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## SUCCESSFUL LEGAL ADMINISTRATORS ARE FOCUSING MORE ON MULTICULTURALISM AND APPLYING THAT AWARENESS TO THEIR FIRMS' RECRUITING AND HIRING PRACTICES.

BY BRITTA STROMEYER

The nature of law firm recruitment continues to evolve. In today's global economy, law firms are dealing with more diverse job markets and cultural differences among lawyers, staff, and clients. To recruit, retain, manage, and motivate the next generation of workers, law firm administrators and hiring managers must adapt quickly to changing times.

Consider the data: Approximately 80 million "baby boomers" (born between 1946 and 1964) are expected to retire during the next 25 years. Only 46 million members of Generation X (born between 1965 and 1980) are in today's workforce, and members of Generation Y (born between 1981 and 1999) are expected to dominate the workforce for the next 70 years. Culturally speaking, according to the U.S. Census Bureau, non-whites will represent more than one-third of the U.S. population by 2010 and nearly half of the U.S. population by 2050. Similar trends can be seen in Europe.

Meanwhile, China and India are racing toward a larger share of the global economy. Members of Generation Y in these countries are ambitious and hungry for the opportunities that their fast-growing economies offer them, and they are already making a significant impact on the global workforce.

Recruiting a high-performing global workforce is one of many law firms' most pressing challenges. As firms look to establish or expand their practices worldwide, they face increasingly complex and ever-changing landscapes in their efforts to acquire, retain, motivate, and develop the talent to keep their firms efficient and competitive. In turn, successful firms are leveraging cultural diversity to improve policies and to cultivate a more comprehensive understanding of their workforces.

In this article, learn how to adapt to changing times by being more culturally aware and applying that awareness to your firm's recruiting and hiring processes.

## SHORTCUT

As hiring professionals in an increasingly global legal market, administrators must be able to recognize job candidates' cultural and generational differences and know how to use them to work effectively and accomplish the firm's business goals. Such awareness allows firm managers to integrate these differences into hiring practices and drive overall success.

### CULTURAL DIVERSITY AND RECRUITING

Recruiting is only one aspect of legal management, but it is one of firm administrators' most important tasks in helping their organizations to compete in the global marketplace. And, after recruiting, training and education are critical to *retaining* those recruits.

In its March 2007 issue, *Chief Learning Officer* magazine notes that, with a broad field of individuals populating the business world, "it becomes challenging to describe the 'typical' workforce, let alone manage and maximize its talent assets toward higher productivity and profits. Recruiting is the first hurdle. But over the long haul, retention is the highest hurdle by far. Learning and development can provide a competitive boost that allows organizations to clear these hurdles in the race for talent and, ultimately, win employee loyalty and commitment." Cultural diversity adds another critical variable. Previously, diversity was about quotas and head counts. Now, diversity and inclusion initiatives have moved from compliance issues and "it's the right thing to do" to strategic business advantages that transcend geographic borders.

As hiring professionals in an increasingly global legal market, administrators must be aware of and exhibit the sensitivity and skills to identify attitudes, values, and expectations among recruits. They must be able to recognize job candidates' cultural and generational differences and know how to use them to work effectively and accomplish the firm's business goals. Such awareness allows firm managers to integrate these differences into hiring practices and drive overall success.

### CULTURAL AWARENESS

As an administrator, you must first develop an awareness of your own culture before you can be sensitive to other cultures and know how to transfer that sensitivity to your firm. This is an integrative way of thinking that values everyone in the organization. Creating processes that enhance communication ultimately acknowledges that people are different and barriers do exist. Take the following steps to pursue cultural awareness:

1. **Understand cultural diversity.** Recognize that cultural diversity comprises many facets, including international background, employee personality, work style, age, ethnicity, gender, religion, socioeconomics, sexual orientation, ability, education, and other dimensions. Culture is a shared system of meanings rooted in basic assumptions that inspire your norms, values, and behaviors and define how others experience you at work. In an organizational context, it indicates how you recruit and manage your workforce and what you value.
2. **Take the "onion approach."** Look at the cross-cultural interview like an onion. A thorough and well-conducted interview process helps you to peel off onion layers one by one. You'll learn more about a candidate's experiences and determine whether he or she will be able to contribute to the firm's success. Having a cross-cultural mindset will help to create a truly diverse and global law firm.
3. **Recognize cultural differences.** As an interviewer or hiring manager, ask yourself: What are my basic values and beliefs, and how do they correspond to the candidate's cultural background? What is my firm's business culture? What are the dominant management styles and partner expectations, and how do they correspond to the expectations of the prospective associate or employee?
4. **Recognize your competitive edge.** To develop your intercultural awareness, recognize the behavioral expectations of different generations and learn to apply them to your organization. Intercultural awareness helps you to recognize and appreciate a variety of attitudes, values, and expectations. In turn, this awareness will give you the competitive edge required to establish a rapport with your candidates and select them effectively.

