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NALSC®

National Association of Legal Search Consultants

Spring 2016

President's Message with
 Symposium Details and
 Dates for Future Events
 by Warren Smith, LL.B., Managing Partner,
 The Counsel Network-Canada

President's Message with Symposium Details & Dates for Future Events by Warren Smith, LL.B.

Secondments: 2-
 Win/Win/Win & Win 4
 by Valerie Fontaine, Esq.
 Principal, Seltzer Fontaine Beckwith and
 Barbara M. Mayden, Esq.
 Principal, Young Mayden, LLC

Lost in Transition: How to 4-
 Recognize When Your 5
 Clients Need Legal
 Representation
 by Tina Solis, Esq.,
 Partner, Nixon Peabody LLP

The Problem with "Fit": 5-
 Legal Risks and Best 7
 Practices
 by Mark A. Konkell, Esq.
 Partner, Kelley Drye & Warren LLP

Ten Tips for Using Social 7
 Media for Legal Recruiting
 by Guy Alvarez, Founder and CEO of
 Good2bSocial, LLC

Legal Recruiters Offer 8
 Advice to Year-End Laterals
 by Nell Gluckman, *The Am Law Daily*,
 Reprinted with Permission from
The American Lawyer, Nov. 16, 2015

Litigation Update 8
 by Kenneth E. Young, Esq.
 Principal, Young Mayden, LLC

Member Spotlight: 9-
 Valerie Fontaine, Esq. 10
 Interviewed/Written by
 Dan Binstock, Esq.,
 Partner, Garrison & Sisson, Inc.

Member Spotlight: 10-
 Susan Harlow, Esq. 11
 Interviewed/Written by
 Dan Binstock, Esq.,
 Partner, Garrison & Sisson, Inc.

NALSC Membership Growth 12
 By David S. Garber, Esq.
 President, Princeton Legal Search Group

NALSC Board Responds to 12
 Changes in Non-Profit Law
 By Eve Jaffe, Esq., President of Garb Jaffe &
 Associates Legal Placement

New Ethics Committee 12

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Dear NALSC® Members,

I hope everyone is looking forward to a warm spring and that you are all busy in your practices. I am thrilled to report that NALSC® continues to prosper! Our membership remains strong and interest in NALSC® continues to grow among clients and candidates on a nationwide basis.

Our NALSC® 2016 Annual Conference is almost here! Taking place at the breathtaking Hilton Fort Lauderdale Beach Resort from Thursday, March 17th to Saturday, March 19th, this event will be a standout. Enjoy the surf and sun with your fellow members. The property features every guest room with an ocean view as well as a balcony, direct access to the beach, a beautiful pool and spa as well as top-rated restaurants. All of our receptions are scheduled to take place outdoors with spectacular views and balmy ocean breezes. The Annual Conference continues to be a must-attend event for legal recruiters, law firms, corporations and our valued sponsors. Our theme this year is "R3: Recruiting, Receptions and Relaxation," and will include a star line-up of dynamic speakers combined with interactive sessions.

We are honored to have renowned and dynamic Keynote Presenter Howard I. Flack, Esq., Lateral Recruiting & Integration Partner at Hogan Lovells, speak on the topic "The Lateral Partner Checklist and Beyond: On Becoming a Key Strategic Advisor." In addition, we

continue to offer educational sessions, interactive breakouts, gala receptions, and fantastic networking opportunities throughout the event. I continue to be impressed with the caliber of our membership and event attendees— from the numerous speakers, discussion leaders, and individual conversations over food and drink— it is inspiring to spend time with so many leaders in the recruitment industry.

Also, we thank our generous sponsors for their continued support of NALSC®. Our Platinum Sponsors are ALM and lawjobs.com; Gold Sponsor is Kelley Drye & Warren LLP; Silver Sponsor is Leopard Solutions; and Bronze Sponsors are Above The Law, AttorneyPeople, The Cluen Corporation, Firm Prospects, LLC, Greenberg Traurig LLP, Invenias, Kirkland & Ellis LLP, LegallyLooking.com and TFI Resources. Also, our law firm Honorary Sponsors are Akerman LLP; Bilzin Sumberg Baena Price and Axelrod LLP; Cadwalader, Wickersham & Taft LLP; Chadbourne & Parke LLP; Dechert LLP; Duane Morris LLP; Gibson, Dunn & Crutcher LLP; Lowenstein Sandler LLP; Michelman & Robinson, LLP; Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.; and Nixon Peabody LLP.

Conference details, registration form, hotel room block information and sponsor profiles are available on www.nalsc.org.

Finally, we are also pleased to share the dates for our upcoming 2016 full-day New York

Symposium. It will be held at the beautiful midtown offices of Orrick, Herrington & Sutcliffe LLP on Friday, October 21st. As with all of our past New York events, we anticipate having a record number of attendees. We will provide more detailed information closer to the event but wanted to make sure you save the date and mark your calendars!

Best regards,
 Warren Smith, LLB- President

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Secondments: Win/Win/Win & Win

by Valerie Fontaine, Esq. and Barbara M. Mayden, Esq.

seĀ condĀ ment; si-kond-muhnt
noun *British*
 the transfer of a military officer or corporate executive to another post for temporary duty

Why start with the definition? Because often, when mentioned to a client as an option, you get a “huh?” With this overview, we offer “secondments” as a key noun in the recruiter’s lexicon, because when/if you become familiar with the term/concept, it is often a wise option to offer current and prospective corporate clients, and a way to demonstrate value-added to law firm clients, and a great service to the aspiring great young lawyer. Win/Win/Win. And, as another resource in your bag of tricks, great for the recruiter. Win/Win/Win and Win.

So first, what are we talking about here? Not, in our context, military officers. For our purposes, the practice of secondments is the loan by a law firm of one of their lawyers to a corporate entity in need of in-house expertise, if only on a limited basis. Come in and clean up the mess. Come in and fill the hole left by the in-house lawyer who is on maternity leave or got hit by a truck. Come in and oversee what we have here and make suggestions as to protocol. Come in and help us manage this acquisition. Come in and traffic cop our lawsuit.

It can be a full time gig for a period of time (weeks, months, a year), or structured as a certain number of days per week, all to be agreed upon, and as needed. While flexibility is the name of the game with secondments, certain practices are common. Generally the seconded lawyer continues to be paid by the law firm (as well as continuing to receive attendant benefits). The firm and the company typically work out a flat fee for use of the secondment, with an understanding of firm pricing for any “backup” legal services. The legal recruiter putting together the deal may often be called in to suggest formulas because, in many cases, the firm and the company are new to this type of arrangement.

