



RESUME

Jennifer McArthur

QUALIFICATION

RESUME

Victor Smith

PROFILE

RESUME

Jeffrey Rosen

with a proven ability to achieve
goals in any environment.

create and analyze
strategies for their

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RESUME

achieve
goals

The annual mad dash for fresh talent is
under way again—

is this any way to recruit associates?

{ OPEN SEASON }

BY ELIZABETH GOLDBERG

IT'S A SCARY PROSPECT, meeting with partners at a big firm about a job. But, as one law student who landed a summer position at Latham & Watkins quickly realized, the preinterview jitters were the hardest part. “I don’t think through the entire interview process I got one difficult question,” he says. In fact, the partners he met weren’t all that interested in his academic work or his future career: “Almost everyone I talked to did fantasy football and was really interested in talking about their inner-firm leagues,” he says. Partners might have been trying to make a connection with him by chatting about the trivial, but as the Latham summer puts it: “You don’t feel you are being seriously vetted for a position.”

Ask law firm recruits—particularly those from elite schools—about the recruiting experience, and the stories are fairly similar: Short interviews, shallow questions, and a sheaf of boilerplate marketing materials. It’s not much better on the other side of the equation. To find qualified candidates, firms respond to cattle calls at top law schools. There, partners meet 20 students a day for 20 minutes at a time for several days in a row. On the basis of those meetings, students are called back for a series of 30-minute office interviews. If a student is from a good school, has an acceptable resume, and decent social skills, he or she is practically guaranteed an offer for a summer position within 24 hours of the office visit. And nine times out of ten, a summer job leads to an offer for a full-time associate position.

Firms spend as much as \$250,000 to recruit a single summer associate, according to Am Law

200 recruiting partners and legal consultants. That includes all of the lawyer time spent recruiting and the hard costs (dinners, plane tickets, beach towels with a firm logo). Despite the expense and effort, just 28 percent of students who are offered a job by a big firm (one with more than 250 lawyers) will accept, a survey of 300-plus law firms by the National Association for Law Placement shows. This is due in part to the large number of offers that each student receives. And after associates do join a firm following their summer stints, 40 percent of them will leave by the end of their third year and 62 percent by the end of their fourth. True, firms count on most associates eventually leaving in order to keep their partnership ranks trim and profits high. But, according to NALP figures, firms report that 51 percent of associate departures every year are unwanted.

Banks and consulting firms use sophisticated testing and interviewing techniques to hire talent. So do big law firms in the United Kingdom. While a handful of U.S. law firms are experimenting with new approaches, the vast majority of Am Law 200 firms are sticking with a recruiting system that hasn’t changed much since the early 1970s. Could a more rigorous recruiting process, one that better matched students and firms, cut down on some of the subsequent turnover? Could a more focused approach trim recruiting expenses and make it easier for firms to find the right students without being rejected by three-quarters of them? More to the point: Is this any way to recruit associates?

PHOTOGRAPH BY PETE MCARTHUR

EVERY AUGUST, Columbia University School of Law takes over the Doubletree Guest Suites Hotel near New York's Times Square for its annual recruiting fair. Hundreds of potential employers reserve suites, often for several days, and the school's entire career services staff moves into the hotel for the duration. Each firm is given a schedule of interviews, prepared by the school. It's based on rankings that students have submitted of the firms they would most like to meet. Top firms will end up meeting 20 students a day, starting at 9 A.M. Over the course of five days, 14,000 interviews will take place. "You see one [student] from 2:20 to 2:40, then 2:40 to 3, all day long," says Mary Warren, a New York-based hiring partner for Linklat-

In other words, it's an associate's market. As we reported last year, the number of lawyers working at Am Law 100 firms has tripled since 1986 ["Growing Pains," May 2006]. Part of that growth has come from expansion in the associate ranks. According to *The National Law Journal*, a sibling publication, the number of associates in the 250 largest law firms has increased 76 percent over the last decade. During the same period, the number of law school graduates has gone up just 7 percent.

