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A resource for smaller firms

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# What to Do When It's Time to Hire a New Attorney

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## Introduction

For smaller law firms, hiring decisions are a significant investment. It takes time to identify the right candidate capable of doing the job to the standard required by your clients. It takes time and money to train the new hire and to acclimate the new attorney to your firm's atmosphere, procedures, and practices. Smaller firms do not hire new attorneys often, but when it does come time to hire a new attorney, you want to hire smart in order to see a return on your investment. This brochure is designed to help you navigate the hiring process and to aid you in making smart, meaningful hiring decisions.

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## Identifying an Applicant Pool and the Hiring Process

The career services offices at law schools located in your region are the best resource to help you identify an applicant pool and to advertise your open position. Many law school career services offices can even help you craft a job description. Once the job description is finalized, the career services office will promote your position to current students and law school alumni, often at no cost to you. Application materials you might want to receive from candidates include a resume, cover letter, law school transcript, list of references, and legal writing sample.

Many state and local bar associations can also assist you with getting the word out about your hiring needs. Most bar associations offer an online job posting service easily accessible by member attorneys seeking a new position.

Most employers conduct at least two rounds of in-



terviews with promising candidates in order to find the candidate with the best fit for the office in terms of both personality and credentials. Law school career services offices can help facilitate the screening interview process by arranging for you to interview several candidates during one day at their school, saving you valuable time.

Alternatively, especially for candidates located some distance away, many employers now conduct initial interviews by telephone or by video conference services such as Skype. After narrowing the applicant pool, in-person interviews with the key attorneys (if not all of the attorneys depending on firm size) and staff members are essential.

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## Making the Offer

When making an offer of employment, it is important to be clear about the expectations of the job, including billable hour requirements, any business generation/client development expectations, and partnership track potential.

Allowing candidates adequate time to make a decision about the pending offer helps both you and

the candidate ensure that there is a good fit on both sides. Exploding offers that expire quickly can be counterproductive for all. Generally, it is a good practice to leave offers open for at least two weeks to allow the candidate adequate time to consider all facets of the offer.

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## Offer Negotiations/What Should I Pay?

Salary is the main factor most people are concerned about when negotiating an offer of employment. The salary you offer may be affected by internal salary equity, by how easily the position can be filled, and by your degree of interest in the particular candidate.

Aside from the base salary, there are other compensation considerations that affect the overall package. Signing bonuses, year-end bonuses, percentage of profits/business generation fee splits, and annual or semi-annual salary reviews can all make a lower base salary more attractive to potential candidates. Other benefits that may be included in an overall compensation package can include:

- Medical, dental, vision, disability and life insurance;
- Paid vacation, sick leave, and holidays;
- Paid annual bar association dues and CLE requirements;
- Flexible work schedule/ability to telecommute on occasion;
- How many client development hours can be counted toward the billable hour requirement;
- Cost of living increases;
- Relocation expenses (if applicable);

- Parental leave;
- Paid parking (if applicable) or paid monthly passes for public transportation; and
- Profit-sharing/retirement plan contributions.

Some compensation negotiations can be creative based on the needs of the firm and the new attorney. For example, a firm in a rural community where reliable transportation is necessary for new associates to cover court dockets in many counties may offer an automobile allowance or automobile lease paid for by the firm as part of the compensation package.

Once again, law school career services offices are the best resource for you in determining what a reasonable starting salary and benefit package is for a firm of your size in your region. Law schools survey their graduates every year regarding starting salaries. Take advantage of the knowledge these offices have acquired over the years. Additionally, some state bar associations commission periodic economic surveys that collect information from members regarding starting salaries and billable

hour requirements for new attorneys. NALP, the National Association of Law Placement, features national salary information and press releases on its website ([www.nalp.org](http://www.nalp.org)) related to aspects of the current legal employment market.

Once the salary and benefit negotiations are complete, confirm the offer in writing and include the negotiated terms. This letter should state the job title, starting date, the salary and benefit information, and the offer expiration date.



## Hiring Checklist

- Utilize local law schools and state and local bar associations to identify an applicant pool.
- Review application materials and arrange video and in-person interviews with promising candidates.
- Select the candidate with the proper fit for your office.
- Negotiate salary, benefits, and billable hour requirements.
- Memorialize the salary and benefit negotiations in a formal offer letter and allow the candidate adequate time to make a considered decision.



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