Why would a company use a recruiter? You? Many wouldn’t – if there is a regular outside counsel, the deal may well be brokered directly between a trusted firm and its clients. But in an age of weaker client/law firm bonds, many companies don’t have that regular trusted relationship. You may be the one they call. Also, as indicated above, it just may not occur to a company that contacts you for a hire to, instead, go the secondment route. While increasingly popular, many smaller companies have never considered the secondment concept. So, how do you get the parties to Win/Win/Win and Win?

Win/Win/Win and Win

Win: for the corporate client
 A company may come to you requesting your assistance in locating

- a hire that is part time,
- a hire that is short term, or
- a hire that should be short term

All of those options may or may not be best suited to the situation for which the company has a specific need, but may be what it assumes are its only options. However, the company making this type of hire directly for a specific matter may be entering into an employment arrangement that should be adorned with caution flags:

- The hire that is part time, but the specific project, while not a full time proposition, isn’t amenable to predictable hours;
- A hire that is short term, but doesn’t promise the continuity the company needs to ensure consistent attention to the end;
- A hire that should be short term, but available short-term talent is scarce and doesn’t have the expertise/gravitas required.

- And, more generally, the appropriate hire may seem to be a young lawyer well-grounded in the substantive law required, but that lack of “gray hair” may yield a lawyer with the appropriate knowledge-base, but without the hands-on experience and the judgment that comes with being the only lawyer in the house or on the matter.

Understanding the need, offering the client company the secondment

alternative, where a skilled lawyer is assigned to the company at a flat, reasonable, predictable rate, provides the client the requisite expertise and assurance that the project will be seen through, plus the backup of the skills at an experienced law firm when needed. A Win for your corporate client.

Win: for the law firm client
 Why would a law firm send its lawyers to work somewhere else (while still paying them the crazy salaries they still do)?

- Secondments provide training for associates in the many firms where the old “learn by carrying the partner’s briefcase” is a relic of a distant past.

- The training is not only in the “how to’s” of the substantive law involved but typically implicates on-the-job leadership/ownership skills which often are victims of law firm “teams.” The seconded lawyer becomes the go-to lawyer who exercises leadership skills and gains the confidence that comes with the assignment (and will carry over to instill confidence in the lawyer’s future client contacts once back at the firm).

- Secondments bind the relationship with an existing or new client to the firm.

- With new clients, the firm has a chance to demonstrate its flexibility (in providing the secondment in the first place) as well as by offering its expertise when the seconded lawyer needs backup for the thornier issues, as well as the opportunity to cross-sell new services when issues ancillary to the secondment arise; and further, with new and existing clients, instilling a reliance on the seconded lawyer who will be returning to the firm.

- Secondments are a way to inspire good will when used as an “off ramp” for a lawyer the firm wishes to outplace.

- Most firms understand that promoting a culture of

“With this overview, we offer “secondments” as a key noun in the recruiter’s lexicon, because when/if you become familiar with the term/concept, it is often a wise option to offer current and prospective corporate clients, and a way to demonstrate value-added to law firm clients, and a great service to the aspiring great young lawyer.”

(continued from page 2)

friendship and collegiality has long term benefits, and ongoing relationships with lawyers who move on can be a valuable business proposition; the lawyer seconded instead of “up and outed” is one who will much more likely be grateful for the opportunity and inclined to retain the firm when business requires, whether at the company to which he or she is seconded or in future corporate in-house positions.

- Financial advantage
 - Law Firm Business 101 teaches that lawyers aren’t financially productive to a law firm until around year three, whether because their learning curve necessitates billing them at reduced rates or writing off hours. Further, general underutilization of lawyers is a continuing issue in a profession where hiring new classes of lawyers out of law school is more art than science. Sending these younger lawyers out on secondments at a flat negotiated, discounted rate may actually be a more profitable financial paradigm for the law firm offering the seconded lawyer. A Win for the law firm.

Win: for the lawyer being seconded

- Knowledge gained
 - Another Law Firm Business 101 truism: that the successful lawyer is one who understands how her clients’ businesses work. A secondment not only immerses the lawyer in a specific business, but gives the lawyer a taste of the business world generally (a gap in the background of many a lawyer who has gone directly from college to law school.)
- Client contact gained
 - While the secondment is good for the law firm in that it tends to “bind” the company to the firm as noted above, it is also good for the lawyer, who will inevitably become the client’s firm contact – the go-to lawyer when she returns to her firm. And we all know that “how much business are you responsible for” is often, in this

new world of law firm dynamics, an important indicia of partnership potential.

- As a predicate for positioning oneself for future opportunities:

* The smart young lawyer is always positioning himself for being marketable for the next opportunity. Maybe he will win the lottery and be the anomalous lawyer who actually is promoted from associate ranks to partner. But what about those who aren’t holding that lucky ticket? How has the young lawyer optimized himself for the next opportunity? Experience with a secondment is one way. If looking for a lateral law firm move down the road, the possibility that this client still sees this lawyer as their lawyer and may well move with that lawyer is a great competitive advantage. If looking for an in-house opportunity, the secondment may help. It is our experience that the optimum path to in-house positions no longer is a jump from law firm practice to law department practice. The preferred route more often is via an in-house career path, which is more likely to yield a lawyer who isn’t uber-specialized as is often the case with law firm lawyers, who appreciates the in-house issues and pressures attendant to the use of outside lawyers, and who understands the specific industry the company is in as well as the different expectations of “captive” in-house clients. The lawyer who can point to the combination of law firm experience in addition to in-house experience in the form of his or her secondment, is likely to be more marketable.

A *Win* for the lawyer working the secondment.

Win: for the recruiter putting the deal together

The *Win* in this context, is not (only) your fee but, more broadly, your recognition as a “value added” partner; becoming trusted counselor to law firm/company client – there was a need, and you had the “out of the box” solution, benefiting both. But you must be sure that you are indeed providing the right answer.

The recruiter as “broker” must stay alert to issues of “fit” in order for the Win/Win/Win and Win to be accomplished. Implicit in all of this is exercising judgment in placing the right lawyer in the secondment. Yes, it’s good training – but the lawyer placed should be well trained for the task at hand. Yes, it’s a good “off boarding” technique, but only if the lawyer is being off-boarded for reasons not related to skill, judgment, etc. (Today, in so many cases, these are only threshold skills for partnership; there are many non-performance related reasons associates don’t progress to partnership).

