

Of Counsel Interview . . .

Recruitment: Matchmaker Extraordinaire Jonathan Lindsey Helps Partners Find Their Perfect Career Fit

Here's your category: "Legal Recruiters."

Now your clue: "Major, Lindsey & Africa."

And your response, and remember to phrase your answer in the form of a question: "What agency was voted the 'best legal search firm in the United States?'"

Another clue: "Yes, it is, according to a recent national survey conducted by Euromoney's *Worldlaw Business* magazine."

Your response (again, in the form of a question): "Is that true?"

In 1985, before Jonathan Lindsey joined the legal recruitment firm that would become Major, Lindsey & Africa and while he was still a practicing attorney, he was a contestant on the popular game show "Jeopardy."

"Jon has a very impressive intellect, and he was quite successful on 'Jeopardy,'" says Lindsey's colleague Chuck Fanning, MLA's global practice leader. "At some point in their careers here, recruiters watch the video of Jon on 'Jeopardy' as a way to understand part of our historical roots. It's one of the rights of passage at our firm [he laughs]. Although I think that Jon finds it a little embarrassing."

And, Fanning adds, Lindsey's intelligence helps him guide attorneys in finding the law firm that's the right fit for their careers. "He applies that intellect to help people conduct a deep analysis of a really important career choice," Fanning says. "That surprises some people because they expect a recruiter to try and sell them something. And, people understand quickly that they can trust Jon."

Have a conversation with Lindsey—MLA's managing partner of the New York office who specializes in laterally placing partners with law firms—and you'll see that quick mind and quick wit at work. Yet, he's also modest, often making self-deprecating remarks.

Of Counsel has relied on Lindsey frequently over the years as a source on a wide variety of matters concerning the legal profession. We thought that it was about time we had a thorough discussion with him, about his career, his firm, his approach to clients, the state of recruitment in this economy, and other relevant topics. What follows is that excerpted interview.

In the "Happiness Business"

Of Counsel: You graduated with honors from Columbia, were the editor of the law review, then worked for a year in between for the Chief Justice of the Second Circuit, then went to work at Debevoise & Plimpton. Obviously you were a strong lawyer, with strong credentials. How long were you at Debevoise?

Jonathan Lindsey: I was there for three years.

OC: Why did you decide to leave work as an attorney and go into the legal recruiting world, and what year was that?

JL: That was 1990, and I'd been a lawyer for 15 years. I'd loved every job that I'd had. They were a series of terrific jobs. But I was 15 years out of law school, and I didn't have a big client base. The firms that would take me as a partner are firms that are all out of business now.

Turning Down Fees

But you know, I've always loved solving puzzles and helping people and being a matchmaker. I've had three weddings and a few long-term relationships result from people I fixed up. So being a search consultant seemed a good way to blend my advocacy skills and my analytical skills with my own inclination to solve complicated problems and help people figure out how to best advance their careers and maximize their happiness. I like to say to people that I'm in the happiness business because, fundamentally, if someone decides to work with me, the only way that we're going to do anything together is if I can figure out a way that the person will be happier than he or she now. If they're not happier, why would they want to change?

The woman who was trying to place me at law firms said, "Gee, you know you should do what I do." At the time I sort of scoffed because it was a profession with a mixed reputation, let's just say. But the more I thought about it, the more it did seem to fit, and I thought, "Well, my odds of getting onto the Supreme Court at this point are pretty slim [laughs], so I might as well be daring and try something a little different." And that was 19 years ago. So far, so good.

OC: When you got into the legal recruiting business, was there anything that surprised you or that made you say, "Gee, I didn't expect this"?

JL: I don't know whether I realized this immediately or whether I just realized it over the years: I deal with extremely successful and extremely accomplished, smart people. These are partners who are very good at solving other peoples' problems, but they are not nearly as good as you might expect at taking a look at their own careers and their own lives. I think that it's partly because they're so busy with other things; they just don't make themselves a priority. That surprised me a little.

OC: You match partners with law firms, but in a sense you're also a bit of a career counselor, aren't you?

JL: Oh, absolutely. And that's lots of fun. There are times when I meet with people who I know I really can't help on any short-term basis. They're not going to improve their situation as things are currently set up. But I can say to them, "You need to build your practice, you need to develop a different specialty, you need to do x, y, and z, and if you do that, there will be lots of firms that are eager to woo you. But at the moment, you're not as attractive a candidate as you could be."

