

Dear Friends and Colleagues –

Greetings. In our first candidate-focused edition this year, we attempt to brighten a darkening sky. While understanding that the newspapers, blogs, newscasts, etc., are often filled only with disheartening news, we try herein to provide concrete ideas and tips to making it to the other side of this economic breach. Alexis Reed, Attorney Search Director in our Chicago office, provides valuable tips for employed attorneys as well as those in the market for a new position. Paralegal Search Director Jim Curran, of our Washington, D.C. office, advises paralegals on what they can do to become irreplaceable. Both articles focus on steps to take to not only survive in this market, but also thrive in it.

The author of our article on moving from a law firm to an in-house counsel position is Beth Walker, Director, Business Development, Prescott Legal/Special Counsel. Special Counsel acquired Prescott, the premier legal search firm in Texas, about a year and a half ago, bringing unparalleled expertise in in-house attorney search. Beth focuses on business development across the state of Texas. Additionally, our piece outlining how 2009 can be the best year in decades for contract attorneys is presented by Alison Hugelmeyer, Senior Placement Director in our New York office. Finally, I have included a fun article on speaking out and listening up. Enjoy!

Best of luck to all.

David J. Maldonado, Esq., Editor

Senior Vice President, Special Counsel

Three Key Points for Surviving the Market

As attorneys, we are trained to think analytically and to know how to resolve any problem that arises. Of course, not all problems that arise can be solved with analytical thought, research and writing. Right now, our profession is dealing with significant fallout from our country's economic crisis. Instead of panicking, use your training and abilities to put yourself in the best possible position, poised to take advantage when the market rebounds.

1. Remain Calm

Any good litigator could tell you that the adage, “never let them see you sweat,” is more important in times of trouble. So, apply it to your current practice and position and do not panic – prepare. If you have questions about your current position at your firm or the direction that the firm is taking during the slow economy, make an appointment with a managing partner and ask those questions. Make a list of your attributes and take the opportunity to explain why you are a valuable member of the team. Make it easy for your firm to see you as a profitable member of your practice group. After all, the firm may not do so itself.

2. Make Yourself Invaluable

If you position yourself as one of the valuable attorneys at your firm, you can create your own job security. Come in early, stay late. Volunteer to take on the projects no one else wants. Ask the partners you work with about additional projects and assignments. Make yourself available to work with new partners and new clients. Join new groups and network in order to begin the important process of developing your own business. The more people that you have in your corner, the more secure you are in your position. More

importantly, use this time to test yourself and grow as an attorney – to see what you are truly capable of as a lawyer. (See, Jim Curran's article also in this issue on recession-proofing your paralegal career)

3. Make Your Experience Attractive

If you do find yourself in the market for a new position, do your best to differentiate yourself from other attorneys who are also looking for a new position. First, ensure that you have drafted the best possible resume to highlight your exceptional experience. Be sure that this document contains not only summary statements of the full scope of your experience, but also concrete examples of your accomplishments. These concrete examples not only make your resume more well-rounded and memorable, but also provide prospective employers with a way to relate to you as a peer in their practice group. Second, craft a well-written cover letter that discusses three main items: 1) a brief summary of your background; 2) your interest in the prospective employer; and 3) how your background makes you an immediate asset to the prospective employer. Third, consider any and all opportunities that could be a good match for your background, including contract projects, which provide you with the opportunity to network with decision-makers and stay busy. Finally, follow up on every single resume submission and every single networking lead – you do not want to let that perfect position fall through the cracks.

Bottom line, while it is a tough market, it is possible to survive and prosper with a little bit of hard work and extra effort!

Alexis Reed, Esq. is the Attorney Search Director of Special Counsel's Chicago office.

Making the Move – Practical Tips for Moving from a Law Firm to an In-House Practice

Do you have the itch to take a look at in-house opportunities? In-house employment has its own set of rules, and in-house opportunities are as varied as law firm practices. They range from the solo General Counsel who wears many hats to large, highly specialized groups that are sometimes larger than major law firms. When it comes to in-house options, there is a lot to learn!

Private practitioners often have misconceptions when it comes to in-house practice. One of the most common is the thought that in-house roles offer a slower pace, less demanding schedule and a better quality of life. While some of those improvements may be found by making a move, an in-house practice is not necessarily less demanding. Recent in-house converts usually share their joy at leaving the billable hour behind, but they are also quick to comment that they traded their timekeeping duties for a sometimes unwieldy to-do list. In-house pressures center on making a business work. Those pressures motivate

many, especially attorneys who have always wanted to play a more active role in business.

The perception of in-house roles has changed drastically over the years, and in-house positions are now among the most coveted in the legal community. Companies have changed the way they view in-house counsel, bringing their lawyers into the thick of the business. Many General Counsels also wear VP hats. They are serving as business people while also managing legal teams.