The secondment solution must suit the circumstances not only with regard to “fit” of the particular lawyer and firm, but must also avoid potential landmines. For example, the recruiter experiences a Win only if the law firm is made aware of (and doesn’t trip over) the thorny conflict issues that it may not have foreseen. The firm should be aware of, and run appropriate traps to ferret out, issues which could be implicated in a secondment arrangement, such as when the company to which the lawyer is seconded has transactional or litigation matters against the interest of other firm clients, or the imputation of confidential information with respect to the company, to the firm. The arrangement may be structured to avoid the conclusion that the lawyer is “associated” with the firm for these purposes and/or is properly screened. We are not suggesting that the recruiter act as ethics counsel to the company or the law firm, but do suggest that reminding the parties of the potential ethical issues is more likely to avoid the Win turning into a Fail.

So, when and how do you, as a recruiter, pull the secondment solution out of your bag of tricks? Typically like this:

Your client company comes to you with a particular hiring need,

“The secondment solution must suit the circumstances not only with regard to “fit” of the particular lawyer and firm, but must also avoid potential landmines.”

“The firm should be aware of, and run appropriate traps to ferret out, issues which could be implicated in a secondment arrangement, such as when the company to which the lawyer is seconded has transactional or litigation matters against the interest of other firm clients, or the imputation of confidential information with respect to the company, to the firm.”

(continued on page 4)

(continued from page 3)

which, after exploring the opportunity with your client using the analysis at the beginning of this article, appears better suited to a secondment. Discuss the secondment alternative and its benefits to your client company. As with any placement, the client company pays the placement fee, so negotiate it up front. Although, for antitrust reasons, we cannot discuss specifics, you might suggest your usual percentage of the candidate's compensation (which typically is paid by the law firm providing the candidate, with the company paying the firm at the rate they negotiate) during the period of the secondment. You can expect each situation to be different, depending upon factors such as the hours and duration of the secondment.

Once the company client is on board with the concept and your fee negotiated, you approach a law firm, usually one with which you have a trusted advisor relationship and which you know has one or more attorney candidates appropriate for the secondment duty. Contact the person with the appropriate authority at the law firm, often the managing partner or department head, and suggest the secondment arrangement, explaining how it works and citing the benefits to the firm delineated above.

Underscore the benefit to the firm, when the secondment

arrangement is made in this context, the "placement" might be more descriptively called a "referral" because what has been brokered is a relationship between the firm and your client company. The firm is the face of the arrangement to the client, and since the lawyer doing the secondment duty remains an employee of the firm (and it is the firm that pays the salary), it is the firm and the company client who hammer out the specifics of their deal (with your assistance – the recruiter who introduced the parties and put the deal together). So, when you have buy-in on the concept from the firm and the company, and, having done your due diligence on the firm's legal talent and your client company's needs, confer with the law firm representative about the attributes of the best lawyer match, and work with the firm in identifying one or more possible candidates for the secondment.

With that preliminary idea of who might fit in hand, we suggest you facilitate a meeting between the lawyer who will be the contact at the source law firm and the client, to firm up the outline of the arrangement and for the law firm to better understand precisely the company's – soon to become its client - needs. Armed with that information, the law firm makes the internal arrangements with the candidate it selects for the opportunity (presumably in the

process, describing the career benefits of such an experience as set out above, except perhaps the ones related to positioning oneself for the next position). Thereafter, the law firm will introduce the lawyer to be seconded to the company, for the company's approval.

And off they will go, happily into secondment land and, without fail, you will be credited for creatively serving up the Win, Win, Win and Win.

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Lost in Transition: How to Recognize When Your Clients Need Legal Representation

by Tina B. Solis, Esq.

In today's highly competitive legal environment, it is more important than ever that attorneys considering a lateral move consult counsel. A lateral move oftentimes puts at issue millions of dollars of potential law firm revenue. Lateral moves are high-stakes transactions, and there is a lot to lose if errors or missteps are made. The earlier you consult with counsel to develop a comprehensive strategy for the entire transition process, the easier it will be.

The following checklist is not comprehensive, but intended to

provide starting points to raise awareness of the many issues counsel changing firms will face.

Ground rules:

- Clients do not "belong" to individual attorneys. Generally, clients are firm clients.
- Law firm partners generally owe a fiduciary duty to their law firm and partners. Part and parcel of that fiduciary duty is that law firm partners cannot solicit clients to leave with them until their resignation is effective, i.e.,

they have left the firm.

- Additionally, law firm partners cannot utilize law firm resources to further their lateral move to a competing firm. This means that firm resources, property and personnel are generally off limits. This includes client lists, rate information, financial information, and non-partner employees and staff.
- Prudence dictates great care in choosing with

"In today's highly competitive legal environment, it is more important than ever that attorneys considering a lateral move consult counsel."

(continued on page 5)

(continued from page 4)

whom to communicate about a contemplated lateral move. Generally, it is not a breach of duty to discuss a contemplated lateral move with another partner and gauge their interest in being part of a move. Whether it is prudent is another matter. In any event, associates, paralegals and staff are off limits until resignation is effective.

- DO not use firm email, phones, computers or other resources for the communications and work that goes into a lateral move. Use your personal computer and a personal email account to do this important work. This approach will help simplify discovery compliance later if litigation results.

Things to be done prior to resignation:

- Engage and consult knowledgeable counsel.
- Obtain a copy of and review your partnership agreement. There may be clauses bearing upon notice and timing of resignation and departure that may, or may not, be enforceable. Counsel can help. Consult with counsel to understand other potential liabilities.
- Know how much capital you have in the firm, and gain as much understanding as possible of how it may be paid out.
- Consult with counsel to understand when and in what format you should be receiving an offer

from the new firm.

- Consult with counsel to determine if tail malpractice coverage is needed.
- Understand the partnership agreement at the new firm.
- Understand how your benefits work at the new firm.
- Understand the pay cycle at the new firm.
- Understand the malpractice policy at the new firm.
- Consult with counsel to understand the differences between what can be done prior to giving notice of your resignation and the effective date of your resignation.
- Consult with counsel to understand which documents, articles, etc. you may or may not take with you.
- Using paper and pen, make a list of clients and matters that will be affected. This will help later with notice and file transfer. Using paper and pen, make a list of client contacts, names, and phone numbers.
- With the help of counsel, draft resignation letters that attach proposed client transition and file release letters.
- Plan with counsel your

resignation day, including the means of communication, the timing, the plans for your physical presence, and a script to be used to contact clients (see below).

Things to be done after you have resigned:

- Tell your assistant, associates and individuals close to you that you are departing (do not solicit any non-partner employees to accompany you to the new firm).
- Call the integration person at the new firm and let them know you have resigned. Update your contact information with bar and professional associations.
- Working with counsel as necessary, dispatch agreed-upon client notice communications. Request that paper and electronic client files (including emails and documents) be released to your new firm for clients and matters that will be going with you. Paper files should include anything in off-site storage.
- Set up mail forwarding and email notifications. Request electronic copies of contact lists, personal emails and personal documents.

