

Business of Law

Firms seeking attorneys find better pool of talent

December 03, 2008

By: Alana Roberts

Donna Berger has seen an increase in the quality of candidates looking to get a foot in the door at her mid-sized Fort Lauderdale law firm since the economy took a sharp turn south last year.

"There's an incredible pool of talent out there," said Berger, the managing partner of Katzman Garfinkel Rosenbaum. "There's people that wouldn't otherwise be looking for jobs. There's a unique opportunity for companies and firms that are hiring to pick up a lot of talent."

Katzman Garfinkel, which specializes in community association work, has been on a 10-month blitz, hiring 16 attorneys to grow to a 38-lawyer firm.

"Now we have the option of being very choosy and selective because there's such an incredible talent pool out there," she said.

The firm has hired partners, groups of attorneys and associates and grown by merger. The firm plucked a group of 11 attorneys from Becker & Poliakoff's West Palm Beach office in August.



Donna Berger

Some South Florida law firms have laid off attorneys or frozen hiring, while others are cherry-picking for top talent.

Jamie Cole, managing partner of Weiss Serota Helfman Pastoriza Cole & Boniske, said his 54-lawyer firm also has seen a boost in candidates with strong credentials. The firm has grown by nine attorneys this year and plans to hire five in the coming year to grow its complex business litigation, construction and labor and employment litigation practices. Weiss Serota, with offices in Fort Lauderdale and Coral Gables, added three attorneys last year.

"It's very clear that law students are having a much harder time getting summer jobs and jobs directly out of law school," he said. "We're seeing a decent amount of associate resumes where firms don't have enough work for them or their firm has laid them off or they fear that may be happening. We're also seeing senior, very high-quality attorneys who also see problems on the horizon at their firms as well as several that have already been asked to leave for lack of business."

Cole declined to name the firms employing attorneys that are approaching Weiss Serota for jobs.

Reports of law firm layoffs around the nation dominate industry news and fuel unease among attorneys about job security and the fiscal strength of their firms. The end of the year is often a busy time for attorneys to look for new law firm homes after bonuses are set. But this time around, a lot of resume shopping is being fueled by economic anxiety.

That anxiety has led to a surge in interest in South Florida by highly qualified candidates from large markets such as New York, said legal headhunter Sherry Schneider, managing partner of the Lucas Group's Miami office. Most candidates have some South Florida connection.

"These are not people who have been laid off, but they're associates concerned about potential layoffs and feel if that's going to happen it's time to come home," she said.

Smaller firms in particular have seen improvements in the pool of candidates approaching them, Schneider said. And smaller firms can attract attorneys without having to work as hard.

"In good times when large firms are doing a lot of hiring a smaller firm might have a difficult time competing with a signing bonus and other incentives big firms use to get people," Schneider said. "Now with big firm hiring being more limited, the smaller firms can get these people without the incentives." David Block of Miami-based headhunting firm Hertner Block & Associates, said as smaller firms are making offers for highly-qualified candidates, many of whom are coming from large law firms, there's more compromise being made on both sides concerning compensation. He said a candidate may take lower pay and incentives for other benefits such as less strict billable hour requirements and more hands-on experience.

Berger said the current market is a buyer's market, but that it doesn't help a firm in the long-run to low ball highly qualified candidates.

"The people we've picked up we haven't picked up on the cheap," Berger said. "I'm sure there's people out there that have the exact opposite philosophy. If you take advantage of market conditions people will be with you in the short-term. When the market turns around they'll leave. It will breed resentment, we're not looking for that."

Headhunters say they haven't seen a boost in requests for contract attorneys from South Florida firms. Firms typically hire contract attorneys in litigation, corporate and securities practices. But they say more South Florida firms are considering contract attorneys than before.

Statewide, the legal industry experienced a drop of 0.4 of a percent in employment, losing 400 jobs from August to September, and 100 jobs year over year, according to the State of Florida's Agency for Workforce Innovation.

White & Case confirmed its Miami office laid off eight associates and seven staff members last month in a firmwide broadside that cut 70 associates and 90 staffers. Sources say other firms have quietly let attorneys go or nudged them toward the door due to the slowdown.

Many of the lost jobs have been associate positions, and headhunters say firms are making fewer requests for associates and more for partners and group acquisitions.

"This downturn has more people worried than in other downturns," Block said. But "people are still hiring. There's still plenty of work for recruiters down here. You have to refocus."

