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2 Hiring Moves That Could End Up Reducing Atty Turnover

By **Aebra Coe**

Law360 (March 15, 2018, 3:13 PM EDT) -- Law firms may need to rethink the way they interview and hire to reverse the steady tide of attorneys jumping ship in today's highly active lateral market.

The traditional law firm hiring process — in which a partner gleans information from an associate candidate's resume and references and in a one-on-one interview, feeling them out by asking about their accomplishments, interests and background — may be introducing an unnecessary level of personal bias into the hiring process and could be leading law firms to hire the wrong lawyers, according to Evan Parker, managing director at LawyerMetrix.

Instead, Parker and others like him suggest that hiring managers use data and metrics, structured interviews and a more scientific approach to narrow the candidate pool and identify who would thrive best in a given law firm or practice group.

"What you see is law firms are currently interviewing and selecting for factors not critical and central to success" such as a gut feeling or a personal connection, Parker said.

He suggests that better hiring strategies could play a role in remedying the industry's retention issues and potentially even help with firms' efforts to improve diversity.

Create a Profile of the Ideal Candidate

What LawyerMetrix and companies like it advise law firms to do is gather psychometric data to supplement lawyer hiring — essentially, create a profile of the traits needed to succeed at the firm and then find ways to hire attorneys who fit that profile.

Some of those traits could include initiative, analytical reasoning, judgment, empathy or innovative thinking.

According to a 2014 white paper co-authored by Mark Levin at The Right Profile — which offers psychometric testing for sports teams, law firms and corporations— roughly 80 percent of Fortune 500 companies used psychometric assessments in their hiring process, while less than 5 percent of the 250 largest law firms in the U.S. by revenue did.

The goal, according to Levin, is to find a way to define the law firm's culture, understand what behaviors, traits and characteristics have led to the success of the attorneys who have remained with the firm for a long period, and then translate those data points into a metric that can be used when hiring.

Besides recruitment, the data can be used for matching new attorneys with the right practice area based on personality traits, personalizing professional development efforts, and pairing attorneys with mentors who have complementary characteristics, Levin explains.

But the process must be approached with the necessary scientific rigor, something law firms eager to adopt psychometrics have not tended to do, according to Dr. Larry Richard, founder of law firm management consulting firm LawyerBrain.

Richard, who practiced law for 10 years before obtaining his doctorate in psychology, says that law firms should be especially careful as they develop the model for what a competent and successful attorney at their firm looks like.

"A lot of law firms create what they think is a competency model, when in fact they just had people brainstorm good qualities they think someone should have. If you don't have an effective competency model, structured hiring is just a shot in the dark," Richard said.

A true competency model is derived through a rigorous scientific process of defining the traits of above-average to below-average performers through interviews and evaluations, and testing and retesting the resulting hypotheses, he says. Additionally, those traits must impact the attorneys' success and not simply be shared yet irrelevant characteristics, he says.

"Corporations do this all the time, but law firms usually don't have the appetite for it," Richard said. "Only a few have done it in a systematic, scientific way."

Infuse Structure Into Interviews

Once law firms have established a set of core competencies, they can use an interviewing method called the structured interview to screen for those qualities in candidates in a more systematic fashion, according to LawyerMetrix's Parker.

In a structured interview, multiple interviewers ask a uniform set of questions to each candidate being considered for a position and score the candidates on each of the characteristics the law firm is interested in finding in a hire. The candidates are encouraged to provide specific examples of times in which they demonstrated those behaviors, traits or characteristics.

"The idea is to introduce as much objectivity and consistency in the process as possible," Parker said.

He says that a review over the past several years of LawyerMetrix's law firm clients showed that the recent law school grads they hired with high structured-interview scores were 11 percent more likely to stay with the hiring firm for more than four years than were grads with lower scores. When it came to lateral hires, that difference was 14 percent, according to Parker.

Schiff Hardin LLP — a national law firm with more than 300 attorneys — has been using structured interviewing to hire both recent graduates and laterals for the past 11 years, according to the law firm's chief talent partner, Lisa Brown.

Some of the qualities that the law firm looks for in its structured interviews — which are conducted by a panel typically made up of three partners and one associate — include problem solving, analytical skills, experience solving real-world problems, drive and initiative, the ability to work well on a team or independently, and the ability to build and maintain relationships.

After the interview is finished, the panel shares the scores they gave the candidate on the various qualities and then come to a consensus on an overall score. That score is used alongside other, more traditional assessments by hiring partners, such as reviews of resumes and references and traditional interviews.

"We need lawyers, even the most entry-level lawyers, to be more than law school smart," Brown said. "We need people who are practice-ready, who are eager to jump in and function like a lawyer and have responsibility, have a client-facing role, and to interact with judges and opposing counsel early on."

Of course, finding new and better ways of hiring is just one element in the effort to retain associates, according to LawyerBrain's Richard.

"Hiring is one of several components. The better you do at hiring someone who is a good fit, the more likely they'll stay," Richard said. "But retention is much more a function of how you treat people once you hire them than it is about hiring the right people."

--Editing by Rebecca Flanagan and Edrienne Su.

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