Firms are responding to that crunch by reaching out to a wider array of law schools, doing more lateral recruiting, and fighting fiercely for graduates of the tier-one schools. Gihan Fernando, assistant dean of career services at Georgetown University Law Center, says that firms sent 10 percent more interviewers to campus in 2006 than in 2005 and anticipates a similar increase in 2007. Every additional interviewer allows a firm to meet 20 more students a day. And at top schools, there are enough firm-sponsored cocktail parties and luncheons to make a meal plan redundant. It's so hectic that schools have started recommending that firms refrain from hosting purely promotional events. Wendy Siegel, director of recruitment at New York University School of Law, says that students are more likely to remember the food at Nobu, a chic Manhattan eatery, than the name of the firm who paid for it.

The callback period can be just as frantic. Firms have to arrange for each of the 20 students who may come through the office on a

associates for the firm's Atlanta office this year.

Mayer, Brown, Rowe & Maw has even deployed its former managing partner Debora de Hoyos to Cambridge to sit at a cafe near Harvard Square for two days each fall to convince undecideds to accept the firm's offer. Now she's doing even more. After 15 years at the helm, de Hoyos accepted a new position June 1 as firmwide chair of recruitment and client development. The idea sprang from conversations she had with the incoming management team about how to strengthen the business. While de Hoyos says she is just starting to think about how the process might be improved, she identified recruiting as an area of personal interest because it is essential to the firm's success—and commands an incredible investment of resources. "It is very time-intensive," says de Hoyos. "And I would anticipate in the future, we will have to spend more time—more lawyers at a more senior level."

To limit the time they spend on follow-up, firms often make offers to students on the day of the callback in the hope that students will be flattered into an immediate response. "It's an incredibly effective tool," says the Latham & Watkins recruit. "After the callback, they send you out to a really nice restaurant. They got the wine, toasted me, and offered me the job. They wanted me to accept right away, and it was hard not to." Within Latham, he says, lawyers get bragging rights if their recruit accepts at dinner.

BUT THE RUSH TO HIRE has its perils—as the low acceptance and high attrition rates among associates show. One of the biggest mistakes firms make, say legal consultants, is to rely too heavily on academic credentials. Eva Wisnik, a law firm consultant who worked as a staff recruiter at Schulte Roth & Zabel and Cad-



ers. "If you're lucky, you get a lunch break."

The process is repeated at school after school over a two-month stretch. Am Law 200 firms send recruiters to ten to 30 law schools and at least a half-dozen job fairs. Students at top-tier schools will interview with an average of 25–30 firms each. Partners say that the process has intensified in recent years because many schools have shifted their recruitment weeks to August. In the past, on-campus interviewing was spread across September and October. But since 2000 it has become standard for schools to schedule on-campus interviews during the week or two before classes start, to keep the recruiting hoopla from interfering with the academic year. With everything crammed into August, firms have to send partners to several campuses simultaneously. Front-loading means that the courting process lasts longer. Students get their offers earlier, but, according to the timeline set by law schools, they still have until December 1 to make a final decision about which firm to join.

{ GIHAN FERNANDO OF GEORGETOWN (left) said firms sent 10 percent more interviewers to campus in 2006 over 2005. He expects a similar increase in the NUMBER OF RECRUITERS THIS YEAR. }

given day to meet with three or four partners. Scheduling became so difficult for Cadwalader, Wickersham & Taft last year that the firm started holding evening callbacks in addition to the standard morning and afternoon shifts.

Once firms make an offer, they move into hard-sell mode, hosting dinners, drinks, and trips to the ball game. Cahill Gordon & Reindel hiring partner Noah Newitz says that he and his colleagues try to keep in weekly e-mail contact with their top prospects during the postoffer period. Alston & Bird hiring partner Jonathan Lowe estimates that it took 6,000 hours of attorney time to recruit 57 summer

walader, says that in her experience, firms often look no deeper than the grade point and class rank. "Someone who was number two in a class," she says, "we would talk ourselves into hiring them. Oftentimes they wouldn't do well."

That's because academic performance is not necessarily a proxy for work performance. In 2000 Kansas City, Missouri-based Blackwell Sanders Peper Martin did a study to see how well grades predicted professional success. The firm compared each of its associates' grades, class rank, and school rank to their evaluations and accomplishments at the

firm. Blackwell found that neither law school rank nor class rank could determine who would become a standout lawyer. Partly in response to this finding, Blackwell revamped its approach to associate recruitment and advancement. While academics are important, says Blackwell's recruitment partner, Peter Sloan, they are not sufficient. The firm looks for exceptional analytical and communication skills by reviewing writing samples, interviewing references, and meeting with candidates.