OC: So you're essentially turning away business by doing that, by offering tough love, so to speak.

JL: I've had situations where I have said to someone, "I know I got you an offer at Firm X, but I really think that you'd be better served by staying where you are for the moment, rebuilding your practice," (if they just lost a big client, for example) "and then going back and exploring things in a couple of years." They're always so surprised: "Wait a minute. You could be making a fee, right?" Inevitably, those people will send 10 of their friends, and they're so astonished: "This guy was straight with me." I think that it was Mark Twain who said, "Always do the right thing. This will gratify some people and astonish the rest."

OC: Obviously, with the recession, the profession has been thrown into deep water like so many other industries. Have you been able to stay busy? I'd imagine that a lot of attorneys are just happy to have a job and are staying put. Have things slowed down for you?

JL: I'd say that for me personally this is probably the busiest year that I've ever had. That might just be partly longevity; I've been around so long that people keep calling me. But as a firm we have several different areas of focus. In the associate practice, things are obviously much, much slower. We've actually had layoffs for the first time in 27 years as a firm. As a percentage we've had probably fewer layoffs than our competitors, but still it's obviously very wrenching and very difficult.

We have started a career counseling service. A number of our clients that were laying off associates asked if we could help them. Not that we can find jobs for these folks, but that we can help them polish their resumes, improve their interviewing skills, sort of point them in the right direction. That's kept some of our associate recruiters busy. We've also started a sub-specialty in executive search to help law firms fill the chief marketing officer, the chief financial officer, and other C-Suite positions.

Our in-house practice is still quite busy. I'm guessing that we're probably doing as many general counsel searches as we've ever done, or maybe more. At the more junior level, some of our clients are saying, "Hiring freeze. We won't hire any more lawyers." But other clients want to reduce their total legal spending, so they're actually increasing their internal legal department and paying people by the year instead of by the hour. Or they look at it as a

chance to upgrade, which it definitely is. There is some terrific talent out there, for both law firms and corporations.

OC: It's not an exaggeration to say that thousands of attorneys have been laid off in the past year or so. Generally speaking, are law firms pretty good about the way that they lay off people? Do you have any horror stories?

JL: Like anything else there are some firms that are very good at it and some that are very bad at it. The good ones communicate as clearly as they can and tell people exactly what's going on. They try to be humane in how they do it; they try to be fair in who they pick and provide some sort of cushion for folks so that the landing is not too bumpy.

Horror story: I just heard about a partner in a firm, and the specialty [practice area] had recently dried up, and the firm said that you've got to leave by Labor Day. Then they sent him a memo saying that the compensation committee is thinking, "Maybe if we paid you less, we might be able to keep you around." So while he's thinking about that, he went into his office on August 1 and discovered that he'd been cut off from email and all their systems. Some technocrat had gotten a little too far ahead of himself a month early. There are humane ways to do it and harsh ways to do it.

OC: Did that partner wind up taking less compensation or leaving?

JL: I think the computer situation was enough for him. He got the signal and left.

Helping Make Intelligent Choices

OC: What's most satisfying about your job?

JL: I always say that I like helping intelligent people make intelligent choices. I find it most gratifying when it's something not completely obvious. If you're working with someone who does a certain kind of project finance deal and you place him at a firm that's famous for doing that kind of project finance deal . . . you don't have to be managing editor of the *Columbia Law Review* to figure that out. It's still nice; it's very rewarding.

But the situations that are much more fun for me are those in which I say to the person, "Have you ever thought about Firm X?" and the person says, "Ugh, why would you think that? I would never want to go there." Then I explain some of

the firm's virtues and convince them to have a cup of coffee with the partners at the firm. Then after they become a partner at that firm, they send me a birthday card saying, "I'm so happy. I never would have come here without you. I'm so thrilled, thank you so much." That is the most fun. I don't do this as a social work; I do it to make a living, but it's also wonderful when it works out for people.

OC: What about the flip side? What's most frustrating about what you do? What don't you like about being a legal recruiter?

