



look ever so slightly worn down by this onslaught.

So, our Management Committee asked the Marketing Department to step up to the plate and team with Recruiting. Because both Marketing and Recruiting were extremely busy, we decided to ask for outside support. We asked Ross Fishman to come out and help us. Now Ross had never done this kind of work before. The truth is that no law firm had ever tried it before. We were deep in uncharted territory here. But I could think of no abler outside partner to work with Carol and me to accomplish this huge project; and Ross was a great outside partner. He helped us keep both our perspectives and senses of humor.

Internally, we had already established a system of “school champions” in which individual partners and associates agreed to become the point people for full court presses at the law schools we targeted. Then we had to think about our external approach. Our key project items were as follows:

Strategy: Law Students as a New Form of Client

- Research and perception audit
- Implementation - advertising and giveaways
- Implementation - Web site/collateral materials
- Leveraging Our Culture
- Other Offices as Potential Recruiting Magnets

Research and Perception Audit.

The research and perception audit conducted by Ross Fishman with our own summer associates, as well as at a few of our targeted law schools turned out to be a fascinating study. We found out a number of things, including our most important takeaway NOT related to Fenwick & West. Almost no law firms treated recruits and students as another form of potential client and these soon-to-be attorneys had nowhere near the amount of hard knowledge about our firm or our brand as almost all of our clients and prospective clients.

Just how much law students relied on word of mouth and third-party sources for their information about law firms was a real wake-up call. The deeper penetration of the Internet has increased not just the quantity of third-party information available to them, but also the potential information and mis-information channel of listservs such as “Greedy Associates.” I think it remains salient that the more information your firm can directly communicate to the law students via all the channels available to you, the better off you are. This means your Web site, your outreach letters, firm advertisements, brochures for placement offices, a series of letters and postcards for focused campaigns, well-placed telephone calls and emails, as well as remaining conscious about the larger presence and reputation your firm is cultivating in the world.

What we found out about Fenwick & West was even more unsettling than this general knowledge gap. We found that most law students did not bother to sign up for interviews with Fenwick & West because they thought you needed an advanced science or technical degree to work here. “Propeller heads” or “geek lawyers” would probably be the most vivid image we got fed back to us in this process. We didn’t just have to position Fenwick with a whole universe of people who didn’t know very much about us, we had to “re-position” Fenwick with a smaller group of people with a huge misconception about who we were. It has long been commonplace at Fenwick that, although there are an abundance of lawyers speaking in many languages worldwide, our firm has laid claim to being the only one that truly speaks technology. But we didn’t want to be known as a

firm whose talent pool was exclusively lawyers who held technical degrees. In addition to our “getting” technology, we glory in our quirkiness, our differences and our belief in a firm that can maintain equally strong values regarding hard work and fun. Addressing this was one of the major objectives of the ad campaign described and pictured in this article.

Ross and Carol’s team also devoted a lot of time to develop a series of boilerplate communications and letters with a custom feel. There were introductory letters, follow-up postcards, reverse “thank-you” notes (e.g., “We want to thank you for taking the time out of what we know is an overloaded academic schedule to interview with us) all of which were designed to reinforce one or two baseline messages about Fenwick.

Advertising and Giveaways.

In addition, at virtually every step of the recruiting process from announcement of on-campus interviews to on-campus interviews right down to acceptances from incoming lawyers, we developed a series of giveaways, some small, some not-so-small that helped brand the firm in the recruit’s mind early and often. If you can get recruits post-its, mouse pads, highlighters and items every law student uses, you help to increase the frequency with which they think of you. It’s that basic a sales tool. Think about the axiom involving the number of touches it takes for *real* contact to be made. Originally, sales experts opined that it took seven attempts to make a contact; now, most put that number at nine. (Before you send me that flamemail, please be aware that I’m not equating recruiting attorneys to sales, I do think that the insight that people may not notice us the first time we reach out to them is relevant for purposes of this discussion. And that it’s harder to get their attention than we may think.) Having a memorable, attractive logo and tagline as part of your comprehensive branding program will help in this regard.

Be prepared for some pushback from your lawyers if you walk down this path. Initially, they may well feel like you’re somehow cheapening the firm by doing this. I had partners wanting sign-off on all the giveaways which ranged from simple

post-its all the way up to Gap Backpacks with custom logos for incoming lawyers once they accepted our offers. At the end of the day, however, everyone was thrilled with this program. The lawyers gained an additional tool for their recruiting toolbox and the recruits needed and used post-its, highlighters, etc. and LOVED the major giveaways which made them feel like a part of the team long before they ever arrived. (Or as a lateral commented to me a year ago, “It’s not just a law firm, Diane, it’s a wardrobe.”)