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The Problem with “Fit”: Legal Risks and Best Practices

By Mark A. Konkel, Esq.

We’ve all heard it, said it, and used it without really thinking about what it means: a candidate “isn’t a good fit.” After a candidate’s paper credentials, “fit” with the prospective employer is possibly the most important aspect of a successful match. A candidate can have the right education, experience, and goals for a job – but when a prospective employer or a recruiter actually meets with the candidate, it becomes clear that the

candidate’s personality, idiosyncrasies, demeanor, level of intensity (or lack of it), confidence – whatever – suggest that, credentials aside, this person wouldn’t really, well, “fit” in the new workplace.

Perhaps because the idea of “fit” is inherently broad and vague, it seems to work well as an explanation for rejecting a

candidate when there is nothing wrong on paper but the candidate is nevertheless undesirable. But what do we really mean when we say “fit”? How useful of a concept is it, really? And are there legal risks in citing “fit” as a reason for rejection?

The Legal Risks of “Fit”

I’m an employment lawyer. I defend employers in all sorts of cases,

“After a candidate’s paper credentials, ‘fit’ with the prospective employer is possibly the most important aspect of a successful match.”

(continued on page 6)

(continued from page 5)

including employment discrimination cases where a plaintiff – often somebody who is passed over for a job – alleges that an employer, sometimes with the help of a recruiter, made an unlawful decision not to hire the candidate. The alleged unlawfulness has to do with the plaintiff's membership in some category protected under the law: you failed to hire me because of my race, sex, sexual orientation, national origin . . . and the list goes on under lots of federal, state and local laws.

For the employment discrimination plaintiff suing a company for a failure to hire him or her, the perfect case involves “smoking gun” evidence that we defense lawyers virtually never have to contend with: “Sorry, Ms. Sue, but the BigLaw firm passed on you because you're a woman. And a lesbian. And have a disability. And you're an Iraq veteran, right? Better luck next time.” Most employers aren't that stupid (or, for that matter, bigoted), so the evidence in alleged failure-to-hire cases is typically far more subtle.

For example, passing on a candidate who is in his 50s because “we need some fresh blood and new ideas in this group” easily can be seen as evidence of age discrimination – and I see that kind of thing alleged in lawsuits all the time. A relatively less-experienced female job applicant whom a potential employer describes as “not being used to running with the big boys” might seize on that phrase as evidence of gender discrimination. The point here is not that either of those statements are inherent evidence of age or sex discrimination. The point is that, because they are vague and leave room for interpretation, either one can be – and, in my litigation experience, has been – cited as evidence of an intent to discriminate.

Being a smart, experienced employment law partner who writes articles like this one, you would think I avoid using vague language in a recruitment process for precisely these reasons. But I'm as guilty as the next guy (or gal): I have interviewed perfectly well-qualified junior lawyers and described them as not being “the right fit” for the department or the firm. I know for sure that I am not referring to race, gender, ethnicity,

sexual orientation, national origin, or any other legally protected status when I say that. The problem is, a job applicant doesn't know that – and an irritated, rejected job applicant might say that, when I said “fit,” it was code for a discriminatory reason.

The bottom line: “fit” is a useful word to describe the appropriateness of a candidate for a particular job. Recruiters and employers use it *all the time* because it is broad and encompasses quite a bit. But it's that very breadth and inclusiveness that makes it a problem: “fit” can mean almost anything, and employment discrimination plaintiffs are perfectly willing to articulate in a court complaint exactly what discriminatory thing “fit” really meant. Recruiters and employers potentially create a risk of an employment discrimination lawsuit when they use it.

If you are wondering why as a recruiter you should care about any of this, here's why: you are part of the hiring process. When plaintiffs sue, they point to purported evidence of their claims – and your involvement in passing on a candidate (or not referring a candidate) based on “fit” can become part of the evidentiary record. Although rare, there are even cases in which employment discrimination plaintiffs have sued employers *and* recruiters, claiming that under certain laws, *any* individual involved in acts of discrimination is liable.

How “Fit” Is Used Every Day

I gave a talk to a room full of recruiters last fall about the idea of “fit” and how it can be legally problematic. I don't think I could have unsettled some of them more if I had inexplicably removed my pants mid-presentation. “Fit,” they rightly explained, was a word they use all the time, and it often comes up in the following contexts:

- Employers who interview candidates referred by a recruiter tell the recruiter that the candidate isn't a good “fit.”
- Recruiters tell candidates who are passed over that the feedback was that the employer liked the candidate's credentials, etc., but felt it might otherwise not be “a fit.”

● Recruiters discussing specific candidates with employers sometimes tell the employer that, knowing the atmosphere in that particular firm or legal department, the Princeton undergrad/Harvard law candidate is nevertheless not the right “fit.”

“Fit,” in these scenarios, opens the door to discrimination claims. As I said above, the most obvious version of the legal problem is an employment discrimination plaintiff who is told that he or she wasn't a good “fit” and sues, claiming that “fit” meant membership in some protected category.

But it isn't always so straightforward. The U.S. Equal Employment Opportunity Commission (EEOC) maintains a Compliance Manual, which says that hiring decisions poisoned by stereotyped thinking or other forms bias may also be discriminatory – *even if* the bias is unconscious. Think about that for a second: a female candidate is passed over for a job in an all-male legal group, and she is told that the company felt she wasn't “a good fit.” She does not have to allege in her lawsuit that the company deliberately discriminated; according to the EEOC, it would equally unlawful if the company exhibited even an *unconscious* bias against her, and that even though they didn't really know what they meant when they said “fit,” it meant that a woman doesn't fit in an all-male department – just look at their numbers!

The EEOC and plaintiffs have also prosecuted many so-called “disparate impact” cases, in which neutral selection criteria disparately impact a protected group. Doing so violates Title VII of the Civil Rights Act of 1964. For example, an employer may not like a candidate's “accented” English. Even though candidates are not being excluded based on their national origin (which would definitely be unlawful), the “accent” issue may weed out candidates of a certain national origin, and that may violate Title VII under a “disparate impact” theory. Being aware of this, some employers avoid pointing to something like an accent as a reason for excluding a candidate, and will use “fit” as a euphemistic substitute.

(continued on page 7)

“But it's that very breadth and inclusiveness that makes it a problem: “fit” can mean almost anything, and employment discrimination plaintiffs are perfectly willing to articulate in a court complaint exactly what discriminatory thing “fit” really meant. Recruiters and employers potentially create a risk of an employment discrimination lawsuit when they use it.”