Firms use grades as a crutch because it gives them a false sense of limiting risk, says Jim Kennedy, a consultant who counsels law firms on interview techniques. Lawyers assume that if a student got the thumbs-up from a Stanford Law School professor, then she must be smart and able to succeed. They use the interview to see if they like her, rather than to probe whether she's got the chops (and desire) to make it in a law firm. It's known as the cross-country flight test: "They just try to see if this is someone I could sit next to for six hours," says a Stanford student.

Partners may think they get to know a student through informal chats. But students say that the conversations are so superficial and repetitive, they quickly develop pat answers. "I toed the line a lot," says a Shearman & Sterling recruit who plans to be at the firm for only two years, but let firms think she was looking for more during her interviews. A summer associate with Covington & Burling says he gave all his interviewers an apparently believable reason for why he wanted to work at their firm, even though he really had no idea. He did 12 interviews and got 11 callbacks and ten offers.

Students also have problems vetting firms. They aren't helped much by firm marketing materials, which often say the same thing and make firms indistinguishable from each other. "They all tell you they have great clients, and they work hard but [have] a very collegial atmosphere," says the Stanford student. "It's the same discourse over and over again." Because so many firms look alike to students, they are now making several visits to

firms after they get offers—simply to find a reason to pick one firm over another.

"Most law students haven't had a lot of experience in the job market," says Timm Whitney, director of recruiting at White & Case. "You start with that, an interview process that doesn't allow for detailed analysis, and then a black box process where [the firms] all look alike, and it doesn't make for a very rich process for the students."

THIS IS NOT HOW OTHER professional services firms recruit. Banks and consulting and accounting firms don't wait until the semester before hiring season to introduce themselves. They have recruitment staff at graduate and undergraduate institutions

{ **MAYER, BROWN** has deployed its former managing partner Debora de Hoyos (right) to find fresh recruits (some of the firm's newest are below). "It's very time-intensive," de Hoyos says, "I would anticipate in the future we will have to spend more time—**MORE LAWYERS AT A SENIOR LEVEL.** }



who get to know possible recruits well before they apply and provide them with a clear sense of what the firm does. PricewaterhouseCoopers, for example, runs a national contest where undergrads compete to solve economic questions, like whether Internet retail sales should be taxed. Microsoft Corporation runs software code-writing competitions for students. Deloitte & Touche is launching a precollege program to run accounting contests with middle and high school students.

Through their marketing materials, major corporations also provide detailed information to prospective candidates about what a particular job entails. On its Web site, the management consulting firm McKinsey & Company includes detailed description of every

position at the firm, from analyst to director. And Ernst & Young has a page on Facebook.com that includes videologs from interns and allows students to ask them questions about their experiences.

Janet Raiffa, the head of campus recruiting for investment bank Goldman Sachs, started her recruiting career at Dewey Ballantine in the early 1990s. She says that a key difference in bank and professional services recruiting is that few schools run the interview process—leaving power in the hands of the company and its recruiters. Candidates are likely to have shown a serious interest in a company to land an interview. Not so for law firms, where students can get an interview simply by checking a box.

The primary difference, however, is in the interview process. A standard corporate interview runs 45 minutes to an hour and is designed to elicit detailed information about a candidate's experiences. Many companies use a technique called behavioral interviewing. Rather than recount what they've accomplished, candidates explain how and what obstacles were overcome. The purpose is to learn more about a person's priorities, attitudes, and analytical abilities than appears on a resume.

As a benchmark, firms use traits demonstrated by their successful current employees. Accenture, a consulting firm, has used behavioral interviews for more than a decade. "What it has done," says global recruiting director John Campagnino, "is allow us to move away from just-like-me recruiting—partners saying, 'You had a paper route, and I had a paper route, and I'm a partner, so you must do well.'"

