

The Strategy, Metrics, and Methodology of Evidence-Based Lateral Partner Hiring

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Education Conference
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**Leipold
Jefferson
Montoya**

Talent Management at LDJ



Beth Cavagnolo
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Bill Henderson
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**Leipold
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Leadership Team



Jim Leipold



Mina Jefferson



David Montoya



**Leipold
Jefferson
Montoya**



JIM LEIPOLD

Voicemail left for Lynne Traverse:

“Hi Lynne, this is Jim. It’s Friday at 4 p.m. I’m surprised you didn’t answer the phone. Anyway...

I was cleaning off my desk, and came across the materials you brought back from the NALP conference on “evidence-based” hiring. What is this and how does it work?

We have a group of candidates interviewing on Tuesday. Can you put together a draft and present it to me on Monday?

Thanks. Have a great weekend!”



**Leipold
Jefferson
Montoya**

Three Step Process

01

Define
Success

02

Create
Scorecard

03

Live Demo

What is our goal?

Partner Buy-In

I. Success Profile

Three Questions

1. Strategic Fit: Does this person fit our strategy?

Firm leaders apply this filter

2. Financial Fit: Can this person build and maintain a practice?

Interview protocol can answer these two questions

3. Cultural Fit: Will this person add to and strengthen the firm's culture?

\$\$ Success

High revenues with
negative cultural impact

Cultural fit
Financial success

\$\$ Failure

Cultural and
financial failure

Likable but
underperforms
financial metrics

**Cultural
Failure**

**Cultural
Fit**

What is the methodology?

Work backwards for successes and failures in your firm.





“Ima N. Island”
(Single Silo)



“Napoleon Lightweight”
(Sell potential,
not accomplishments)



“Tarry Kareless”
Protracted/Sloppy
Process



“Star Fanfare”
Big Name Candidate



**Sydney
Hasital**

Good Cultural Fit

- Accessible and approachable
- Responsive
- Intelligent and creative
- Flexible and open to new ideas
- Add to energy of room
- Treats everyone equally; inclusive and encouraging of diversity
- Lack of fear factor; accepts that mistakes happen
- Sense of humor (lightness of being)
- Display gratitude by saying thank you and meaning it

Good Business Fit

- Actively mentors associates
- Good business hygiene
- Into the work flow; follows firm systems, processes, and procedures
- Low mgmt. overhead
- Member of committees
- Active recruiter
- Active in industry-writing, speaking, and presenting
- Can explain how he/she acquired clients, maintains relationships
- Can explain how he/she leverages firm resources: Recruiting, Marketing, Finance
- Can explain how he/she staffs cases; evidence of success with diversity and inclusion on teams
- Can explain how he/she discusses price with clients
- Efficient with time and time entry
- Gets bills out on time and accurately
- Clients pay bills on time with little discounting or noise

Good Cultural Fit

Values others

Flexible and open to
new ideas

Good Business Fit

Develops and
Maintains a substantial
practice

Leverages Firm's
lawyers, staff, and
resources

Low Management
overhead

Helps Hire and
Develop Junior
Talent

Excellent Business
Hygiene

II. Scorecard

1. Values Others in Support of Team

Can you tell me about the lawyers and support staff that you work with at [lawyer's current firm]?

- Who are your most valuable team members?
- Who have you worked with the longest?
- How do they either support your practice or help you service your clients?
- Why do you like working with them?
- Is there anyone on the team you don't enjoy working with? How do you manage that relationship?

D (1)

- Focused on own priorities; does not share information with team
- Unaware of roles, responsibilities, timeliness and contributions of other professionals/staff
- Has air of self-importance and thus expectations for white-glove recruiting efforts
- Slow to take responsibility for bad outcomes
- Emphasizes weaknesses and shortcomings of others
- Appears super or overly-confident; lots of bravado

C (2)

B (3)

- Accessible and approachable work style
- Responsive in communications
- Adds energy to room
- Treats everyone equally; encouraging and supportive of diversity
- Sense of humor; laughs at self
- Focuses on fixing mistakes; is slow to assign blame
- Welcomes contributions from all members of the team

A (4)

2. Flexible and Open to New Ideas

The practice of law is changing rapidly. Can you think of a recent example where either you or your firm were faced with an internal or external challenge that required an innovation or a significant change in firm policy?