(continued from page 6)

“Fit” Isn’t Really So Mysterious

I am a realist. We are all going to use the word “fit” from time to time, because it actually does cover perfectly innocent (but difficult to describe) reservations we have about some candidates. The guy interviewing for a client-facing role who laughs like a braying donkey and has an odd habit of rolling his eyes back into his skull precisely every 12 seconds isn’t getting hired by me. It’s easier to be nice about it and tell a recruiter that he isn’t a good fit, rather than saying that we will pass on the “donkey-laugh eye-roll guy.”

All joking aside, though, avoiding “fit” isn’t that hard. It’s not that hard to articulate (to yourself first) what you mean by “fit” – or what you think the hiring firm means. In the case of the donkey-laugh eye-roll guy, I could tell the recruiter who referred him that he has “some pretty significant nervous mannerisms that aren’t good for a client-facing role.” The recruiter, in turn, could tell him that he is a great candidate but should work on his interviewing skills, including presenting a certain demeanor.

Similarly, a candidate who has the personality of a funeral director may not “fit” in very well with a dynamic, fun-loving, spontaneous group, and it’s perfectly fine to tell someone that the “personalities are very different” in the group and that they felt the candidate “has a different style.” You don’t have to be rude to be honest.

What about the employer who passes on a candidate, says she or he isn’t a good fit, and refuses to tell you (the recruiter) what that means? Ultimately, you can’t force an employer to provide information it doesn’t want to provide. But usually, it’s possible to get more specific information, and then decide what kind of specifics you want to pass along to the candidate to help them with the process in the future, while avoiding soul-crushing personal criticisms.

The point is, “fit” almost never means something intentionally discriminatory, and usually we do know exactly what “fit” means. So rather than use “fit” as a proxy for

a lot of things we don’t have the energy to get into, it would be much better to find a few specific, concrete, non-discriminatory reasons for passing on a candidate, and to use those specifics in describing the decision. The more specific you can be, the more useful the information you are passing along to the candidate. And the less general you can be – with “fit” being the consummate generalization – the less room you leave for misunderstandings and lawsuits by applicants who don’t make the cut.

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“...the less general you can be – with ‘fit’ being the consummate generalization – the less room you leave for misunderstandings and lawsuits by applicants who don’t make the cut.”

Ten Tips for Using Social Media for Legal Recruiting

by Guy Alvarez

1. Build a blog and blog about each job opportunity. Make sure you use visuals and post a link back to each blog post on social media.
2. Use hashtags when posting jobs on Twitter and also when trying to build relationships. Hashtags enable you to categorize your content and also to look for people who are actively writing about different practice areas.
3. Build your network on LinkedIn. Engage with active and passive candidates as well as in-house recruiters and hiring managers. Join LinkedIn groups and participate in discussions.
4. Create original content that is of value to potential candidates and in-house recruiters. Don’t just post jobs. Give tips or share insights. Provide interview tips or statistics that may be of value.
5. Use LinkedIn recruiter and the LinkedIn Connect App to build relationships and expand your network. Participate in practice or industry specific groups to strategically grow your network.
6. Create Twitter lists to monitor in-house recruiters and potential candidates. Create practice specific or industry Twitter lists. Seek out influencers and engage with them on Twitter.
7. Discover and reach candidates through Facebook groups. Join groups where potential candidates hang out.
8. Use social media to identify similarities and connections between candidates and in-house recruiters or attorneys. Look for things like volunteer work, interests, hobbies and non-professional networks, which might be a match.
9. Focus on substance and networking. Don’t just use social media to post jobs. Use it to strategically build connections with candidates (active and passive) as well as in house recruiters.
10. Be creative and think outside the box. Use video, infographics. Memes or other visual elements to engage with your target audience. Try out social networks where most recruiters are not: i.e. Google+, Instagram, Pinterest, Medium, Slideshare and Periscope.

ABOUT THE AUTHOR:

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“Build a blog and blog about each job opportunity. Make sure you use visuals and post a link back to each blog post on social media.”

Legal Recruiters Offer Advice to Year-End Laterals

by Nell Gluckman, *The Am Law Daily*, Reprinted with Permission from *The American Lawyer*, November 16, 2015

The start of a new year often brings with it a bevy of announcements from Am Law 200 firms about their new lateral hires.

Whether it's because they're waiting for their annual distributions and bonuses or holding off to see how their current firm did financially, lawyers often opt to finalize their transition to new partnerships in January and February.

That means that many of those partners are contemplating decisions about a potential firm switch right now. The Am Law Daily spoke to several legal recruiters about what lawyers should be thinking about as they enter negotiations with new firms or prepare to tell their current firms they're leaving.

"Remember to take the high road," said Linda Ginsberg, of New York's Ginsberg Partners. Leaving one firm partnership for another can be emotional both for the partner leaving and those being left behind, she said. Lawyers are likely to run into their former partners at some point in their careers, so those considering a transition should think hard about how they'll communicate news of their departure.

"The best messages explain that the fit between your career goals, your clients and your practice strategies

have changed, and today you feel that there's a better fit in this new place, without saying anything negative about the firm," Ginsberg said.

Ginsberg added that firms looking to make a hire will want to know what their potential new partner has been doing for the past three to five years.

"Keep track of all of the business information about your practice and your clients," she recommended. Firms will likely ask how much potential new partners are billing and from which clients.

Partners thinking about moving should also find out as much as they can about the firms they're considering joining, said Sheri Michaels, a partner at legal recruiting giant Major, Lindsey & Africa (MLA) in New York.

Lawyers should be thinking about "how that firm is structured, and will that firm be able to support their practice," Michaels said. "Some partners may need to know that they have certain ancillary practices to support their existing [books of business], as well as future business development."

Michaels added that partners considering a transition "should read their existing partnership agreement in order to review their resignation requirements."

There may be stipulations about pensions, capital contributions or the length of a firm's notice period that departing partners should be aware of when deciding whether or not to change firms.

A 2014 survey of 1,174 partners who switched firms by ALM Intelligence and MLA showed that 83 percent were either very satisfied or somewhat satisfied with their moves. The lawyers who responded to the survey also had advice for future laterals, including a suggestion to verify claims that firm leaders make when trying to woo new recruits and a tip to get every agreement in writing before joining a firm.

One of the most common pieces of advice to come through in the survey was to be proactive about forming a plan to integrate at a new firm. Ask questions about how the integration will be carried out, partners said.

"It's not good enough to rely on the new firm to do it," added one respondent. "New partners need to be very proactive. Force the issue."

Read more:

<http://www.americanlawyer.com/id=1202742575237/Legal-Recruiters-Offer-Advice-to-Year-End-Laterals#ixzz3zoKVfwl0>

"One of the most common pieces of advice to come through in the survey was to be proactive about forming a plan to integrate at a new firm. Ask questions about how the integration will be carried out, partners said."