Applicants are also often asked—on the spot—to perform a case study, in which the interviewer presents a business problem and asks candidates how they would seek a solution. John Clayton, manager of law student recruiting at McKinsey, says that case inter-

views are the best way to determine whether a candidate can handle the issues that clients face. McKinsey typically has candidates do five to seven hour-long interviews; each one includes a case study. Some applicants also take a multiple choice test that presents real-life scenarios and requires some math to draw conclusions. "Law students who go through our interviews find them much more intellectually challenging," says Clay-

ton. "They see a value to that—to showing just what intellectually talented people they are." Companies see value too. They know a candidate well before making an offer, which leads to high acceptance rates. Across North America, McKinsey's acceptance rate is more than 75 percent. Ernst & Young, which also does behavioral interviews, also lands 75 percent of those who get an offer. Better recruiting also translates into less turnover at some firms. Stanley Kolodziejczak, a tax partner at PricewaterhouseCoopers, says that annual attrition tops out at 15 percent.

Major law firms in the U.K. also do a more thorough review of candidates. Rather than go on campus, British firms invite students, 12 to 20 at a time, to attend "assessment days." A typical day for an applicant often involves two 45-minute interviews (one with a case study component), an hour-long critical reasoning test, and a group negotiation exercise. Berwin Leighton Paisner also asks candidates to present a five-minute client pitch and draft a letter in response to a customer complaint. "The interviews are really serious," says one British trainee who took Linklaters's assessment last year. "They ask you questions you cannot possibly answer. They want to stretch you and see what you can do."

Annual attrition rates among associates at large London firms hover around 20 percent, which is comparable to U.S. rates of turnover. But partners in the U.K. say that as the recruiting process has grown more rigorous, firms have been able to make better hires. Aptitude tests are the newest addition

ASK AND YE SHALL RECEIVE

How behavioral interviewing works.

A few law firms have adopted "behavioral interviewing," a technique their clients began using two decades ago. Organizational psychologists developed this method as a way for prospective employers to learn more about job candidates than could be mined from a resume or a GPA.

The premise is that past performance is the best predictor of future performance. The goal, therefore, is to elicit information, not just about what candidates have accomplished, but how—the process candidates have used to motivate themselves, identify priorities, and cope with challenges. The interviewers do this by posing open-ended questions and following up on vague answers until details about candidates' analytical style and personality emerge.

In a traditional approach, an interviewer would ask, "Tell me about yourself" or "Did you enjoy working on the law review?" In a behavioral approach, an interviewer would ask, "Tell me about a time when you had to make a quick decision" or "Describe an instance when an idea of yours faced resistance from a group."

Firms, like other employers, need to decide in advance what sorts of behavioral traits they're seeking. Larry Richard, a lawyer-turned-psychologist with Hildebrandt International, advises firms that are adopting the behavioral method to complete an internal survey to determine what qualities are common to its most successful lawyers. With care and discernment, interviewers can then look for them amongst the pressed and polished applicants sitting across the table. Or so the theory holds. —E.G.

students quite like being tested," says Lynn Johansen, head of trainee recruitment at Clifford Chance. "I suggested a lighter process once for those who had done internships, but students said [they] would worry [that they] were not being taken seriously."

Despite believing that these strategies are successful, British firms do not use them when recruiting at U.S. law schools. This is largely because firms face a tougher talent market firms when hiring stateside. U.S. students have a choice of more than 100 prestigious law firms where they can launch a career, in addition to a host of non-law firm alternatives. British students, by contrast, have a smaller pool of top firms to choose from and are required to work as a trainee at a firm for two years to get their law license.

ABOUT FOUR YEARS AGO, San Francisco-based Orrick, Herrington & Sutcliffe started looking for a fresh hiring approach. According to Karen Massa, the firm's recruiting manager, not only did the firm have high attrition, but people were leaving after just one or two years to go into other careers. They were candidates who had looked great on paper—top

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views are the best way to determine whether a candidate can handle the issues that clients face. McKinsey typically has candidates do five to seven hour-long interviews; each one includes a case study. Some applicants also take a multiple choice test that presents real-life scenarios and requires some math to draw conclusions. "Law students who go through our interviews find them much more intellectually challenging," says Clay-

ton to the repertoire. The test lays out a set of facts about random issues, like heart disease or poverty, and asks candidates to make inferences and draw conclusions from that data. Simon Firth, Linklaters's London-based hiring partner, says his firm started using the test two years ago and will give it more weight in the future. Trainees with high scores on the test are already outperforming those with more middling scores. "A lot of aspirational

graduates from top schools—but were people who, Massa says, the firm should never have hired in the first place. “Was there information that was available in the interview that would have let us know they really weren’t a good fit for the practice of law in a big law firm?” Massa says. “Were there questions we could have asked that would have revealed a little more?”