- What was the situation?
- What was your role in the decision making process?
- Did anyone else play an important role in either the strategy or implementation?
- What was the outcome and what did you learn?

D (1)

- Is wedded to his/her way of problem solving
- Finds it difficult or painful to explain assumptions
- Is resistant to objectively considering new alternatives
- Is skeptical of feedback, including from client; explains why feedback need not be acted upon.
- Generally does not seek out views of others
- Tends to categorize, criticize, and caricature the views of others; slow to see virtues

C (2)

B (3)

- When confronted with constraints, generates creative solutions
- Open to new ideas of others
- Is a careful listener in meetings
- Asks thoughtful follow-up questions
- Welcomes contributions from all members of the team

A (4)

3. Low Management Overhead

Can you describe your current relationship with your firm's leadership?

- What roles have you been assigned in firm governance?
- To what extent has senior leadership been responsive to your request for support?
- What is your preferred method of communication – email, meetings, phone calls?

D (1)

- Imposes rules for who he/she is willing to work for.
- Does not read communications from management
- Requires special attention regarding committee work (e.g., will important work get done? will personalities clash?)
- Longwinded and/or contentious in meetings

C (2)

B (3)

- Accepts important assignments despite time pressure and personal inconvenience
- Completes assignments on time
- Does not feel compelled to take up air time in every meeting
- Can be counted on to support firm initiatives because they reflect decisions of leadership

A (4)

4. Helps Hire and Develop Junior Talent

How important are associates to your current practice?

- Over the last five years, can you tell us about one or more associates who have been very important to your practice?
- What are their strengths and weaknesses?
- What role did you play (or are currently playing) in their development?
- How and when do you deliver feedback?

D (1)

- Fails to provide a clear picture of the lawyers who do his or her work; does not articulate their skills and contributions
- Provides few or weak examples of delegating work for purpose of developing skill sets
- Provides few or weak examples of junior lawyers whom he/she was mentored to partnership
- Feedback/Reviews?

C (2)

B (3)

A (4)

- Actively recruits/makes him/herself available willingly
- Views talent development as an important part of his or her practice and also important to the firm
- Can articulate how he/she acquired key practice skills; can explain how he/she are developed those skills in others.
- Can articulate the various skills, strengths, weaknesses, and gaps on current team; has plan for managing and improving team

5. Strong Business Hygiene

What is your firm's current policy on timekeeping and billing?

- Over the last three years, what percentage of your work is billed and paid within 30 days? 90 days?
- Do you have a standard practice or procedure for getting your bills out?
- What instructions do you give to the lawyers and paralegals you supervise regarding time entry and billing? How do you monitor compliance?
- How often do your clients request AFAs? How do you manage to those budgets and constraints?

D (1)

- Lacks a structured process for billing and timekeeping
- Lacks ability or will to delegate clerical tasks
- Blames clients for excessive write-offs and right downs
- Careless/Lazy about completing the required forms; everything takes longer than it should (LPQ, conflicts).
- Slow in sharing information; sloppy/unprofessional document presentation

C (2)

B (3)

A (4)

- Clear process and path of delegation for business aspects of practice
- Efficient with time and time entry
- Gets bills out on time and accurately
- Clients pay bills on time with little discounting or noise
- Maintains his/her own records on collections and other data history

6. Develops and Maintains Substantial Client Relationships

Think about the three most significant clients you have serviced over the last three years – significant because of total revenue/profitability or because of long-term impacts to your career. How did you establish these relationships?

- What criteria do you rely on to assess that the client is happy and feels he/she is getting excellent value?
- What do these clients think about your current rate structure?
- How will the move to our firm affect these client relationships?

D (1)

- Client base is primarily inherited from others
- Difficulty articulating cross-selling strategies
- Small, undiversified client portfolio
- Can't explain case staffing strategy
- Doesn't have other partners who may be concerned about a departure and/or no associates who would follow
- Several job changes without strong explanations/not asked to follow departing partners

C (2)

B (3)

A (4)

- Articulates how clients will benefit from movement to new firm.
- Can explain how he/she acquired clients and maintains relationships
- Has a clear strategy for building expertise/skills and marketing that to prospective clients
- Provides recent examples of referrals from clients and/or colleagues; cogently explains basis for referrals
- Can explain how he/she discusses price with clients

7. Leverages Firm's Lawyers, Staff, and Resources

At your current firm, how do you rely on non-legal professionals, such as specialists in marketing, pricing, project management, talent management, or client-facing technology?