Real estate searches are down, but there are more search requests to fill litigation specialty positions such as labor and employment and insurance defense. Block also said he's seen more requests for in-house attorneys while requests for corporate and trust and estate attorneys are holding steady.

Hugh "Bill" Perry, managing partner of Gunster Yoakley & Stewart, said the West Palm Beach-based firm has fared better than others because of its focus on mid-sized Florida-based clients and its lack of reliance on capital market work. The 137-attorney firm has increased its lawyer headcount by 16 this year, he said.

"We're feeling pretty fortunate right now, we believe we're doing better than some of the other firms in South Florida," he said. "Even though real estate is down, there's still business being transacted. That's true for the middle markets across the country."

The firm's real estate business has slowed some, but the firm isn't heavily focused on residential real estate, which bore the brunt of the slide in South Florida. Meanwhile, the firm's litigation and private wealth practices remain strong, Perry said.

"Across the board we're not as busy as we were 24 months ago, but we're still pretty busy, and we're still trying to hire lawyers in this market," he said.

Large firm leaders say they're hiring despite the downturn.

Holland & Knight's lawyer roster shrunk by 47 attorneys to 1,094 in the year ending Sept. 30 on the National Law Journal 250, an annual survey of the nation's 250 largest law firms. But the firm hired 115 lawyers this year and now has a total of 1,130. Many additions were in the firm's litigation practice, said Peter Prieto, the Miami-based chair of Holland & Knight's national litigation section. "We think there's growth opportunities out there even in this economy, especially in litigation."

White collar and intellectual property litigation are areas that offer the most growth opportunities for the firm, he said. The firm wooed white collar litigation partner and former federal prosecutor Daniel Fridman to its Miami office in October. He said the firm has given him an opportunity to grow his white collar practice with an emphasis on health care law.

Another firm that has been actively hiring attorneys despite the downturn is Tampa-based Carlton Fields. The firm hired 26 attorneys in 2008, including a group of six attorneys with Zuckerman Spaeder, which left the Miami market in March.

Click play to listen to Charles Rosenberg



Charles Rosenberg, managing shareholder of Carlton Fields' Miami office, said the firm has hired both partners and associates. He said the downturn has triggered growth in the firm's distressed asset and white collar practices.

"In the last two years we've had two very significant acquisitions," Rosenberg said. "We hired six lawyers from Zuckerman and seven from Adorno & Yoss. We have found that

when we hire shareholders they tend to generate client needs, and that requires us to hire associates to support them."

Michael Oliver, a senior litigation associate left Becker & Poliakoff for Katzman Garfinkel's Fort Lauderdale office last month. He said he preferred to work for a firm that is nimble enough to quickly respond to client demands such as flexible billing rates.

"It's a matter of being proactive to market conditions rather than reactive," Oliver said. "Regardless of a firm's size there are firms that are out there that are more than willing to change."

Litigation shareholder Mangit Gill also left Becker & Poliakoff's office in August for Gunster Yoakley, where the corporate practice offers him a new stream of potential clients. He said negotiations with his new firm began before Becker & Poliakoff's management temporarily cut attorney pay by 12 percent.

"One important thing as a litigator is having access to a strong corporate practice and all the ancillary services that go along with it," he said.

Real estate-heavy Becker & Poliakoff gave itself a black eye this year by imposing a two-month attorney pay cut, which firm leaders attributed to slow-paying clients. But things have improved already, said managing partner Alan Becker.

He previously said his firm was working to replace lost attorneys and expected to end the year with 125 lawyers, or more than the beginning of the year. The corporate securities and tax practice has grown.

"The economy has enabled us to bring in some new talent in the area to beef up that practice, and so that's an area that we're looking to grow," he said.

Alana Roberts can be reached at (305) 347-6648.

Donna Berger photo by A.M. Holt

Your Name:

Comments:

Type your comment here.

Search the [archive](#) for more stories.

Back To:

- [Today's top stories.](#)
- [More business stories.](#)
- [More legal stories.](#)

Incisive Media takes copyright infringement seriously. YOU MAY NOT DISTRIBUTE THIS STORY, ELECTRONIC OR OTHERWISE, WITHOUT OUR PERMISSION. You may print or purchase this story from our archives for your personal use only. In order to obtain reprint permission rights, please contact Sue Viera at 305-347-6621 or 800-777-7300 ext. 6621. If you need a subscription, please call 1--877-347-6682.