

A Case for Attorney Interviewing Training

by Jim Kennedy

Hiring new or summer associates is a critical activity for any firm that relies on more than lateral hires to meet its staffing needs. The problem is that current practices may no longer serve a firm well — either because those practices waste valuable attorney time or because they lead to unnecessary turnover.

Let's quickly look at two examples of a hiring process that needs help. First, consider the feedback from Leo, a partner in a New York law firm, who has just interviewed a third-year law student for a full-time position: "I recommend we hire John. Even though I have a number of concerns about his motivation, personality, and attitude, they are all offset by a superior academic record in both college and law school."

Or consider this from Bob, a partner in a Los Angeles law firm: "I wholeheartedly support Jessica because she's friendly, easy to talk to, and her personality would fit in great here. She is truly personable and gracious."

Similar evaluations are all too common in other law firms despite the fact that associate attorney positions can pay \$120,000 or more the first year. That such costly decisions may have to be based on this kind of confusing and cursory feedback (or no feedback at all) speaks volumes about what's wrong with hiring practices in some law firms.

Fortunately, the indicators that a firm needs help aren't hard to spot. Over the past 20 years, I've provided interview training for 65 law firms, and I have noticed at least 10 signs that indicate that a firm's hiring program needs to be strengthened. The presence of two or more of these "symptoms" suggests that there's a case for some corrective action.

10 Symptoms of a troubled hiring process

1. Interviewer feedback is either totally lacking or isn't insightful.

Many firms have reported to me that up to half of the evaluation forms they receive after attorney interviews have no comments on them. Or, like Bob's comment, consist of superficial adjectives and provide no insight about expected future performance.

2. A lack of insight on the part of interviewers requires the recruiting director or hiring committee to spend too much time "evaluating the evaluator."

The hiring committee must invest their time evaluating the attorney who provided the feedback rather than focusing on the candidate. You can almost hear the committee trying to sort out this feedback: "Leo is tough on everybody so any candidate he interviews can't be that bad." Or, from Los Angeles, "Bob is such an easy-going interviewer; he seems to like everyone. But, will Jessica really fit in that well here?"

3. Hiring disappointments occur, even among summer associates, due to poor hiring decisions.

Performance shortfalls or insufficient commitment to the firm are often explained by a lack of suitable motivation. This is not really discovered in the interviews, and hiring decisions — especially poor ones — aren't critiqued. Too few firms track who brought in an unsuccessful candidate or what each interviewer had to say before the offer was extended.

4. Hiring decisions are justified on the basis of credentials on the résumé, not on competencies learned in the interview.

Leo's myopia epitomizes this type of decision-making. You can almost bet that Leo's candidate won't fit in with colleagues or clients or be properly motivated. Unfortunately, Leo's conclusion about John's candidacy is based on a false premise that a strong academic record will "offset" negative behavioral qualities. Such feedback continues because it requires little time or insight to base a hiring recommendation on résumé credentials.

5. Interviewers use non-controversial, vague, or subjective factors to evaluate candidates such as "poise," "presence," "maturity," and "appearance."

Interviewers who describe candidates in these terms usually aren't called upon to supply any supporting evidence. Even if they could, it wouldn't be objective. So, high scores on these subjective qualities give a false sense of security about the likely success of a new hire. Jessica sounds like a fine woman, but where in Bob's evaluation is any indication of her competence as an attorney? Bob's evaluation sounds like he is casting a vote in an eighth grade grammar school election of the class president.

6. Evaluation forms favor ease of use over usefulness of data.

Many firms may unwittingly encourage minimal feedback by just asking attorneys to circle a number or check off a box. None of the practicing attorneys objects because using a simple form saves more time for billable work.

7. Attorneys do most or all of the talking in an interview.

Few have heard of or know how to practice the 80/20 Rule (listen 80% of the time) in an assessment interview. Failing to listen to the candidate in the interview also can be the result of a lack of role clarity. All too often, interviewing attorneys

assume it's their job to "tell them what we do" or "just sell the firm" — a role that requires a lot of talking but not much listening to the candidate. Such a role yields no useful output from the interview that relates to a hiring decision.

8. There is little correlation between selection and performance criteria.

Firms are properly spending more time assessing the performance of junior associates. Unfortunately, not enough firms are correlating the qualities that explain success on the job with the qualities they also look for in hiring.

9. Candidate referrals across multi-office firms are met with skepticism.

A lack of consensus about what qualities are important to the firm or a lack of confidence in the interviewing skills of others means that even top candidates at first-tier schools may be rejected when referred to another office. ("If she's that good, why don't they call her back to their office?")