Litigation Update

by Kenneth E. Young, Esq.

In each newsletter we try to update our members on recent lawsuits involving legal recruiting firms, and provide "lessons learned", if any. The lesson learned from the case summarized below, Foster Bloom Legal Search LLC, v. Eilene Bloom, Case No. 11484, Delaware Court of Chancery, is you may not have much say in picking your parents, but you do when picking a partner for your recruiting firm.

The primary take-away from this case is that partners need to be in complete agreement, at the very outset, as to how the new entity will operate and how responsibilities will be shared, compensation divided, etc. Beyond that, although it's difficult to contemplate winding down when just starting up, partners must agree upon what would happen if, and under what circumstances, the enterprise would dissolve. Just like signing a

prenup while planning your wedding, it's best to discuss these difficult issues when you are getting along.

Michelle Foster and Eileen Bloom were recruiters in the New York office of Major Lindsey & Africa. They left MLA to start Foster Bloom Legal Search, LLC, formed under the laws of Delaware, in November, 2014. They entered into an LLC agreement which contained non-competition and confidentiality/ non-disclosure clauses. According to the Complaint, Foster felt she was making many more cold calls and bringing in more clients than Bloom, and addressed these issues with Bloom. By June, 2015, Bloom informed Foster she intended to start her own firm. Foster brought suit, alleging breach of the LLC agreement, misappropriation of company records, and improper solicitation of a key employee. Bloom's Answer stated she acted in good faith, used her best

efforts and successfully recruited and placed many candidates, that she had let Foster know as early as March, 2015 that things were not working out, and that all actions taken by her in exiting Foster Bloom were with Foster's knowledge and approval.

By November, 2015, one year from the date they launched Foster Bloom Legal Search, the parties settled the case, all claims were dismissed with prejudice, and each side paid their own attorneys' fees, expenses and court costs.

Copies of all pleadings in the case are available online through the Delaware Court of Chancery.

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Kenneth E. Young, Esq. practiced labor and employment law on the management side for 30 years before founding Young Mayden LLC, a legal search and consulting firm that provides services to law firms and law departments nationwide. He also serves on the ABA Law Practice Management Section Council. You can contact him via his direct dial (704) 366 - 8546, and/or his email address kyoung@youngmayden.com.



Member Spotlight: Valerie Fontaine, Esq.

Interviewed/Written by Dan Binstock, Esq.



Valerie Fontaine is a founding partner of Los Angeles-based Seltzer Fontaine Beckwith. Considered an industry leader and currently serving as Secretary to the NALSC Board of Directors, Valerie has assisted hundreds of attorneys find a good fit in law firms, in-house placements, and even nonprofits. She's a demonstrated hard-worker who put herself through college and law school, working at Sears Catalogue Pick-up, as a telephone repair operator, and even as an au pair for the Orrick family ("yes, that Orrick"). She switched careers when being an attorney no longer fit the life she envisioned for herself and worked her way to a successful career in legal recruiting.

But long before opening a legal search firm, Valerie was, in her own words, an "Air Force brat." Being the daughter of an intelligence officer who spent part of his time on loan to the CIA, she grew up around the Pacific with Los Angeles being the farthest east she's lived – she was born in Hawaii, but then lived in Guam and briefly in Japan, and in the US she has lived in both Northern and Southern California. It's no wonder that Valerie now has a deep-set passion for travel, having been to over twenty countries in her life, and she never knows where she'll end up next.

After her family settled in California, Valerie attended UCLA for her undergraduate degree and also put herself through college. With a background in high school debate and the declaration -- at age fifteen -- to "be a litigator since I loved to argue and hated math," she majored in Political Science. Later on as a senior contemplating what to do after graduating college, Valerie stayed true to her earlier goal of becoming a lawyer because she wanted "to 'do good' and make a decent living" but

then eventually use her degree for business.

Valerie received state scholarships and grants to UC Hastings in San Francisco, and also enjoyed San Francisco, so this was a natural fit. As mentioned above, she worked for the Orrick family in San Francisco. In exchange for room and board, she cooked breakfast for Mr. Orrick, did the dishes, and pet- and house-sat on weekends and when they were out of town.

At the start of her career, Valerie at last achieved the goal she set for herself at fifteen and was working as a litigation attorney in a major law firm in LA. And yet, she soon realized that perhaps being an attorney wasn't what she actually wanted for herself long-term. Much of the work she performed was not as stimulating as she hoped, and having been recently married and considering a family, she questioned whether this was sustainable in the long-term.

She thought about what her future as a mother would look like if she remained an attorney: "I saw the life that more senior women at the firm were living, and it did not look appealing." Something needed to change. When one recruiter asked Valerie whether she had ever given thought to legal recruiting, an interesting light bulb went off. She surmised it would be a great way to learn about other opportunities that might offer her a great work/life balance, and better yet, if she found an interesting position, she could just place herself. Voila. Though, to her surprise, she found she enjoyed recruiting and was pretty good at it. In terms of recruiting and the good work/life balance she was looking for, Valerie comments, "I saw that I could raise my kids and still be successful. I actually closed a deal from the hospital each time I gave birth." Recruiting turned out to be a rewarding career for Valerie, who after her divorce, was able to put her two daughters, Genevieve and Jillian, who are only three years apart, through private colleges on her own.

Years later, Valerie has developed a reputation as an industry leader. Valerie is a frequent speaker on topics related to the legal marketplace and has published

numerous articles in the national legal press, both in print and online. Her book, *The Right Moves: Job Search and Career Development Strategies for Lawyers*, published by NALP (National Association of Law Placement), now is in its second edition.

Valerie's day-to-day practice encompasses a wide range of searches, from partners and groups to associates for law firms, general counsels to staff counsels for corporations, and attorneys at various levels for government and nonprofits. She enjoys working with her team at Seltzer Fontaine Beckwith, and she and her co-founding partner, Madeleine Seltzer, have worked together for over thirty years – "it's like a marriage!" Every day is different as a recruiter, which suits Valerie since she "bores easily," and she frequently gets to use her public speaking and writing skills to promote her business. She finds it very satisfying when she can help her clients achieve their business growth or candidates to achieve their career advancement goals, "a win-win for the candidate and client, plus we get paid—another win!"

But, of course, no career comes without its disappointments. One lesson Valerie had to learn early on was not to take anything personally, especially since she just can't control everything. "Sometimes I have to pout a bit, or vent to a colleague, but then I take a breath and move on." To combat disappointments, Valerie offers a trick she uses: "keep lots of potential deals at various stages in the pipeline. It's like the act where someone keeps a row of plates spinning on poles, and constantly runs back and forth giving each a spin as it slows down so the plate doesn't fall off." With this, she keeps moving back and forth between deals, leaving no time for disappointment when a plate invariably falls down.