### CROSS-CULTURAL HIRING SKILLS

A "cookie-cutter approach" to interviewing and hiring simply does not work anymore. The interview

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# PRE-EMPLOYMENT SCREENINGS ARE CRITICAL FOR LAW FIRMS



BY ROBERT SEIDEN

Long gone are the days when human resources professionals could make employment verification phone calls, closely examine employment dates on résumés, and be virtually certain they were getting honest employees. Increased résumé fraud, threats of civil litigation, heightened media scrutiny, and new federal and state laws have made today's hiring environment far riskier than it was only a few years ago.

To mitigate hiring risks, law firms must review their hiring practices regularly to ensure not only that they are in compliance with the latest laws, but also that they are effective in securing information essential to making reliable hiring decisions. One way to do this: utilize new pre-employment screening techniques to make sure that lawyers and firm staff are all they promise to be.

Pre-employment screenings became more popular in law firms after the 2002 case of Frode Jensen, a former Pillsbury Winthrop partner who abandoned plans to join Latham & Watkins after his ex-firm issued a statement alleging sexual harassment and declining productivity. As stories of his libel case against the firm hit the news, several firms quietly began instituting more formal background checks as part of their lateral hiring processes.

At a minimum, U.S. law firms should check federal, local, civil, and criminal records; bankruptcy filings; and judgments and liens. They should also verify Social Security Numbers, past addresses, past

employment dates, professional licenses, and references. Law firms using headhunters should also be aware that many do not conduct background checks on the candidates they endorse, so firms may need to do their own.

Many firms outsource pre-employment screenings, often turning to specialty private investigative firms because they can unearth information that traditional background-check services cannot find. For example, traditional background checks usually include a review of U.S. criminal records and go back about 10 years. Even then, they will reveal only convictions. If a job candidate had been arrested 11 times for domestic abuse, but there were no convictions because the spouse refused to press charges, that information would not be found in a traditional check. Sophisticated investigators can access information on pending legal charges or employee sanctions. In addition to checking personal and employment references that candidates provide, private investigators can find and interview additional contacts not cited by the candidates.

Also, private investigators are increasingly called upon to conduct pre-employment background checks on foreign nationals or U.S. citizens who have spent time living or working abroad – something that is outside of the purview of human resources managers and traditional background-check companies.

Pre-employment screening isn't simply a matter of weeding out unsavory potential employees. Companies can face legal action if their pre-employment screening policies affect profits and losses. If a potential employee's history of being fired from several companies for accounting irregularities isn't discovered, and the company later has to report huge losses to fraud, shareholders may sue for due diligence failure.

The best advice? Protect your firm – and its clients – from hiring disasters by completing through pre-employment screening.

## *about the author*



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Intercultural awareness allows you to set the performance bar higher in two key areas: **quality of life** and **business success**. When selecting candidates, you need to be aware of cross-cultural differences and be able to integrate them into the firm and its hiring practices.

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process is a two-way street. New generations bring with them not only a new set of talents and values, but also the sophistication of asking the right questions about your firm and its awareness of cultural diversity. The global talent mindset is not about “who you are,” but “what you can offer,” now and in the future. Ignorance of cultural differences and the lack of cross-cultural hiring skills can be a costly mistake for U.S. law firms.

Among other things, today’s firms must look for ways to combine the skills and talents of their maturing workforces with those of Generations X and Y. For example, if you consider yourself a member of the “baby boomer” generation and you interview a member of Generation X, your expectation of the position and career path will probably differ significantly from that of your Generation X candidate. While you value the time you have spent in a particular position to build your expertise, the Generation X candidate likely wants to know what he or she needs to do and know in order to advance quickly within the organization. Generally speaking, Generation X-ers value knowledge more, whereas “baby boomers” value experience.

The 60 million to 70 million members of Generation Y make up the most globally aware and racially diverse generation in history. Gen Y has been programmed to live life at a fast pace and to rely on access to information immediately with the click of a mouse or push of a cell-phone button. Members of Generation Y often multitask well, and they value innovation and immediate feedback.

Consider the following strategies to enhance hiring across cultural lines for your firm.

