

Business & Careers

Understand variables when recruiting



Warren Smith
The Headhunter

One of the most common questions I face as a recruiter is “how is the legal market doing these days?”

After the typical discussion around who has made moves recently, what those moves could potentially mean to the market, and how they might be relevant to the firm I am speaking with, the conversation invariably shifts to a discussion around what the current market looks like—particularly, around how fluid the talent pool might be and/or what options a firm may have in sourcing possible partners for a

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particular need.

Here are three key areas every firm needs to consider when exploring headhunting as an option to source partner level talent in the market:

Partner motivation

Targeted lateral recruitment (headhunting) begins with first understanding a target partner's potential motivation(s) to

consider a move. This is often where firms can get frustrated, as they feel they have identified a great opportunity, properly marketed it, and yet have been unsuccessful in landing a great partner to fill the role. So why is this happening?

First, consider the possibility your ‘great opportunity’ may not be as great as you think it is: when chasing star talent, their current situation may be viewed

as an equally great opportunity, but with the benefit of home field advantage. Merely matching their current situation will rarely be sufficient to break them of their current arrangement.

Second, recognize the variables affecting a partner's motivation to move are largely factors outside your sphere of influence—a genuinely happy practitioner is unlikely to make a move, no matter how great the opportunity.

Rather, it may be a case of waiting and/or identifying a genuine friction point in the target's current arrangement, and then being able to contrast how your current environment would eliminate this challenge for them. Only by properly understanding the target partner's motivation (or lack thereof) to consider a move, will you have a realistic chance at landing their practice at your firm.

Firm motivation

The question of motivation goes beyond a firm simply signalling to the market they are looking to hire. Instructing recruiters, reaching out to potential candidates, and placing ads in legal publications—these are all signals, but do not necessarily speak to a firm's true motivation to hire. Many times I have been faced with firms who say they want to hire a partner, but when the opportunity presents itself, they waffle or are unable to reach a decision to extend a meaningful offer because they are not properly motivated to actually acquire talent.

At its core, firms need to understand that all lateral hires entail some degree of risk. If your criteria to hire a lateral partner is to only do so when there is no risk involved, understand you will almost never be hiring a lateral partner.

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JUDICIAL VACANCY ONTARIO COURT OF JUSTICE TIMMINS

The Judicial Appointments Advisory Committee advises the Attorney General of Ontario on the appointment of Judges to the Ontario Court of Justice, and invites applications for a judicial position in Timmins.

This appointment involves presiding over criminal and family law matters (approximately 50% criminal and 50% family). This position also involves regular travel to Cochrane North, Haileybury and elsewhere within the region as assigned by the Regional Senior Justice and/or the Chief Justice.

The minimum requirement to apply to be a Judge in the Ontario Court of Justice is **ten years completed** membership as a barrister and solicitor at the Bar of one of the Provinces or Territories of Canada.

All candidates must apply either by submitting 14 copies of the **current (February 2016) completed** Judicial Candidate Information Form in the first instance or by a short letter (14 copies) if the current form has been submitted within the **previous 12 months**. **Should you wish to change any information in your application, you must send in 14 copies of a fully revised Judicial Candidate Information Form.**

If you wish to apply and need a current Judicial Candidate Information Form, or if you would like further information, please contact:

Judicial Appointments Advisory Committee
Tel: (416) 326-4060 Fax: (416) 212-7316
Website: www.ontariocourts.ca/ocj/jaac/

All applications, either sent by courier, mail or hand delivery, **must** be sent to:

Judicial Appointments Advisory Committee
c/o Ministry of Government Services Mail Delivery
77 Wellesley Street West, Room M2B-88
Macdonald Block, Queen's Park
Toronto, Ontario, M7A 1N3

Applications must be on the current prescribed form and must be **TYPEWRITTEN or COMPUTER GENERATED and RECEIVED BY 4:30 p.m. on Friday, April 22, 2016. CANDIDATES ARE REQUIRED TO PROVIDE 14 COPIES OF THEIR APPLICATION FORM OR LETTER.** A Fax copy will be accepted only if 14 copies of the application or letter are sent concurrently by overnight courier. Applications received after this date **WILL NOT** be considered.

The Judiciary of the Ontario Court of Justice should reasonably reflect the diversity of the population it serves. Applications from members of equality-seeking groups are encouraged.



POSTE À POURVOIR AU SEIN DE LA MAGISTRATURE COUR DE JUSTICE DE L'ONTARIO TIMMINS

Le Comité consultatif sur les nominations à la magistrature conseille le Procureur général de l'Ontario sur les nominations de juges à la Cour de justice de l'Ontario et invite les personnes intéressées à présenter leur demande au poste de juge à Timmins.

Cette nomination comprend la présidence d'affaires de droit criminel et de droit de la famille (environ 50 % droit criminel et 50 % droit de la famille). Ce poste comporte également des déplacements réguliers à Cochrane Nord, à Haileybury et ailleurs dans la région, selon les assignations du juge principal régional ou du juge en chef.