Along with her trick to ward off disappointment, Valerie has another piece of helpful advice. Her first boss in recruiting had a saying that helps her in her practice to this day: "you must appease the fee god." What does this mean? Both sides have to truly be happy with the fit and a deal can't be forced.

"Valerie's day-to-day practice encompasses a wide range of searches, from partners and groups to associates for law firms, general counsels to staff counsels for corporations, and attorneys at various levels for government and nonprofits."

"To combat disappointments, Valerie offers a trick she uses: 'keep lots of potential deals at various stages in the pipeline.'"

(Continued on page 10)

(Continued from page 9)

A few more random facts about Valerie:

- **Most Surprising Fact:** “I used to dance with a Polynesian dance troupe while in high school, college, and law school. We did shows and entertained at corporate functions.”
- **Favorite TV show:** Valerie admits she is a “Project Runway” addict with cooking and home improvement shows on the side – she is fascinated with programs about the tiny house movement. Plus, she never misses an episode of “Downton Abbey.”
- **Most influential book:** As someone who loves reading so much that her mother used to punish her by taking away her books, Valerie now volunteers weekly at the LA Public Library, has belonged to a book group for the past fifteen years, and reads about a book a week. So her most influential book must be given a lot of weight. What stood out to her was *Unquenchable Thirst*, the memoir of Mary Johnson, an

American nun who spent 20 years with Mother Theresa and eventually left the order. “It was eye-opening and presented a shockingly different view of what is generally accepted.”

Valerie spends a lot of time with her two most favorite people in the world, her daughters Genevieve (32) and Jillian (29). And now here’s something you probably didn’t see coming: her daughter Genevieve is a roller derby skater by the name of “Jackie Nimble”; her other daughter Jillian performs improv at clubs around Los Angeles. Of course, they have day jobs but their night jobs keep things interesting. “I am so proud of them! We are very close— constantly calling and visiting since they both live in LA, and we travel together at least once a year.” Speaking of traveling, Valerie has made it a point in her life to travel someplace she has never been to every year. This year her trip includes Vietnam and Cambodia. “I want to see as much of the world as I can...closer to home, I explore as many national parks as I can.” Recently, she’s been to Yellowstone, the Grand Tetons, Mt. Rushmore,

and the Olympic Peninsula in Washington State.

Outside of recruiting and traveling, Valerie is active in the community. She is on her homeowner’s association board, and is in charge of disaster preparedness education in the neighborhood (especially relevant because she lives in “earthquake country”). Although she is CERT-trained (Community Emergency Response Team), she questions whether she’ll actually be ready when “the Big One hits.”

In closing, let’s hope the Big One never hits, and Valerie continues touching so many lives in a positive way through her career and outside of work.

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Member Spotlight: Susan Harlow, Esq.

Interviewed/Written by Dan Binstock, Esq.



This past Fall, while returning to DC from the NALSC Fall Conference in New York, I had the opportunity to sit next to a law firm recruiting manager. During our conversation, she mentioned that she used to work at Cadwalader and, in particular, spoke glowingly about Susan Harlow both as a manager and colleague. If you do not know Susan, she is the Director of Legal Recruitment and Professional Development at Cadwalader and is based in New York. Susan has a very impressive background, professionally and personally, and we thought she would be a great law firm member to profile

in this newsletter. As you will read below, Susan has managed to blend her education and interest in people into her current career.

Let’s start at the beginning. Susan grew up on Long Island, where she was the youngest kid on the block and in her family. She quickly learned that to keep up with the others, a level of confidence, independence, and self-assuredness was necessary. She characterized herself as a tomboy who was very involved in sports (which enabled her to compete with the older kids), but was likewise involved with dance and the arts.

When it came time to decide on a college for undergrad, Susan had all the characteristics of somebody on track for an Ivy-league college. That said, she was going through a bit of a social rebellion at the time and did not want to immediately succumb to the social pressure to simply go to an Ivy league because the opportunity may present itself. While some parents might scoff at that attitude and pressure their child

to look at only the “best” schools, her parents wisely gave her space to make the decision herself and did not force her path. So she considered all types of schools. But when she visited Yale, it clicked with her and she decided to attend Yale of her own volition, not because anyone pushed her to do so.

At Yale, Susan pursued a degree in psychology because she was fascinated with the human mind. Plus, her father had always talked about the importance of relating well to others so Susan felt this was an ideal fit. Outside of classes, Susan, as with her dichotomy of activities as a child, was both a cheerleader and a rugby player.

After graduating from Yale, Susan carefully considered her career options. When she was younger, people would always tell her, “you are going to grow up to become a lawyer.” Yet she was also interested in a graduate program for either child or organizational psychology. Thinking ahead to her future career,

(Continued on page 11)

“Susan has managed to blend her education and interest in people into her current career.”

(Continued from page 10)

Susan figured that a law degree could possibly open more doors, so she took a leap and took the LSAT, though she knew she wanted to do volunteer work first.

She found a great opportunity in Boston, MA teaching at an all-girls Catholic school with a range of socioeconomic and religious backgrounds. At the time, the school wasn't well-funded and the teachers were mostly straight out of college and "thrown into it", often requiring them to wear different hats. Susan, for example, taught 7-8th grade English and Math, was the athletic director, and coached softball and soccer. The days were long but she met some lifelong friends during this experience.

Her next job was teaching English for a year at schools and corporations in Italy (despite not speaking a word of Italian). After these two rewarding experiences, Susan decided it was time to return to the States and attended NYU Law School.

After graduating NYU Law School in 2000, Susan joined Willkie Farr & Gallagher (where she was a summer associate) as a corporate associate handling mergers & acquisitions and securities work. And as early as her first year, she became very involved with recruiting for the firm. Overall, Susan enjoyed being an associate and practiced at Willkie for over five years, but every year she did a personal "check-in" to make sure she didn't just keep her head down and ignore whether her career path was the ideal one. Over time she started to realize she enjoyed the non-billable work of recruiting more than the billable work of being an attorney. To scratch this itch, she talked to a lot of people with JDs who made the transition from practicing to recruiting on the law firm side. After a lot of consideration (including turning down what many would consider a particularly appealing in-house job), she took the plunge.

Susan's first position on the recruiting side was at Paul Weiss as the Legal Recruiting Manager, starting in March 2006. While Susan had recruiting experience as an associate, she was particularly surprised to find how much more "really goes on behind the scenes - how many small details there are and the volume of tasks, big and small." Susan had a great experience

at Paul Weiss and was lured to Cadwalader in August of 2010 for a promotion to Director of Legal Recruitment, where she remains today.