- Which professionals have proved most valuable? Why or how?
- What opportunities to you see with the resources at our firm?

D (1)

- Is not conversant on the business of law
- Fails to provide examples of using allied professionals to support and grow practice (e.g., budgeting, pricing, marketing, professional development)
- Lacks thorough knowledge of current firm's capabilities; unable to give a balanced, reasonable critique of what needs to be improved.

C (2)

B (3)

A (4)

- Has a clear and reasoned perspective on how the practice of law is changing
- Can explain how he/she staffs cases; evidence of success with diversity and inclusion on teams
- Can explain how he/she leverages firm resources: Recruiting, Marketing, Finance (AFAs)
- Provides examples of successful pitches / RFPs to win new clients
- Provides examples of how effective case management is growing work for existing clients.

II.V Brief Digression

Recruitment vs. Selection

If you try to both sell and judge candidate, validity of judgment drops to zero.

DO INTERVIEWERS SELL THEMSELVES SHORT? THE EFFECTS OF SELLING ORIENTATION ON INTERVIEWERS' JUDGMENTS

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Drawing on alternative perspectives about the automaticity of dispositional judgments, we examine whether the motivation to attract the other (i.e., selling orientation) in interpersonal first meetings (e.g., job interviews) helps or hinders the accuracy and validity of dispositional judgments. In a laboratory study (Study 1), we found that selling orientation reduced the accuracy of interviewers' judgments about applicants' core self-evaluations. Then, we investigated the real-world implications of selling orientation in a field study (Study 2) with two different samples (Samples A and B) and found that a selling orientation negatively influenced the predictive validity of interviewers' judgments. Specifically, when selling orientation was low, interviewers' judgments accurately predicted which applicants would be most (and least) successful as newcomers in the organization (in terms of citizenship, performance, and fit). However, when selling orientation was high, interviewers' judgments no longer predicted applicant outcomes. Together, these results suggest that making dispositional judgments in interpersonal first meetings is an effortful process that is hindered by focusing on other goals (e.g., selling). We discuss the practical and theoretical implications of these findings.

"Every one lives by selling something."

Robert Louis Stevenson

When we meet people for the first time—a date, a potential business partner, a job candidate—we are motivated to make accurate judgments about them. We want to be good judges of character because these initial judgments are often the basis for making decisions about the other person, which have future consequences. A first date could turn into a romantic relationship; a job candidate could become a future colleague.

However, making accurate dispositional judgments is usually not the only goal of interpersonal first meetings. We may also be motivated to sell—that is, to make ourselves, our product, or our opportunity attractive to the other person. For example, when a couple goes on a date, it is likely that at least one of the individuals is not only trying to learn about the other person's disposition, but is

also trying to charm that person and promote their best self (Schmitt & Buss, 1996). Likewise, interviewers often feel responsible for not only judging applicants but also attracting applicants to join their organization (Barber, Hollenbeck, Tower, & Phillips, 1994; Chapman & Zweig, 2005; Rynes, 1989).

Building on past perspectives of selling (e.g., Saxe & Weitz, 1982; Stevens, 1998), we use the term *selling orientation* to describe a motivational inclination to attract another person during an interpersonal meeting. Like other motivations, we suggest that a selling orientation is apt to direct an individual's cognitions and behavior towards the goal of attracting the other (Fiske & Taylor, 2008). Because attentional resources are limited, a selling orientation should reduce the attention devoted to the process of evaluating and making dispositional judgments.

In this article, we examine whether a selling orientation helps or hinders people's ability to make judgments that are accurate and predictive of future outcomes. On the one hand, research on the automaticity of dispositional judgments leads to the prediction that a selling orientation will *help* peo-