The firm decided that there were. Massa began doing focus groups with partners and associates to create a list of eight traits that all agreed were the bedrocks of success at Orrick, including confidence, problem solving, and adaptability. While most firms would say that they value these qualities, few firms design their entire recruiting process around finding them. To search for talent in a more systematic way, Orrick lawyers were also trained in behavioral interviewing. While not all recruiters choose to follow the technique, Lauren Elliot, the firm’s East Coast hiring partner, says the training itself has improved interviewers’ ability to draw out useful information from candidates. In the last year, acceptance rate from on-campus interviews increased more than 6 percent. The firm would not release its attrition rate, but Massa says the firm is better at weeding out attractive but ill-suited candidates.

Other Am Law firms doing more strategic recruiting are realizing similar gains. DLA Piper started doing behavioral interviews after the merger that created the firm in 2005, and its acceptance rate has increased 10 percent. Ropes & Gray adopted a more structured in-



HIRE POWER

A recent National Association of Law Placement study asked 330 legal employers about recruitment, hiring, and retention. Among the key findings:

- 63** Percentage of students called back for an interview who received a summer offer.
- 28** Percentage of students who accepted summer positions at firms of 250 lawyers or more.
- 24** Percentage of offers accepted at firms in New York or Washington, D.C.
- 91** Percentage of summers who received full-time job offers from their firms.
- 73** Percentage of those offers accepted.
- 46** Percentage of associates who leave their firm within three years.
- 63** Percentage who leave within four years.

terview approach in the early 1990s. The firm’s acceptance rate over the last five years has been 44 percent. And at Blackwell Sanders, attrition has fallen from 25 percent in 2002 to 11 percent in 2006 after the firm overhauled associate recruiting and management.

Sandberg, Phoenix & von Gontard, a 75-lawyer St. Louis litigation boutique, is about to implement a psychological assessment of job candidates, possibly a first for a U.S. firm. The test takes 40 minutes and asks candidates to react to hypothetical scenarios. Responses are

then analyzed to gauge attitude and motivation. “The biggest ongoing challenge isn’t hiring people bright enough,” says managing partner John Sandberg, but finding people with the right temperament. “A good lawyer has to have resilience. Crap happens every day, and you have to be able to work through that.”

Dechert uses a personality test when hiring professional staff, which chair Barton Winokur says has proven valuable in finding the most well-suited people (including his personal assistant). But he says the firm has not considered having lawyers tested, for fear that it would repel applicants.

Implementing changes on a smaller scale can also make a difference. Firms can book 30-minute instead of 20-minute interviews. Sullivan & Cromwell partner Frederic

Rich says that a lot can be learned in those additional ten minutes, and he’s amazed at how few firms take the extra time. Partners can also do more detailed postinterview evaluations, so the information they do get in their brief meetings is better utilized. Most

A DIFFERENT WAY

The major professional services firms and top U.K. law firms have a very different approach to recruiting and hiring than U.S. law firms. Here are a few of the things they do:

START EARLY Full-time recruitment staff are assigned to recruit at schools year-round. They get to know students through small-group events and one-on-one meetings before the application process begins. Most companies target undergraduate campuses, but a few run educational programs at high schools and middle schools as well.

SKIP THE CHITCHAT A standard job interview at a professional services firm lasts a minimum of 30–45 minutes. Recruiters are trained to ask questions that elicit detailed information about the way that candidates have achieved goals and overcome obstacles in the past.

TEST SKILLS Both analytical aptitude tests and psychological tests are coming into use in major British law firms. Aptitude tests measure applicants' analytical skills, while psychological tests characterize attitude and motivation. Applicants' results can be compared to those of top performers.

ISSUE CASE STUDIES Companies have various methods for seeing how applicants will perform on the job. Some use case studies where they explain a client problem and ask applicants to brainstorm a solution. British law firms sometimes divide applicants into disputing teams and ask them to negotiate a settlement. These firms may also explain a client need and ask them to do an extemporaneous pitch selling the firm's services.

PROMOTE PEERS U.S. firms are starting to hire more first-year students as summer associates because they can publicize the firm among their classmates during the second-year recruiting push. In the U.K., where lawyers are not expected to bill as much as their U.S. counterparts in the first two years, trainees lead recruiting and design marketing campaigns for their alma maters.