- **Be able to identify attitudes, values, and expectations in the cultural context of those being interviewed.** You must operate on several different cultural levels at any given time. These levels arise

from your cultural heritage, the prospective employee’s cultural background, and the firm’s organizational culture. The same product or service may have a different meaning for each person in the firm, depending upon each person’s cultural perspective. The focus of high-performance hiring must be on awareness and sensitivity to cultural and generational differences.

- **Recognize cultural and generational differences in interviews and know how to use them to work effectively and accomplish the firm’s business goals.** Intercultural awareness allows you to set the performance bar higher in two key areas: quality of life and business success. When selecting candidates, you need to be aware of cross-cultural differences and be able to integrate them into the firm and its hiring practices.
- **Consider your perceptions or interpretations of a question or answer compared to others’.** You follow a certain structure and technique in the interviewing and hiring process, but do you question your approaches and if they actually translate across cultural lines?

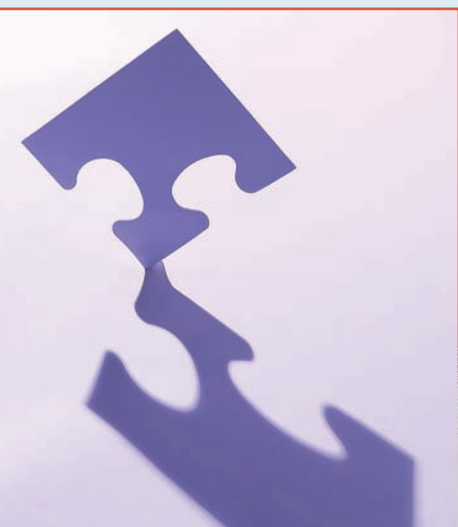
#### **MODIFIED HIRING PRACTICES**

Hiring practices and interviewing techniques should be modified to accommodate different perspectives. For instance, when managing your employees, is your emphasis on individualism or community? Do your team members more often regard themselves as parts of a group or as individuals? If the team for which you are recruiting values individual achievement, how could they benefit by adding a more collective perspective or a team member who values relationships and group efforts?

If you decide to add a diversity of perspectives, consider that a task-oriented team may experience

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# THE RIGHT FIT: How to Find a Diamond in the Résumé Pile



BY ELIZABETH SHERMAN

**F**inding the best interview candidates among a pile of résumés can be a daunting task. If your firm lacks a formal human resources (HR) department, you may be asked to assume the role of HR Director and decide which applicants make the best interview candidates based on nothing more than what's on a piece of paper.

ALA asked several HR and search experts for their advice on conducting a successful initial selection process. Surprisingly, the secret to success begins well before the first résumé is sent.

Having a solid grasp of the firm's priorities and its long- and short- term needs is essential, according to Joel Rose of Joel A. Rose & Associates, a legal industry search firm. Rose first meets with a firm's managing partners to get a clear understanding of how they perceive the position to be filled. It is imperative that all parties involved have defined roles for the position, including reporting relationships, specialized skills, and why the last person left the job (if it is not a new position).

"Maybe your firm is moving in the near future or introducing new technology to the firm, or the person is overseeing the marketing function of the firm. The recommended candidate should possess these skills," Rose said. When writing the job description, he added, be specific about the expectations, roles, and experience needed from the candidate.

Upon first reviewing résumés, most experts focus on the cover letter's accuracy in grammar and spelling rather than its content. When Michael DeLargy, Chief Operations Officer of Smith Amundsen LLC, first reviews submissions, he wants to see "absolute precision, no typos or misspellings, brevity, and strong communication skills."

One expert emphasized the importance of making sure the firm's name, addressee's name, and job title are spelled correctly, and that there are no errors

from "cutting and pasting" when mass mailing to employers. Also, based on a variety of criteria, most experts said they typically divide résumés into three categories: primary, secondary, and absolutely not.

"I prefer résumés that list accomplishments rather than a lengthy discourse," said Rose. "Those are the ones that get a second look."

DeLargy looks not only for accomplishments, but also for people who are demonstrated achievers. "You can teach most candidates with similar backgrounds the job; I look for people who like to excel in their jobs – the 'keepers,'" he said.

Appearance can play a role as well, according to Ed Wesemann of Kerma Partners. In the e-mail age, résumés sent as attachments may be in an incompatible format, resulting in a jumbled document or one that cannot be opened.

"If people can't figure out how to get a résumé to you in a presentable form, they probably do not have the ingenuity to work for a law firm," said Wesemann.