At Cadwalader, Susan first focused on recruiting, but has taken on a professional development role as well. So her current breakdown of her practice involves approximately 50% devoted to recruiting and the other 50% concentrating on professional development. Susan works with recruiting lateral associates, partners, and law school students.

Susan enjoys the diversity her work offers her, especially how "every day is truly different - you can try to plan the day, but the plans go out the window once things start." She has a great team, and from a professional development standpoint, she finds it particularly gratifying to watch former summer associates developing into successful associates. In terms of the challenges, Susan acknowledges that despite her optimistic wishes, there are not enough hours in the day, given the sheer volume of tasks each day. To best balance all the moving pieces, Susan has become skilled at effective delegation with her team. This also ties into her one important goal - to spend more time on the strategic side of things.

Susan's advice to search consultants? "Every firm is different, and each firm operates differently with different procedures and protocols and personalities. In some firms, partners are very involved with decisions. Others, it's more streamlined. When the process is not moving as quickly as you would like, know when to push and when to allow space and time." Some recruiters "get it" while others can unfortunately be quite aggressive about forcing the process. So how should a recruiter go about figuring out what approach to take in the particular situation? "Just ask," she advises.

Other advice to search consultants? "Make the firm feel like it is your client, which it is. Some recruiters come across as being too candidate-focused or, at times, too self-interested." As an example, Susan mentioned that some recruiters will comment to her that they stand to make more money if they place a

candidate at one firm versus another.

Apart from her law firm life, Susan is currently married to her husband, Justin, and together they have twin daughters who are six years old. She remarks, "They are amazing and funny and usually one step ahead of us!" Her tight-knit family loves their neighborhood, Williamsburg, Brooklyn, and enjoy the range of great restaurants, variety, and overall vibe.

A few more facts about Susan?

- Favorite TV shows: Susan loves HGTV (especially Fixer Upper)
- Movie that always makes her laugh: "Wedding Crashers"
- Most influential book: Power of Positive Thinking by Norman Vincent Peale. He was a minister at a church Susan used to attend, and his lessons have been passed down and remain with her today. Susan notes, "Even taking religion out of it, what I learned is that your reaction and interpretation to life events becomes your reality. We all have the ability to choose happiness. How we respond to situations or other people is our choice. It's the only thing we can control. We forget this, but it can make a huge impact in our lives."

Given Susan's professional and personal success, Susan seems to have made many right choices in her life, including the choice to always seek to view things in the most positive light.

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"To best balance all the moving pieces, Susan has become skilled at effective delegation with her team. This also ties into her one important goal - to spend more time on the strategic side of things."

NALSC Membership Growth

by David S. Garber, Esq.

2015 was a good year for the legal search profession and we are pleased to report that our membership sustained significant growth in 2015. Legal search firms, client law firms and search firm industry vendors continue to recognize the value of a NALSC membership and NALSC welcomed 28 new members in 2015. This represents a 7% increase in our membership. As of January, 2016 we have 132 search firm members, 6 affiliate members, 9 branch office members, 7 individual members, 15 supporting members (law firms) and 2 associate members (vendors).

Our new members who joined NALSC in 2015 are geographically diverse and as an organization we experienced national coast-to-coast growth. Following is a list of our new members in 2015 and the states in which they are based:

Regular Firm Members & Affiliate Firm Members:

Abshire Legal Search LLC - NC
Audrey Golden Associates - NY
Crosby Shockey Consult+Search LLC -TX
CTS Legal - VA

D. French Advisors, LLC - AZ
Daniel Burkhardt Associates - CA
Esquire, Inc. - CA
Handwerker Hren Legal - TX
Harlan Scott, LLC - NJ
HC Legal Search - TX
HR Legal Search, LLC - TX
Leace Kapres, LLC - PA
LegalSummit Search Consultants, Inc. - GA
Lodestar Recruiting - NY
Massari & Darling LLC - OR
Miles Partner Placement - CA
Momentum Search Group, LLC - NY
Sacks & Delano Consulting - MA
Stone Search Partners, LLC - GA
The Manning Group, LLC - DC
The Paladin Group LLC - CA
Veritas Legal Consulting, LLC - DE

Individual Member:

The Legal Group, Inc.-Amy Levin - FL

Branch Members:

Crosby Shockey Consult+Search LLC - CT
Harris Legal Search - WA
Mlegal Consulting Inc. - NY

Supporting Members (Law Firms):

Kirkland & Ellis LLP - NY
Lowenstein Sandler LLP - NY
Nixon Peabody LLP - IL

ABOUT THE AUTHOR:

David S. Garber is the President of Princeton Legal Search Group. David serves on the Board of Directors for the National Association of Legal Search Consultants and is the Vice President of Membership. David can be reached at dgarber@princetonlegal.com or 609-730-8240.



NALSC® Board Responds to Changes in Non-Profit Law

by Eve Jaffe, Esq.

The New York State statute governing non-profit organizations was revised in 2014. Since NALSC is incorporated in the State of New York, your Board of Directors has formed a Document Review Committee to review all of our governing documents in light of the changes to the law and to retain and work with New York non-profit counsel to bring our organization up to date under the new laws. The members of the Document Review Committee are Dan Binstock, Marina Sirras, Nick Rumin, Ken Young and myself. The Document Review Committee interviewed a number of New York attorneys specializing in non-profit law who came highly recommended and ultimately retained Jason Lilien, Esq. of Loeb & Loeb.

Mr. Lilien is a former Bureau Chief of the New York State Attorney General's Charities Bureau and he is the principal author of the Nonprofit Revitalization Act of 2013 which is the law governing NALSC and other non-profit organizations.

We are grateful to have the counsel of New York's foremost authority on the new non-profit law. Your Board committee is working closely with Mr. Lilien to make the necessary changes to our corporate documentation. In the coming weeks, you can look forward to hearing more about our revisions to our Bylaws and other governing documents.

ABOUT THE AUTHOR:

Eve Jaffe is the President of Garb Jaffe & Associates Legal Placement, a Member of the NALSC Board of Directors and Chair of the Document Review Committee. Eve can be reached at evejaffe@garbjaaffe.com or 310-207-0727 ext. 103.



New Ethics Committee

Along with the revisions to our Bylaws to be in compliance with the changes in New York Non-Profit Law, NALSC has a new Ethics Committee. The new Committee is comprised of Dan Binstock (Chair),

Valerie Fontaine, and Eve Jaffe. We continue to encourage you to reach out with any questions about the NALSC Code of Ethics. Please note that our Code of Ethics is being slightly modified too and

these changes will be announced in the coming weeks as well.

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