STRAIGHT TALK Banks and professional services firms provide extensive information about the daily responsibilities and career trajectory associated with a job. A few U.S. firms are now following suit, starting to set more accurate expectations by being more open about the hours required and chances that an associate will stay for their career. —E.G.

firms already use evaluation forms. But they are intended to be easy to fill out, and consequently have little value. Partners simply rate candidates on a scale of 1 to 5 and give quick reactions like “seemed nice” or “no good.” McKenna Long & Aldridge not only requires longer written evaluations, it also asks partners to note their thoughts after each on-campus interview using a handheld voice recorder and to be debriefed by recruiting staff when they return to the office.

While McKenna's firmwide acceptance rate was on par with the big-firm average, the firm's rate of callback interviews leading to offers has averaged 76 percent over the last seven years, compared to the national average of 63 percent. What this means, according to Jennifer Queen, McKenna's director of recruiting, is that on-campus interviewers are doing a good job of identifying good prospects. “You can't control who is going to accept,” says Queen. “But at least you're not wasting everyone's time on the wrong candidates.”

Some firms are taking a hard look at their marketing strategies as well. Cadwalader got rid of its glossy brochures altogether in favor of postcards that direct students to the firm's Web site. There, students find a page

called “Real Deal,” where they can hear an announcer pitching them on the challenges and rewards of a Cadwalader career, all set to a techno beat. Others are doing more educational events at law schools. For example, Ralph Baxter, Jr., chair of Orrick, and Cesar Alvarez, CEO of Greenberg Traurig, have given talks about law firm economics at Harvard Law School. Developing a national message that recruiters from every office share with students is one of de Hoyos's goals in her new position at Mayer, Brown. “Our goal in recruiting is to get out as accurate and complete a picture of the firm as we can, and then let the law student self-select based on that,” says de Hoyos. “We frankly don't spend enough time with law students in this highly structured process to make the decision for them.”

There are a few lone voices contemplating more systemic change. Whitney, of White & Case, proposes moving on-campus interviewing to January to give firms another semester to get to know students and solve the August crunch. He also thinks that schools should cap the number of firms that students can rank at 20 or fewer, to cut down on the circuslike atmosphere and create more time for each interview.

BUT RESISTANCE TO CHANGE is fierce, within both law schools and law firms. Four decades ago, a consortium of schools created voluntary guidelines, with a timetable, to make the recruiting process more predictable for students. “The reason it worked,” says Jim Leipold, executive director of NALP, “is that law schools can say, if you want to recruit on our campus, you must abide by these rules. They have that leverage.”

Changing those procedures so that their students will be more carefully vetted is not a priority for schools. For one thing, a school's prestige relies in part on the number of graduates who land jobs at top firms. In addition, the basic orientation of law schools is to maximize the number of choices available to their students. NALP former deputy director Julie Hamre says that schools believe that students benefit from having many interviews and many offers to choose from. Even now, with students seeing more firms than they can track, schools are focused on keeping the interview counts high.

Law firms are in no position to pressure schools to reconsider. School administrators set the on-campus schedule, so firms are wary of doing anything to strain that relationship. It is a real disadvantage to be booked at the end of recruitment week, because students are burned out and, with callbacks already in hand, more likely to cancel. Individual firms could act alone, of course, by taking longer to consider an offer or putting students through a more rigorous evaluation process. But partners worry that they simply don't have time to do more comprehensive reviews. And, they say, being tougher on students in this hiring climate would be recruiting suicide. “How would we fare if we were the one firm who said, in addition to the normal interview process, we want you to take a test?” asks Cahill's Newitz.

John Sandberg of Sandberg, Phoenix, for one, is willing to find out. While he “got a fair load of grief” from other firm leaders at a conference this spring over his plans to do personality tests, Sandberg says avoiding the cost of making bad hires is worth the risk.

As those costs continue to rise, more large firms may start to come around. Already, inefficiencies in entry-level recruiting are driving firms to hire more lateral associates, who are more expensive to hire and even less likely to stay at the firm in the long run. According to NALP, 56 percent of entry-level associates will leave a firm within four years; 73 percent of laterals leave in the same period. More expense and more turnover. No wonder partners just want to talk about fantasy football.

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