Other résumé red flags: unexplainable gaps in employment tenure, too many jobs in a short period of time, and leaving similar positions.

After dividing the résumés, short phone interviews with candidates in the primary pile can help you decide whether in-person interviews would be worthwhile. This is your opportunity to get answers to questions not addressed in the cover letter or résumé. Some questions you may ask: why they have left or are willing to leave their positions, what expectations they have for the job, and what types of work environments suit them.

"I get a feel for them, their attitudes, and how they communicate on the phone – whether they ask a lot of questions, etc.," said Rose.

Remember, however, that the best candidate may not be found in what you initially considered your "primary" list, and you may need to review the secondary pile.

"If there is still not a fit, start the recruitment all over again," said Wesemann. "People seeking positions constantly change. Don't view starting over as a failure."

To post an advertisement or to view résumés, check out the Career Center at ALA's Web site: [www.alanet.org/jobs](http://www.alanet.org/jobs).

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## As you decide if a candidate is a “match,” take into consideration the cultural framework your potential hire works from and how he or she can add value to your team, your firm, and your clients.

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significant adjustment stress when hiring a candidate whose focus is more on relationships and collective achievement. Chinese culture, for example, emphasizes relationships, teamwork and collective decision-making. From a “cookie-cutter” perspective, in an interview you may perceive a lack of ambition or even a lack of expertise when evaluating a candidate from this cultural background.

It may appear that hiring a diverse workforce takes more effort; hiring someone from a different cultural background may require different management practices and stronger interpersonal skills from the team and the organization as a whole. All too often cultural differences, rather than the applicant’s job competence, dominate the hiring decision.

As you decide if a candidate is a “match,” take into consideration the cultural framework your potential hire works from and how he or she can add value to your team, your firm, and your clients. By doing so, your firm will be more successful and function as a truly global organization. \*

### *about the author*

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## LEARNMORE

### ALA Resources

These titles are available through the ALA Bookstore, [www.alanet.org/bookstore](http://www.alanet.org/bookstore)

- *Valuing Diversity: Law Firms and Leadership in the 21<sup>st</sup> Century*, by Jacob Herring
- *Walking the Talk: Creating a Culture Where Women Succeed*, by Jane Pigott and Sharon Jones
- *Harvard Business Review on Managing Diversity*, published by Harvard Business Review Press

The following are accessible via ALA’s Legal Management Resource Center, <http://thesource.alanet.org>.

- “Diversity Toolkit” – Type keyword “**diversity**” in the search engine
- “Diversity – Law Firms: An Inclusive Firm That Serves Global Clients Better” – Type keyword “**diversity**” in the search engine
- “Corporations Show That Diversity Offers the Best Working Environment - and a Competitive Edge” – Type keywords “**diversity, hiring**” in the search engine

The following articles are available in the ALA Management Encyclopedia (ALAME), [www.alanet.org/alame](http://www.alanet.org/alame).

- “Employees – Who Needs Them? We Do!”
- “The Importance of Recruitment and Retention for Associates and Staff”

The following articles are available in the Publications section of ALA’s Web site at [www.alanet.org/publications/pubindex.html](http://www.alanet.org/publications/pubindex.html):

- “Diversity Means Business: Adapting Law Firms to Cultural Change,” by Lenora Billings-Harris, September/October 2006 issue of *Legal Management* – [www.alanet.org/publications/issue/septoct06/DiversityMeansBusiness.pdf](http://www.alanet.org/publications/issue/septoct06/DiversityMeansBusiness.pdf)

### On the Web

- “On Hiring Women and Minority Attorneys: One General Counsel’s Perspective” – [www.careers.findlaw.com/diversity/articles/onhiring.html](http://www.careers.findlaw.com/diversity/articles/onhiring.html)
- *Law.com*, “Law Firms Increase Use of Diversity Managers” – [www.law.com/jsp/article.jsp?id=1170324164165](http://www.law.com/jsp/article.jsp?id=1170324164165)
- *Wisconsin Law Journal*, “Steps toward effective minority hiring” – [www.wislawjournal.com/special/diversity-2004/minority-hiring.html](http://www.wislawjournal.com/special/diversity-2004/minority-hiring.html)

### On the Shelf

The following titles are available for purchase or download through many online retailers, including [www.amazon.com](http://www.amazon.com).

- *Leveraging Diversity at Work: How to Hire, Retain and Inspire a Diverse Workforce for Peak Performance and Profit*, by Kim Oliver and Sylvester Baugh
- *Without Excuses: Unleash the Power of Diversity to Build Your Business*, by Joe Watson