Making the move from a firm to an in-house practice requires specific preparation. In-house practice has its own hierarchy with more steps than the law firm partnership track. Higher-level in-house positions frequently require previous in-house experience. An ideal time to make the first move in-house is anywhere from 3 to 7 years of practice. This schedule allows plenty of time to make the natural progression through the in-house hierarchy. With that said, attorneys beyond 7 years in practice, can certainly still pursue in-house options.

When interviewing for an in-house position, keep in mind that the in-house team is comprised of attorneys who have already made the decision to practice in-house. Those attorneys understand a desire to make the move, so there is no need to be apologetic about a decision to leave law firm life. Be wary of expressing a desire to make a “quality of life” change, however. While it may be a legitimate reason, it is not what most hiring attorneys want to hear. Focus on positive reasons for making a change, like finding a position that will allow devotion to one client and the opportunity to be an integral part of a business team.

Conducting a careful in-house search can lead to a rewarding long-term in-house career. Be patient while considering options, and best of luck in making a positive change!

Beth Walker, J.D. is the Director of Business Development of Prescott Legal/Special Counsel.

2009 – A Year of Opportunity for Contract Attorneys

On February 2, 2009, two leading advisors to top law firms, Hildebrandt International and Citi Private Bank, released a client advisory opinion (“Advisory Opinion”), predictably predicting more economic struggles for large firms in 2009. However, the Advisory Opinion also states that there will be certain practice areas that will increase in activity in the coming year. Although this is good news for attorneys in general, it is particularly good news for contract attorneys. As that opinion advises, law firms should use the economic downturn as an opportunity to change their business model in several ways, including hiring more contract attorneys to handle increased work flow. This may provide contract attorneys with more work and opportunity than they have had in the past few decades.

Although the economic downturn has caused less demand for legal services by law firm’s corporate clients, the Advisory Opinion predicts an increase in activity in certain practice areas

throughout 2009 and 2010. First, there will most likely be a growth in litigation as a result of the current financial crisis. There also should be an increase in mergers and acquisition activity as strong, financially sound corporations acquire their weaker competitors. The American Recovery and Reinvestment Act and the predicted changes in the regulation of the US capital markets should bring additional, significant legal work. Naturally, more bankruptcy work is emerging as a result of the economic downturn. Experts believe that when economic recovery finally begins, it will be led by the legal market because legal work is a necessary first step for most significant commercial activity.

The predicted increase in activity may provide opportunity for contract attorneys if law firms decide to follow the advice of the Advisory Opinion and that of others in the legal market, by changing their current business model. Many firms have a high headcount paired with

a low demand for services, causing smaller law firm profits. A firm may counteract this trend by changing its business model, to ensure that their population is in line with client demand. In order to achieve this goal, the Advisory Opinion, in part, suggests that law firms move away from lockstep compensation and increase incentives for associate performance; terminate attorneys that underperform, including partners; and hire more contract attorneys to assist in the work created by an increase in activity in the previously-mentioned practice areas.

When the practice of hiring contract attorneys first emerged, they were typically hired by law firms for specific projects that were substantive in nature. At Special Counsel, we call these “knowledge worker” placements. The remainder of the firm’s legal work was handled by its partners and associates and included document review and due diligence projects. In time, corporate clients were less willing to pay associate rates for such review projects. As a

2009 – A Year of Opportunity for Contract Attorneys (continued)

result, the numbers of contract attorneys hired for these projects rose dramatically, eventually surpassing the number of knowledge worker placements. According to the Advisory Opinion, and by examining our own trends, the strategic use and hiring of contract attorneys for document review projects is certain to continue as it has proven to be extremely cost-effective for the law firm's corporate clients.

The rate of hiring knowledge worker placements may soon increase as well. As suggested, the best future model for law firms may be to

have fewer partners and associates and more contract attorneys to work on specific substantive projects. If firms decide to follow this model, yet work increases in the predicted practice areas, law firms will ultimately hire contract attorneys with the requisite background for substantive projects more frequently than ever before.

Although law firms will continue to experience some financial struggles in 2009, there will most likely be an increased work flow in several practice areas. This prediction is good news

for contract attorneys in particular. They will not only continue to have the opportunity to work on document review and due diligence projects, but also, if law firms heed the Hildebrandt/Citi advisory opinion by changing their current business model, contract attorneys will have an increased and perhaps unprecedented opportunity to work on substantive projects as well.

Alison Hugelmeyer, Esq. is the Sr. Placement Director of Special Counsel's New York office.

Candidates: Speak Out and Listen Up

"Since everybody is an individual, no one else can be you. You are unique."