JL: Occasionally, and it doesn't happen all that often, people will be sort of dismissive. Clients that we haven't worked with, for example, will say, "Well, thanks for the resume. We got it and we'll take it from here," almost lumping us in with the worst people in our profession. Since my fee doesn't vary based on my involvement, I always think, "Well why wouldn't you want the benefit of whatever experience I've had over 19 years? You can ignore my advice, obviously, but I can occasionally be helpful, so why wouldn't you take advantage of that? It's completely free."

But just to cut me out and exclude me from the process really doesn't help the firm. I think of myself as counsel to the deal. I want things to either rise or fall on the merits. I hate it when a deal will fall apart because of scheduling or because of miscommunication. That's my job. I'm supposed to keep that from happening. If I have to be a nag, I will be a nag. But if it doesn't work on the merits, that's fine. We'll go on to the next one; that's a perfectly good result. If it's not right, it's not right.

OC: Do you dislike the term headhunter?

JL: I initially did, but I don't think of it as little people running around in New Guinea anymore. "Search consultant" is a little more gracious, but I'm long past really caring. It's not important to me.

OC: You've been a source for *Of Counsel* for years. Does talking to the press as a source help at all in terms of getting your name out there? Why do you do it?

JL: I, too, write articles. I used to teach; I was an adjunct professor at New York Law School briefly and also at the graduate school at City College. I guess I like to be the pundit. Typically when people ask me these questions, they're pretty interesting questions. It's stuff that I like to think about. I wrote a book called *Managing People in Today's*

Law Firm with two professors of management. It was a very interesting exercise for us to think about the issues that are part of our world. But you can get sort of lost in the day-to-day, the transaction that's in front of your nose, and lose sight of the big picture. So when I talk to a reporter or someone else or I'm on a panel or give talks, for me it forces me to take a step back and think about what is going on. You have to synthesize a lot of information, a lot of trends and fragments and sort of make sense of it all. It is interesting.

OC: So you get more intellectual satisfaction than marketing satisfaction.

JL: I think every time I'm quoted in a national publication I will get one call that might turn into a placement or a fee of some sort, and I get 10 calls from people who I absolutely can't do anything for, people who have taken a lot of wrong turns over the years. Then I might reconnect with an old law school friend who I haven't heard from in 20 years; there's always something good that comes of it. It's not a huge investment in time. But I don't think of it as "Ooh, this is my chance to become famous."

Apprenticeships: A Growing Trend

OC: Let's shift gears a little bit. I recently wrote an article about apprenticeship programs. Some people are cynical about them and say that this is just a way that firms can pay associates less money. What do you think about the apprenticeship programs that we're seeing at several firms these days?

JL: I think that the devil is in the details. If what they're giving these young lawyers in return for lower compensation is a higher level of training and more attention to their development professionally, then I think it's terrific. For many young lawyers, if you said, "Would you rather make less but at the end of two years actually know how to do what you do?" I think

most of them, assuming that they could put off their lenders of student loans, would be thrilled.

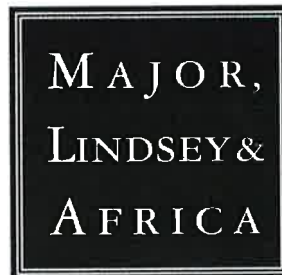
I think that it makes a tremendous amount of sense because clients don't want to pay for the first year anyway. So to pay them as if they were full-fledged functioning lawyers is quite misleading. Now no one wants to be viewed as somehow second tier or to think that they're not going to get good graduates because they're not paying \$160[000] or whatever the number of the day is, but I would expect that it's going to become more of a trend.

OC: Your favorite quote on your bio at your firm's Web site is: "Be aggressive in your thinking, not in your manner." Can you explain why you like that quote so much?

JL: Well, I suggested that we should put a quote from a client who was happy because we don't typically brag about our successes. But no, they wanted a quote of mine. That's advice that I've always given people myself. I've had a lot of individual success, but to me equally or more gratifying is the success that our firm has had in growing from a very small business to where we are now, with 22 offices and dozens of professionals. We've been doing this for 27 years, and we care far more about our reputation than about any individual deal.

I like to think that in any line of work there are people who do their jobs in a very professional way and can be successful and help their clients and add value without being overly aggressive in how they treat people. We're not passive; we're trying to help the process move forward until there is some sort of determination on the merits, and sometimes that means that we have to be aggressive to make sure that people will schedule things. We have to push them, but you can do that without being pushy. You still can be polite and professional. ■

—Steven T. Taylor



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