

MEMORANDUM

TO: Jennifer Queen, NALP Board Liaison, Recruiting Section

FROM: Erin Springer

DATE: February 3, 2011

RE: NALP Recruiting Section Board Report

Please find below a report of the Recruiting Section's activities during the third quarter of the 2010-2011 NALP Year.

Summary

The Recruiting Section remains busy and productive. Our third section call was held on Wednesday, February 2, 2011 and included updates from our work groups, a review of our NALP Bulletin articles for the year, and an open discussion on trends and issues currently facing our members.

Work Group Updates

- **Cutting Edge Information and Analysis, and Real-Time Data Collection.** Randy Liss of Bryan Cave provided an update on his work group's progress. The first Real-Time survey was a huge success. It was distributed through NALPnow! and the response was better than anticipated. Randy explained that the response rate was high enough to provide a reliable snapshot for our members. His group is preparing the next survey, which will focus on spring hiring (across the board, not just related to 1Ls). Ideas for upcoming surveys include diversity related hiring, summer programs, and lateral hiring.
- **NDLE Work Group.** Megan McGrath (McKenna Long & Aldridge) is representing the Recruiting Section as a member of this work group. Lisa Dickinson is chairing the work group and Susan Robinson is the Board Liaison. Megan advised that the group has had several calls and met in-person in the NALP office on October 15 to establish next steps (see my October 15, 2010 memo for an in-depth review of their work to date). They have a call scheduled next week and Megan will inquire as to whether there will be any work done on this topic during the NALP Conference.
- **Experienced Attorney Hiring Work Group.** Since my last Board Report, a new work group has formed that combines members from the Recruiting Section and the Judicial Clerkship Section. This work group is being co-chaired by Elaine Kent of Gardere Wynn Sewell LLP. The purpose of the group, as defined by the Board, is as follows: "This work group will examine the new practice of judges hiring "deferred" associates as unpaid interns after graduation, as well as the more established practice of judges hiring experienced attorneys as their law clerks. The group will identify the extent of post-graduation unpaid

intern hiring and how the experience is viewed by the interns and future legal employers. The group will also continue to examine the practice of judges hiring experienced attorneys, including hiring students still in school for "future" clerkship openings after the students have committed to work for one or two years, as well as hiring currently practicing attorneys for immediate or future clerkship openings. The group will bring together NALP members from the school side as well as from the employer side to discuss the impact of such experienced attorney hiring clerkship counseling, recruitment and retention. The results of these discussions will be shared with the membership either as Bulletin article(s) or for future conference programs." Elaine has had a call with the co-chair, Naomi Sanchez from the University of Washington, to discuss the project and a conference call has been scheduled for February 21 with the entire group.

- **Research Advisory Group.** Kathy Fox from Wayne State University Law School is serving as the Recruiting Section's liaison to the Research Advisory Group. She was not on our Section call. I presume the RAG is still focused on two key projects: the 2011 Conference, and the pre-law website project. She provided us some preliminary information about the pre-law website, its purpose and possible timeframe, and said that as the project progresses she may solicit volunteers from the section to help with content development. I will follow up with Kathy to see if there are any further updates.

NALP Bulletin Submissions

Our presence in the NALP Bulletin is progressing as anticipated:

- In the December 2010 issue: Juliette Clark on planning non-traditional events
- In the January 2011 issue: Erin Springer on the future of lawyer hiring
- In the March 2011 issue: Kate Reynolds on talent management and new interviewing techniques
- Also in the March 2011 issue: Vanessa Dobson on lateral hiring in the new normal
- For the May 2011 issue: Amanda DiPolvere & school-side author on behavioral interviewing.

Feedback and Trends

During the open forum portion of our section call, it came to light that there are two significant issues facing members today:

1. The use of staffing models such as contract, hourly or staff attorney positions as an alternative to hiring full-time, partner track lateral associates. This is especially true now that employers are starting to see an increase in the need for

attorneys. Employers seem to be using these alternative models as a way of protecting themselves from overstaffing as the economy continues to recover. Such positions are more profitable for the firm (less overhead, little or no benefits, higher billing rates and lower hourly rates) and don't carry the long-term investment. While there will be a program at the 2011 Conference entitled "Lateral Hiring in the New Normal," this seems like an emerging area that may benefit from longer-term study. Perhaps a work group can be formed this year or next to conduct environmental scanning, help to define new lawyer classifications, and educate members either through Bulletin articles, conference program or even best practices guidelines put forth by the section on behalf of NALP.

2. Alternatives to headhunters and flexible arrangements with search consultants. One member commented that his firm has negotiated free submissions for contract and staff attorney positions with a guarantee that the firm will use them on a retained basis for more specialized, permanent positions. Another member spoke of Linked In and the use of their paid job site as an alternative to headhunter fees. Several members indicated a desire to better understand the options where headhunters are concerned as well as effective alternatives. Like number one above, this seems like a timely and relevant topic that may be a worthy endeavor of the Recruiting Section going forward.

cc: Fred Thrasher, NALP Deputy Director

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