--Eleanor Roosevelt

Email, texting, blogging, chatting, instant messaging. All have come into our lives to one degree or another and the speed at which these are developing is stunning. For example, recently, on my Blackberry, I received a text message from my son John, with a photo attached of his graded geometry exam, bearing a score of 101. Terrific news, yet even as late as last week, that that kind of communication was possible was unimaginable to me. Gone, apparently, are the days of proudly presenting your parent with the actual test with the actual grade on it in actual red pencil.

Indeed, a great deal of our communication has turned into email or something in data form. While some of that is required and some of it is just makes things faster to do, we have largely turned away from voice communication in favor of email messages. We have especially shunned the telephone call.

While a candidate can distribute information and a resume in an email message, and efficiently so, an email can only really do that – send information. In black and white (or blue or fuchsia, I've seen both colors used). Email usually does a poor job of communicating anything more than qualifications the sender deems important. Other than with a change in "ink," it cannot provide the color or depth that is often necessary for a recruiter

to make the right choice among many email messages and resumes they receive.

On the other hand, a phone call can deliver substance and definition and offer a window into candidates' personalities. Each phone caller is distinct. Their voice is unlike anyone else's. The pattern of speech is unique. The inflections are different. The style of communication is singular. They are no longer data.

While an email message or background or smiley face can be changed in color or nature, an email message is subject to the rules and fonts and reply functions of the application being used. A voice is your own application. It's what sets you apart. It gives the data an added dimension.

Personally, I can discern many more important details when speaking with someone. I can judge earnestness, credibility, conviction, determination and whether I would want to work with someone or have them work for a client. But the beauty of the telephone call is that it can stray in some of the most telling ways. I can learn of struggles the candidate has overcome or of insights they have. I also can discover parts of a person's experience that they would not normally share in print.

As the caller, you yourself have the opportunity to inquire of a recruiter about a position, its duties, the boss, the business culture, the salary, the location. All information you may or may not be able to divine from the internet

or otherwise. All of this is a part of the job-seeking process. You can enhance your own prospects by distinguishing yourself from the rest in a genuine verbal communication.

Personal interaction is key. You can set yourself up to be a part of a group or you can set yourself apart as a candidate with unique abilities, experience, passion, creativity, stamina, determination and skill. The first step is to pick up the phone and let us know who you are.

I called my son to congratulate him on his test score. His voice mail message said to text him.

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The Column is a quarterly publication by Special Counsel, Inc.

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Paralegals – Make Your Career Recession-Proof

Want to know the best way to get ahead in tough economic times? Become irreplaceable.

“Latham Cuts 190 Lawyers, 250 Staff.” This *Wall Street Journal* headline from February 27, 2009 is one in a line of announcements of prominent law firms making significant layoffs due to an increasingly ramshackle economy – an economy with which none of us is experienced. While scattered job openings for paralegals offer a reminder that all is not lost, it is imperative that you understand that the best way to continue to build your career and maintain security is to do everything in your power to maintain current employment.

The Golden Rule of surviving layoffs is to ensure that when your manager is tasked with cutting staff, she knows throughout the process that there is just no way she can write your name on that line. How do you make this happen? Work toward giving her one less thing to worry about every day. Do more than what is expected. Ask for advice on how you can get better. Show a willingness to improve on your own and you will

most certainly be rewarded with every opportunity to survive the layoff.

Amy Williams, a Paralegal Manager from a prominent international firm, insists, “I strive to keep the paralegals, specialists, project assistants and paralegal assistants fully engaged. We reach out directly to the attorneys to offer our assistance. Don’t call or e-mail; show up at their door and ask, ‘What can I do to help you today?’”

Williams also stresses, “We work across practice groups on a regular basis. If one practice group is overloaded with a project or has a tight deadline and another is in need of work, then everyone comes together to work as a team to accomplish the task. Both of these methods have added benefits – increasing face time with the attorneys and creating a cohesive department.”

Maintaining employment through a recession improves your candidacy dramatically when the market rebounds. Very good employees are laid off every day in a recession. Outstanding workers stay employed because of The Golden Rule: whoever was cutting staff at your firm made the decision that, for the

good of the firm, there was no way they could include you in that layoff. Hiring managers know this as well as anyone. If you succeed in staying employed as a paralegal in this dark hour, it will be a talking point in interviews for years to come. Because looking back, it will indeed be impressive. Reminding yourself of this reality each time you enter through the doors of your firm will serve you well.

And finally, rise above those that advise you to “Hang in there.” I implore you to do more than “hang.” Defeatists everywhere are letting their work suffer as they languish in fear of the looming hangman. Those that are irreplaceable will prevail. The legal industry will be around for quite a long time. Do the necessary things each day to be sure that you stick around as well, and it will be a differentiator for the rest of your career.

More importantly, when your firm recovers from this mess, you will have been a vital cog in that process, and just as the firm will emerge stronger, so too will you as a professional.

Jim Curran is the Paralegal Search Director of Special Counsel’s Washington, DC office.