Pour pouvoir poser sa candidature à un poste de juge à la Cour de justice de l'Ontario, il faut, comme condition minimale, avoir été inscrit comme avocat-plaidant et procureur au barreau de l'une des provinces ou de l'un des territoires du Canada **pendant au moins dix ans.**

Tous les candidats et candidates doivent poser leur candidature soit, dans le premier cas, en présentant le Formulaire de renseignements sur le candidat/la candidate à la magistrature **courant (février 2016)**, soit en envoyant une courte lettre (en 14 exemplaires) si le formulaire courant a été présenté au cours des **12 mois précédents. En cas de changements à apporter à un formulaire déjà envoyé, le candidat ou la candidate doit envoyer à nouveau 14 exemplaires du formulaire de renseignements corrigé.**

Si vous voulez poser votre candidature et que vous avez besoin d'un Formulaire de renseignements sur le candidat/la candidate à la magistrature courant, ou encore si vous souhaitez obtenir de plus amples renseignements, veuillez communiquer avec :

Comité consultatif sur les nominations à la magistrature
Téléphone : (416) 326-4060 Télécopieur : (416) 212-7316
Site Web : www.ontariocourts.ca/ocj/fr/jaac/

Toutes les demandes envoyées par service de messagerie, par la poste ou en main propre **doivent** être soumises à l'adresse suivante :

Comité consultatif sur les nominations à la magistrature
a/s Ministère des Services gouvernementaux - Services de distribution du courrier
77, rue Wellesley Ouest, salle M2B-88
Édifice Macdonald, Queen's Park
Toronto (Ontario) M7A 1N3

Les demandes de candidature doivent être déposées par l'entremise du formulaire prescrit courant et DACTYLOGRAPHIÉES ou CRÉÉES PAR ORDINATEUR et **recues au plus tard à 16 h 30 le vendredi 22 avril 2016. LES CANDIDATS ET CANDIDATES DOIVENT FOURNIR 14 EXEMPLAIRES DE LEUR FORMULAIRE OU DE LEUR LETTRE DE CANDIDATURE.** Une télécopie ne sera acceptée que si 14 exemplaires du formulaire ou de la lettre de candidature sont également envoyés par service de messagerie de 24 heures. On n'accordera **AUCUNE** considération aux candidatures reçues après cette date.

La magistrature provinciale doit refléter raisonnablement la diversité de la population qu'elle sert. Nous encourageons les membres de groupes de promotion de l'égalité à présenter une demande.

Business & Careers

Move: Risk usually involved with lateral hires

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stand you will almost never be hiring a lateral partner.

The motivation to hire will typically inform your level of risk tolerance—as the greater the need to hire (say, for example, a recent departure of a key litigation partner to the bench), the more likely the firm will take on some risk in bringing in lateral talent. The very best managing partners both understand the risks involved, and are able to make smart choices on whom to take risks on in lateral recruitment.

Overall health of the market

Finally, the current health of the market is a significant factor in

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determining whether a lateral move is likely to happen, as it can greatly influence the confidence of the parties involved. Recognizing the health of the market is very much a perception issue, and speaks to the emotional con-

fidence the parties have in making the deal happen.

Where confidence is high, both firms and partners will tend to focus on the potential of a successful move—transferability of clients, uptake of new work,

growth of the practice, integration with other practice groups, and potential long term success of the individual partner and firm. Conversely, where market confidence is low, parties will tend to focus on the risks involved—possible loss of clients, lack of certainty in new clients, portability of practice.

Understanding the current health of the market is critical to understand at the outset of a search process, as it will inform you of the standard you will need to meet when it comes time to consider a potential offer to a target partner (both when selling the opportunity back to the partnership and also to the potential target lateral recruit)—and how best to tackle issues as you

approach a potential offer.

Hopefully these three areas provide you with a basic framework to help assess how best to go about your recruitment efforts in the market. By having a clear understanding of how these variables are affecting your firm, you can take steps to better focus your current recruiting mandates, while also allowing you to be more targeted and successful in the future as well!

Warren Smith is managing partner of The Counsel Network. He is also the first Canadian to be elected president of the National Association of Legal Search Consultants (NALSC), North America's leading legal recruitment industry association. You can follow him on Twitter @lawheadhunter.

ANNOUNCEMENTS

WELCOMING OUR NEW PARTNER

McLeish Orlando LLP is pleased to announce that Joseph Cescon "Joe" has been made a Partner.

Joseph Cescon
Partner

Joe joined the firm in 2008 as an articling student and has the talent and skill required to litigate serious personal injury and disability claims, however they occur.

Joe spearheaded the opening of McLeish Orlando's Kitchener office in 2013, and is pleased to bring McLeish Orlando's personal injury litigation expertise to clients in Kitchener-Waterloo and surrounding areas. He currently sits on the Board of Directors of the Brain Injury Association of Waterloo-Wellington while serving clients throughout Ontario.

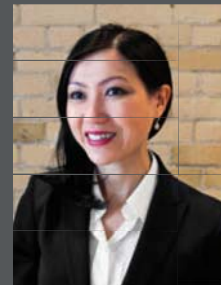
Joe is an invaluable member of Dale Orlando's team. We look forward to Joe's many years of continued success.



KSV VALUATIONS INC.



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OUR GROWTH CONTINUES!

KSV is pleased to announce that Peter Weinstein, CPA, CA, IFA, CBV, CFF and Yen Dang, CPA, CA, CBV, CPA (Delaware) have joined the firm to launch its business valuation, forensics and litigation support practice.

Both Peter and Yen are highly regarded and seasoned practitioners. Peter has particular expertise in breach of contract claims, shareholder disputes and tax and estate planning.

In addition to business valuation and litigation support services, KSV acts as a financial advisor to distressed businesses and their stakeholders.

KSV is delighted to welcome Peter and Yen.

To learn more about KSV Valuations, visit www.ksvadvisory.com/valuations-2



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