NALSC Board of Directors and hailing from Red Bank, New Jersey (Bruce Springsteen territory) is Mary Clare Garber of Princeton Legal Search Group ("Princeton Legal"). A Principal with Princeton Legal, Mary Clare focuses her practice on dynamic General Counsel and legal leadership searches in life sciences, banking, and higher education markets. In her leadership capacity, she spearheads strategic and marketing initiatives on behalf of the company. (FUN FACTS: Princeton served as the nation's capital for five months in 1783 when an army mutiny over back pay forced Congress out of Philadelphia; it is also home to the band "Blues Traveler.")

### Early Years

Born in Greenwich Village, New York City and raised in Ridgewood, New Jersey, Mary Clare's interests as a youth included swimming, art, and friendships formed through her active community involvement. She taught swimming both at the local pool and privately in neighbors' backyards, with her clients including acclaimed Broadway producer Daryl Roth and her two children, Amanda and Jordan (the latter an esteemed Broadway producer in his own right).

### From College to Prison

Following her high school graduation, Mary Clare matriculated at Lesley University; there, she studied human services with a focus on psychology and also enrolled in economics courses at nearby Harvard University. By the time she graduated from Lesley, Mary Clare had served in four different internships with the most challenging being running an art therapy program at a state prison. (NOTE: Mary Clare also interned during college with Alan Der-showitz, ultimately choosing to pass on attending law school.)

Despite the inherent challenges of working in the prison environment, some of the most interesting people Mary Clare met were the inmates. Her time working with them was the best preparation for her career in the business world as it fostered confidence and resilience. While she was offered a full-time position at the prison upon graduation, Mary Clare opted instead for her first foray into the recruiting world.

### To Recruiting

Following her introduction to recruiting with General Employment Enterprises, Mary Clare deepened and expanded her expertise when leading the talent acquisition and succession planning function for a company that grew from thirty million to a billion in five years. She leveraged this experience to Wall Street where she garnered training and development competencies with an investment firm. Nearly a decade into her professional life, Mary Clare pivoted her career trajectory for the following decade – this time as Master Facilitator for a national company delivering career management programs, a role that allowed her to travel extensively.

### To Legal Recruiting

As Mary Clare and her husband (former NALSC Board Member David Garber, a law firm litigation partner at the time) grew their family alongside their respective careers, they began reassessing their professional lives beyond their current roles. After exploring

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several career options and completing a Master's degree in counseling, Mary Clare came back to recruiting and joined David in the formation and growth of Princeton Legal, now closing in on its 23rd year.

Working in and on Princeton Legal brought together the pieces of Mary Clare's career that most energized her: creating and planning a vision for finding the very best legal talent, being sought out as a trusted advisor, and creating platforms for professionals to build thriving careers. Making the right match happen delights her to no end, both by virtue of the energy it conjures up within her as well as by seeing the same spark ignited in those she serves.

*"She is also a fan of the saying 'Luck is when skill and opportunity meet.' As Mary Clare succinctly puts it, 'We want to be in the middle of that quote all day, every day!'"*

As she and Princeton Legal move through 2022 and beyond, Mary Clare harkens back to the best lessons learned during the course of her career – namely, assertively taking risks and failing faster so that she can move into success more quickly and with greater ease. She is also a fan of the saying "Luck is when skill and opportunity meet." As Mary Clare succinctly puts it, "We want to be in the middle of that quote all day, every day!"

### Extra-Curriculars

In addition to the NALSC Board, Mary Clare has been a board member of Executive Women of New Jersey holding a range of positions on the Board since 2012. The role most mean-

ingful for her was chairing the Scholarship Committee, which awards scholarships to non-traditional graduate students.

In her free time, Mary Clare enjoys spending outdoor time with her



family and her second retired seeing eye dog; she is a passionate supporter of The Seeing Eye, the oldest guide dog school in the country. She has expanded her love of the outdoors to the West and particularly loves visiting Glacier National Park in Montana, where she hopes to return next summer with her son.

Mary Clare is an enthusiastic fan of New York theater and remembers the first standing ovation for Richard Kiley in “Man of La Mancha.” She is also an avid reader, with Malcolm Gladwell topping her list of favorite business authors. Feel free to ask Mary Clare what she is reading ; she loves to talk about fiction and non-fiction business books.

To this day, Mary Clare remains an avid swimmer and has completed open water swims in the Atlantic, Mediterranean, and Pacific. This past year, Mary Clare and David had the unique opportunity of living for a week in the U.S. Embassy in Cyprus, where David’s cousin Judith Garber currently serves as the U.S. Ambassador. The Embassy staff enjoyed the challenge of locating the best open water locale on the island for Mary Clare to swim. No doubt an eye-opening and refreshing experience!

Congrats on joining the NALSC Board, Mary Clare – it’s great having you in the fold!

#### ABOUT THE AUTHOR:

Raphael Franze, Esq. is the founder of LegalSummit Search Consultants, and a NALSC Board Member as well as a NALSC Newsletter Committee member.