10. Scheduled interviews or campus trips are excessively cancelled at the last minute.

While such cancellations happen in every firm, an excessive pattern may suggest a firm-wide lack of commitment to recruiting. Unfortunately, this behavior is so pervasive that it is not addressed as a pattern that needs to be changed. Lack of commitment to an interview is often justified with something as simple as "I had another meeting to go to." Some attorneys on the schedule routinely consider selecting candidates for the firm a lower priority than anything else they could do that is billable work.

Causes of hiring problems

So how did things come to such a pass? Here is what I see as the three main causes of hiring problems:

1. The firm focuses on the cost of an attorney's time to interview a candidate (\$200), rather than on the value of the hiring decision being made (\$20,000).

Typically, six attorneys will interview a new associate candidate. They provide the input for the hiring committee to make a decision on an offer. If the interviewing attorneys can bill their time at \$400 per hour, they're theoretically losing \$200 of billable time for each half-hour interview. As a result, there's a real financial incentive not to spend much time on recruiting or interviewing.

Yet it's not just cost but value that must be considered. If the new associate will be paid \$120,000 per year, each of the six interviews carries a value of \$20,000. A decision of that magnitude deserves substantive interviewer feedback and commitment by firm management to the importance and value of this activity.

Further, the greatest cost in hiring new attorneys is not just the investment of their billable time in doing interviews. Less obvious is the lost opportunity cost to the firm when it hires marginal candidates. The opportunity to build the firm's talent bench and meet future client needs is sacrificed. This opportunity loss may play out over several years and become substantial as others also invest their time coaching and mentoring someone who won't become a long-term resource of the firm.

2. The firm doesn't set clear guidelines for its interviewers.

An expectation of useful feedback from individual interviewers is not set. Left to their own devices, attorneys often choose to define their role as one that requires little or no insightful feedback. Or, they may decide that their job is to sell the firm or tell the candidate just what it is they do. In any case, the result is the same: no meaningful evaluation of candidates.

3. Interviewers either don't believe in the importance of interviewing or they lack

the skills to adequately assess competencies of a candidate.

All too often, an interview is seen as nothing more than an interruption in a busy day. As a result, there's little if any preparation, and interviewers are forced to rely on the résumé as a prop without the benefit of probing or follow-up techniques that could elicit more information. Today's well-coached law school candidates want their résumé to guide the interview to keep them in control and avoid negative disclosures. Ultimately, learning enough about a candidate to confidently predict future performance requires behavioral-based interviewing skills.

Solutions to hiring problems

Fortunately, if the firm is willing, hiring problems can be fixed. Here's how:

1. The firm's management decides and announces that recruiting and interviewing are important priorities, and it raises the bar on what it expects of its interviewers. The firm also modifies the process as needed and monitors what happens.

The process modification includes creating an interview evaluation form that calls for useful feedback, clear recommendations, and an assessment of the candidate's competencies, not just credentials.

2. Competencies are selected that provide objective and clear hiring criteria. An effective hiring process calls for the firm to be clear on what competencies it requires in successful candidates and not to assume their presence based solely on credentials.

Credentials are on the résumé and include law school, GPA, law review, moot court, and so on. Competencies, on the other hand, are not on the résumé. They describe the skills, abilities, and talents the individual will draw on to be success-

ful. These include observable behavioral qualities such as judgment, being articulate, having commitment, initiative, and proper work ethic. Good interviewing reveals them.

Credentials listed on the résumé are easiest to assess during the interview and to defend as the basis for a hiring decision. However, it's competencies and not credentials that are more likely to predict turnover or reveal a "star" who is not in the top 20% of a class but can make a real contribution. These competencies are often based on the assessment of your firm's most successful attorneys.

- 3. Attorneys are educated that their primary role in an interview is to learn enough about the candidate to predict future behavior and performance and, based on that, make a hiring decision or recommendation. Training is provided on how to conduct behavioral interviews and provide meaningful assessment.**

Behavioral interviewing training helps attorney interviewers interpret the "how and why" behind a candidate's answers to their questions. This equips them to predict future performance in those selected to join the firm. Busy attorneys are

never expected to become professional interviewers or recruiters. However, they will discover that the right training empowers them to be capable assessors of talent for their firm. This gives them pride in what they can contribute to the firm's hiring process. They may also discover the new techniques they learn can be applied to client and coworker interactions, and even in taking depositions.

Conclusion

There are many indicators of a troubled recruiting program. What in essence are symptoms of real problems may be ignored, or they may mask the actual causes of hiring problems. Separating symptoms from the causes and taking appropriate action suggests there is a strong case for attorney interviewing training.

Jim Kennedy has addressed many NALP conferences on attorney hiring issues. He is founder and president of a firm that has trained attorney interviewers for 20 years. Learn more at www.interviewedge.com.