
The Small Firm Marketplace:

Distinctions, Tips and Strategies for a Successful Job Search

While the larger law firms are highly visible on campus during Fall On-Campus Interviews (OCI), a significant number of students who are interested in the private sector find employment with small law firms. Small firms still remain the largest source of jobs for graduates going into private practice. One out of four graduates, nationally, begins their practice at a small firm or joins a solo practitioner. In fact, 83% of all private-practice attorneys work in firms of fewer than 50 lawyers. Only 12% of all private practitioners work in firms of more than 100 lawyers.

UNDERSTANDING THE SMALL FIRM MARKETPLACE

To pursue a position with a small firm, it is important to gain a firm understanding of the characteristics of the small firm market. This will enable you to conduct a more efficient, productive and goal-oriented job search.

Characteristics of Small Firms

A “small firm” is typically defined as a firm with 50 or fewer attorneys. Small firms will vary in the scope and variety of their practices. Many small law firms are general practice businesses that offer a broad range of services from civil litigation to commercial contracts to minor criminal defense. These types of firms tend to represent smaller or middle-market clients. They also tend to handle small, less complex matters simply because they do not have the critical mass to staff larger engagements. Other small firms will be specialty boutiques that handle only matters pertaining to a discrete practice area such as intellectual property law, family law, estate planning and criminal defense.

Time-line for Hiring

Small firms hire when and only when they perceive a specific need. Unlike larger firms, small firms cannot afford to employ underutilized resources. Smaller employers also cannot forecast their hiring needs as early as large employers. This is one of the reasons why the majority of smaller firms generally do not participate in Fall OCI. The lack of a specific hiring season can work to your advantage because you can approach firms periodically and repeatedly to ascertain their hiring needs.

THE SMALL FIRM JOB SEARCH

There are two ways to approach any job search: proactively (contacting potential employers directly) and reactively (responding to employer listings). While an effective job search relies on both approaches, a search conducted within small firm marketplace must be proactive! Why? Small firms rely heavily on “word of mouth” referrals and information when identifying potential candidates. A proactive job search entails creating an individualized plan through self-reflection and independent research then taking action.

Knowing that you want to target the small firm marketplace is just the beginning. With so many small firms in existence, it is important to limit your search to the geographic and practice areas that are of interest to you. By identifying these preferences, you will avoid the “I’ll take anything” attitude that can sabotage an effective search.

Researching Small Firms

When faced with the task of gathering information, most people today head to the Internet. Unfortunately, this is not always the most effective way to gather information on small firms. While more and more small firms have websites, this is often the exception rather than the rule, as most small firms do not have the resources to develop and maintain a website. Without one comprehensive information source for small firms, it is important that you diversify your search. Consider the following sources:

1. PEOPLE

When it comes to gathering information about small firms, people are the best resource hands down. People often provide more valuable information than books or on-line resources. People can help answer questions. What firms practice _____ law? How do people in the community view a specific firm? Does the person know anyone at that firm?

- **Law School Alumni.**
- **Alumni from your undergraduate institution.**
- **Professors**
- **Small Firm Practice Committee at the local Bar Association**
- **Other legal associations.**

There are a number, such as the National Employment Lawyers Association (NELA), and the National Lawyers Guild (NLG), which tend to be comprised primarily of small firm lawyers. Most have websites, accept student members, and share membership lists.

2. MARTINDALE-HUBBELL

Accessible at www.martindale.com and through Lexis, Martindale-Hubbell is an on-line database that can be searched by location, area of practice, size, and/or firm name. A successful Martindale search can provide a statement of the firm's practice, firm profile, list of clients, and the biographies of the firm's attorneys.

3. CALLAW'S 2002 DIRECTORY OF SMALL FIRMS (BASED IN NORTHERN CALIFORNIA).

Go to American Lawyer Media, Inc.'s homepage at www.americanlawyermedia.com, click on the "Publications and Services" link, then scroll down to the Directories link. The 2003 Directory is due in December 2002. This can be a good starting point for gathering information on small firms, but its listings are limited.

4. WEST LEGAL DIRECTORY

Available at www.findlaw.com and on Westlaw at www.lawschool.westlaw.com, this is another on-line searchable database.

Taking Action

If you approach small firms proactively by gathering information, writing letters and making follow-up phone calls, be prepared to make several different approaches. Because of the shifting nature of most small firm hiring, it is advisable to contact target small firms several different times during the year. How you approach the firm will depend on your initial research. If you know someone at the firm (e.g., family, friend, or former colleague) contact that person directly. If some other contact (e.g., an alumnus or family friend) give you an attorney's name at the firm, contact that person and indicate who made the referral. If you do not have any connection with the firm, consider directing a letter of interest and resume to the person in charge of hiring. If you do not have a specific name, call the firm and ask for the appropriate contact information. Do **not** send a letter of interest and wait for a small firm to contact you. Take the initiative and follow-up your correspondence with a telephone call in roughly 7-10 business days to confirm their receipt of your materials and to discuss employment opportunities. Be prepared to speak about your qualifications and interest.

Target Attributes

Regardless of how you choose to approach an opportunity with a small firm, it is important to consider what attributes a successful candidate will have. In general, smaller firms look for people who can contribute from day one with experience that demonstrates a strong desire and ability to learn on the job. Specifically, many small firms look for evidence of the following:

- Intelligence and Good Judgment
 - ▶ Emphasize skills such as writing, communication and advocacy.
 - ▶ Highlight your accomplishments whether or not they are “official.”
- Work Ethic
 - ▶ Look for specific experiences that exhibit an orientation to achieving results.
- Motivation to Work for that Specific Firm
 - ▶ Demonstrate a desire for more than “just a job.”
- Personality Fit with the Firm

Negotiating Compensation

LCS receives many inquiries every year regarding compensation at the small firm level from students, alumni and employers. Unlike at larger firms where salary levels are fixed by class and in most cases publicly disclosed, salaries found at small firms are market driven and constantly fluctuate. In fact, because small firms tend to hire infrequently, most do not have current knowledge about prevailing salaries and billable hour requirements. Moreover, the firm may not be able to offer market rates depending on its business model. Consequently, the burden is often placed on the potential employee to begin negotiations with an acceptable range to both parties.

When opening negotiations, it is important to consider the many variables that comprise a total compensation package including:

- ▶ Base Salary
- ▶ Bonus potential (including computation and frequency)
- ▶ Benefits (insurance, retirement, parking, bar fees, CLE, vacation, sick leave, etc.)
- ▶ Billable hour requirements and definitions

Considering the variety of compensation packages possible, it is not surprising that a typical salary reported at small firms can range from \$55,000 to \$90,000 according to statistics gathered annually by LCS. With the myriad of options available, an effective negotiator will think through several compensation options before negotiations commence.