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## Burned Bridges? As Counteroffers Increase, More Laterals Are Revoking Acceptance of New Positions

Ask yourself: if the only way to get the raise/promotion you deserve is through a counteroffer, do you want to spend/invest your future with this company?  
By Nancy Newman, Esq.

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The worldwide pandemic has impacted our personal and professional lives. Hiring is off the charts and counteroffers, once rare, now are commonplace.

As a legal recruiter for over 25 years, I have only dealt with a small number of offer acceptance revocations. This year, however, I’ve already experienced two. I’ve also heard from other legal recruiters, throughout the country, that this is the year of the revocation—not a complete surprise given the current “talent war.”

While my legal recruiting focus is the Midwest—specifically, Michigan, as well as the automotive industry—I believe my experience is universal. I am concerned about the long-term implications of a candidate’s revocation.

Below is one example of a revocation story that I experienced (details changed to protect everyone’s privacy).

I was contacted by a chief legal officer with whom I have a long-standing relationship regarding his need for an attorney to join his in-house legal team. I presented a well-credentialed candidate with excellent industry experience. Shortly thereafter, the CLO presented a strong offer. I contacted the candidate who excitedly received the offer.

To my surprise, when I spoke to the candidate a day later, the excitement had waned. This candidate, with whom I had been in constant communication, suddenly was quiet. They explained that this was due to their negotiation style and that they wanted to counter the CLO’s offer. I advised them to counter the offer only if they were seriously considering the opportunity. The candidate agreed with this advice and made a counteroffer to the CLO. The CLO shared with me that the candidate was met halfway on their financial demands, at which time the candidate verbally accepted the revised offer. At the same time, the candidate shared with me the generous new offer and their need to consider it over the weekend. I found this discrepancy disconcerting.

A day later, the candidate shared with me that they were accepting the CLO’s offer. We discussed how to give notice, which included the handling/cutting off of any potential counteroffers by their current employer. I further suggested that they submit a written acceptance of the CLO’s offer and that they complete the paperwork for the background check to be finalized before notice was given to their current employer. I reminded the candidate that a background check does not begin until the signed offer is received. Most lawyers prudently wait until the background check has cleared before giving notice just in case any issue arises.

I then followed up with the CLO and asked if the signed offer letter had

been received. It had not. I reached the candidate and asked if it had been sent. The candidate immediately sent the signed offer to the CLO. The candidate and I again spoke in greater detail about giving notice and how to handle potential counteroffers. During this conversation the candidate mentioned that they had already discussed the CLO's offer with their current boss. That surprised me. Most lawyers do not discuss an offer before the background check has cleared. I directly asked the candidate if there were counteroffer discussions ongoing. I was told there were not.

It has been my experience that counteroffers don't work. Candidates eventually leave anyway, as the issues that caused them to search in the first place still exist and some employers resent being forced to give a hefty raise to a "disloyal" employee. I continued to feel that the candidate was unsettled and followed up with them a day later to inquire when they planned on giving notice. My call was not returned, and the candidate then texted me that they were out of town with very poor internet/cellphone coverage. They would be out of reach for a week. Eventually, I received a text response to another inquiry which essentially said, "Thanks for reaching out but my discussions with my current employer are private."

Fortunately, I continued to communicate with the CLO about my concerns with this candidate. Not surprisingly, the CLO called me a day later to tell me that the candidate was not joining the company. We both were disturbed by the candidate's behavior. We wondered if the candidate fully understood the potential repercussions of their revocation. Eventually, the candidate sent me an email thanking me for my assistance and included their decision "to reject the offer." The use of the word "reject" was bothersome. Language counts. This was not a rejection of an offer; rather, it was a revocation of an acceptance. There is a big difference, and I don't believe the candidate appreciated the difference nor understood its implications.

*"Language counts. This was not a rejection of an offer; rather, it was a revocation of an acceptance."*

The following are consequences of revoking an acceptance to an offer:

- This is a reputation issue—you are a lawyer and gave your word in writing and now you are revoking, going back, on your promise.
- The company you were considering joining may already have told other excellent candidates that the position is filled, and now may be forced to begin the search anew instead of moving to the next candidate. Burned bridge.

- This revocation may follow you into the future in unforeseen ways as the act of revocation generally speaks to character. Remember, the legal community is small and word travels.
- Recognize that your current employer is giving you a counteroffer because someone else recognizes your value. As you become more senior in your career, other offers may not come your way. Ask yourself, if the only way to get the raise/promotion you deserve is through a counteroffer, do you want to spend/invest your future with this company?

If you recognize merit in any of the above points, then you should reconsider revoking your acceptance of an offer. If you find yourself at this fork in the road, choose wisely.

ABOUT THE AUTHOR: Nancy Newman, Esq. specializes in the placement of attorneys throughout Michigan in a wide range of in-house counsel roles, including general counsel. Newman Hawkins Legal Search is recognized for its placement of attorneys in corporations and law firms, as well as its depth of recruiting experience in the automotive industry.

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