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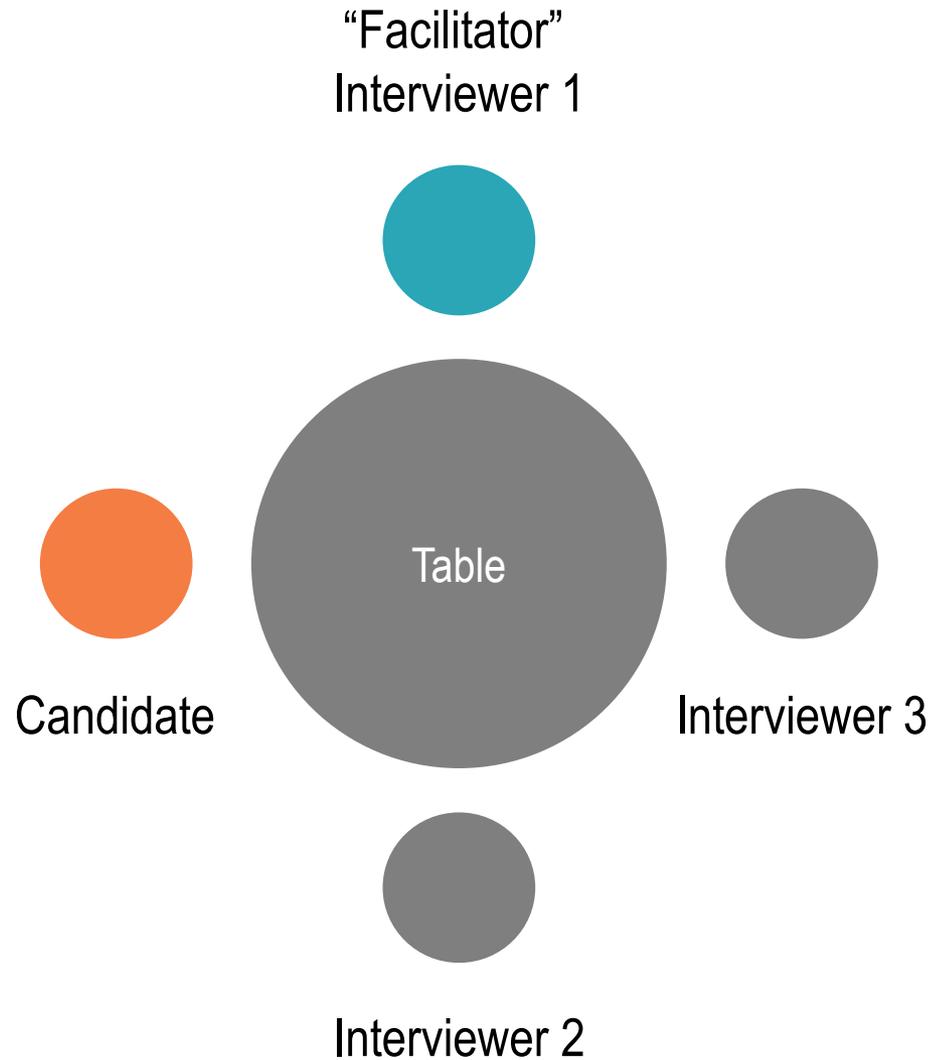
Sample Schedule

Time	Component	Purpose
10 am	Initial interviews	Recruitment
12 pm	Lunch with leadership	Recruitment
2 pm	Selection interview	Selection
4:30 pm	Q & A	Recruitment

