

Why Are You Recruiting?

To change the way law schools prepare their students, law firms must change how they recruit.

By Jordan Furlong

In his new book *Failing Law Schools*, Washington University law professor Brian Tamanaha cites a remarkable statistic. American law schools, he reports, produce 45,000 new graduates each year; but recruiters expect only 25,000 job openings annually through 2018. Leave aside for a moment the implications of this mismatch for the legal education industry: what should your law firm do with this information?

The traditional response would have you rubbing your hands in anticipation: a glutted market oversupplied with new associates should drive down starting lawyer salaries for years to come. More likely, however, this imbalance will soon self-correct with smaller classes and fewer law schools; and in any event, first-year associate compensation hardly follows normal market rules. The larger question is: why are you still recruiting from law schools at all?

The base of the law firm pyramid is constantly narrowing, with leverage now down to about 1-to-1 in the AmLaw 200. More work formerly performed by associates is flying out the door to temp agencies, contract lawyers, legal process outsourcers, and other low-cost providers. Most studies of lawyer profitability suggest that associates don't break into the black until their third year of practice. Given all that and more, why are you still placing so many orders with the nation's lawyer factories?

It's time to rethink your approach to new lawyer recruitment. If you want competent lawyers to perform lower-level work, the market is

already flooded with them. If you want future partners and leaders, it's virtually impossible to detect them in second-year law school anyway. Here are some brief suggestions for doing things differently:

- Identify a handful of schools whose curriculum, standards and philosophy you like and restrict your recruitment there.
- Limit your incoming first-year class to less than half its current total; break the habit of over-buying associates to reduce your risk.
- Position your firm as a highly exclusive recruiter: you don't hire many associates, but those you do will enter and remain on the partner track.
- Recruit for much more than grades: learn to identify candidates with business experience, emotional intelligence, leadership skills, cultural fluency, etc.
- Design a leadership and business development program tailored to your culture and business, a Partnership Academy within your firm.
- Focus on undervalued assets: experienced lawyers ready to flourish into champions. Big-name partners have already peaked; look for tomorrow's stars, not today's.

The standard objection is that without heavy first-year recruitment, where will tomorrow's lawyers get the experience they need? With respect, that's not your problem: your job is to build a streamlined powerhouse leadership team for the 2010s and 2020s. And in any event, law schools, which continue to defiantly ignore your market needs, will never change their behavior unless you change yours first.

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