III. Demonstration

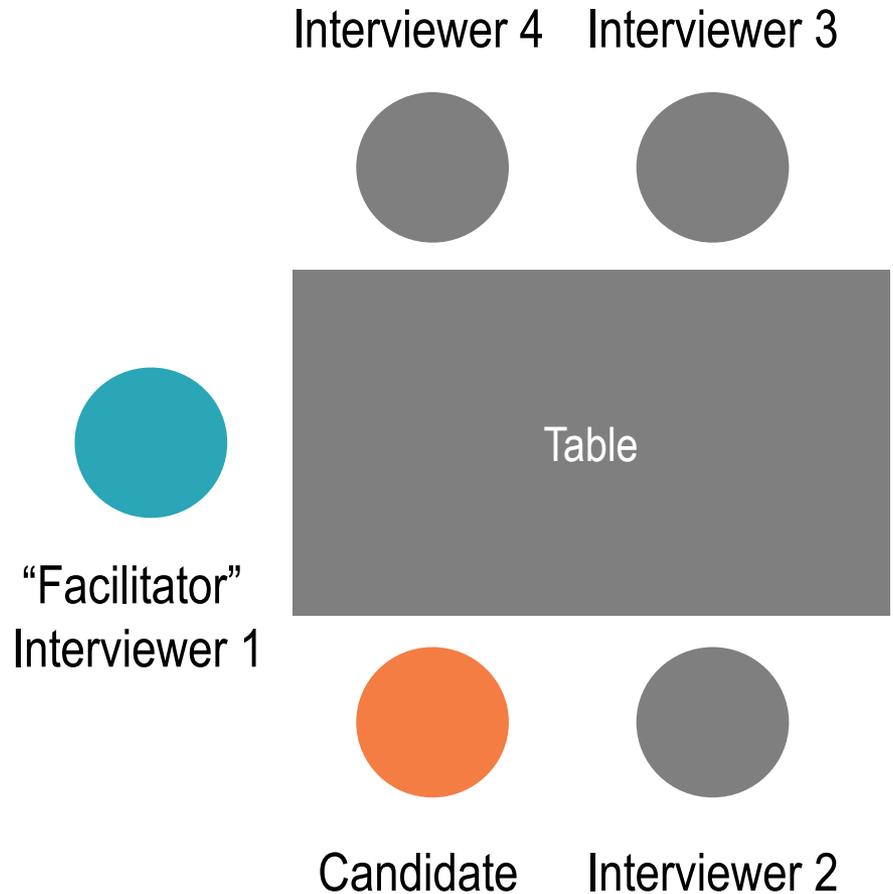
Seating Chart

Three Interviewer
Format



Seating Chart

Four Interviewer
Format





Meryl Macklin

CURRENT POSITION

Litigation Partner

CURRENT FIRM

Guardian, Future
& Hope

EDUCATION

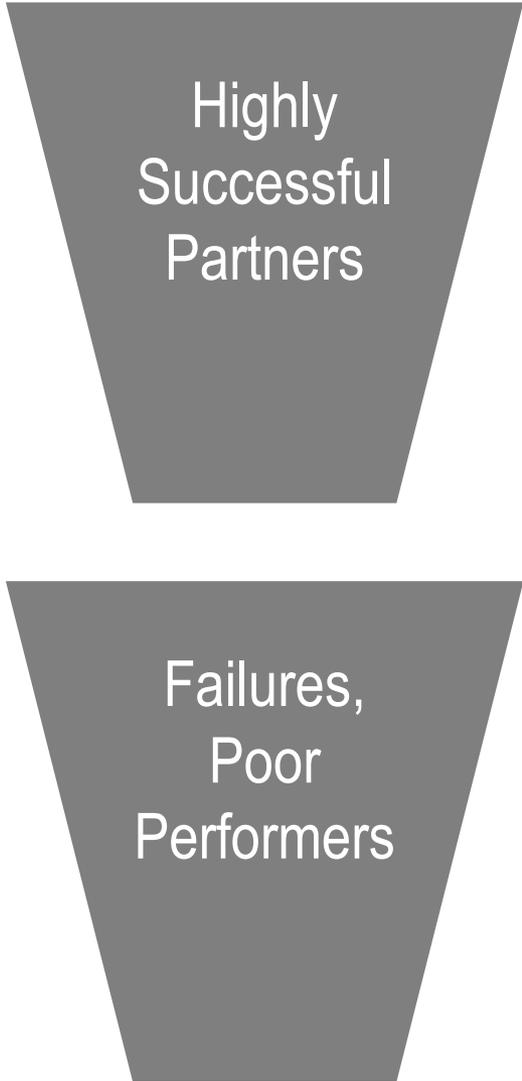
JD, UC Berkeley
BA, Yale Russian
Studies

Scoresheet

Success Factor	Interviewer 1	Interviewer 2	Interviewer 3	Interviewer 4	Consensus Score
Values Others in Support of Team	3	3	3	3	3.0
Flexible and Open to New Ideas	2	2	4	3	3.5
Low Management Overhead	4	3	3	3	3.5
Helps Hire and Develop Junior Talent	4	3	3	4	4.0
Strong Business Hygiene	3	3	3	2	2.5
Develops and Maintains Substantial Client Relationships	4	3	4	4	3.5
Leverages Firm's Lawyers, Staff, and Resources	3	4	4	4	3.0
Overall Score					3.3

Takeaways

- Define success
- Put into scorecard. Write questions that will elicit desired information.
- **Show** how it works



Highly
Successful
Partners

Failures,
Poor
Performers

Thank You

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