Advertising was also developed to counter the perception that we were a firm of nerds and to reinforce the characteristic that the work at Fenwick was intriguing and the culture was beyond cool. My favorite of these original ads has a picture of a VCR flashing 12:00 and it reads “If you have great grades and your VCR isn’t flashing 12:00, we want to talk to you.” And the copy reads: Fenwick & West is the ONLY law firm on Fortune’s 1999 list of the “100 Best Companies to Work For.” We do cutting-edge work for high-technology clients from our offices in Palo Alto, San Francisco and Washington, DC, but we do not require technical degrees. In fact, fewer than 15% of our over-275 lawyers have technical degrees.”





Last year, we rolled out a new ad campaign for the firm, so we developed a second recruiting campaign that is consistent with our new ad campaign. The concept of this campaign was to play against type. So we would take a cliché about lawyers and then convert it to a positive image and spin to make a statement about how we operate here. For example, the characterization of white shoe lawyers developed to describe the staid upper-crust New York firm was turned on its head with the depiction of a poised running shoe. The copy read “White Shoe Lawyers? Yep.” Or the description of lawyers as bottom-feeders was depicted with an associate getting pizza slid under her office door. And the copy reads “Bottom Feeders? Some of our best deals have been fueled by flat food.”

Both of these ad campaigns are included in this article as exhibits. In addition to placing them in appropriate legal outlets, we often modify these ads to send out to announce an on-campus visit or to stuff into mailboxes at law schools. While all of the legal publications have made better penetration into the on-campus market in the past two or three years, none of them is so ubiquitous that it can be

depended on for getting your message out with sufficient frequency and repetition. Find other creative ways to get your ads out to your candidates.

Web Site and Other Collateral Material.

Hard to believe this year, but as we opened 1999, we did not have a robust recruiting section on our Web site. Carol and her recruiting team were too short-staffed and the marketing team was loathe to add one more thing to their load.

So, in a very short amount of time, we put together a Web site that had: an online schedule for on-campus interviewing, an online representation of our NALP form, some basic FAQs materials as well as a variety of other items including detailed information about our summer associate program, the firm offices, our practice groups and some of the unique features of our firm including the “free market” system whereby attorneys can gain experience and skills that are best-suited to their interests and strengths. The on-campus interviewing schedule also indicated which of our lawyers would be on campus with links to their online biographies for law students to read in preparation.

While many firms have done CDs over the past several years, we made a conscious decision not to do this. The unfortunate experience of most of us has been that when we receive a CD from someone trying to introduce us to a new product or service, we simply never play it. It’s that simple. It just didn’t seem like the best use of our dollars in this pursuit.

Culture Counts.

Following the implementation of all these items, we received a major boost in late 1998 from another project I had been working on for reasons not related to our recruiting push. Nonetheless, I include it here because it ended up being key to the marketing of recruiting. And to overcoming the lack of name recognition of Fenwick & West in the Midwest and on the East Coast. In December 1998, Fenwick & West was the only law firm named to **Fortune’s** list of the “100 Best Companies to Work For.” As of today, we have been on the list for three consecutive years and this year, we came in at #7 on the list:

no other law firm has achieved these distinctions. Although once we threw the gauntlet down, a number of our competitors also began participating in this annual survey.

While the recruiting boost was not the original motivation for Fenwick's participation in this survey, we were thrilled and gratified by the response our attorneys got recruiting that year. *Every single attorney who came back from interviewing on campus reported the same thing:* the first thing every student commented on was that our firm was on **Fortune's** list of the "100 Best Companies to Work For."

One of Fenwick's other differentiators has been the condos we maintain on Maui and Kauai. Every 18 months, our associates are given round-trip airfare for two to one of our condos and invited to take a week's vacation in paradise. This perk came about in the 80s when two of our partners were vacationing in Hawaii. Hanging out on the beach one morning, one of the partners turned to the other and said "Wouldn't it be great if everyone at the firm could do this?" By the time the second partner had returned to Palo Alto from Hawaii, he had signed the lease on the firm's first condo. And thus, the firm's condo program was born. One of our associates opens his on-campus presentation with a slide that is taken on a pristine beach with waves breaking just past sunrise. When he shows the slide, he says something like "You thought my first slide was going to be an introduction to the firm, didn't you? Well, I'm not sure how this slide got in there but if you come to Fenwick, this view can be yours. I took this picture last year at my vacation at the firm's condo. This is the view from the front door."

Since the beginning of our condo program, as the pace of work has become more intense, the firm has not wavered in its commitment to ensuring that those who work the hardest get breaks. Each year, associates who achieve certain minimum billable hours are treated to weekend getaways at places like Tahoe and Cabo San Lucas. Families may take their kids to Disneyland on the firm.

In addition, over the years, we've consistently added perks to continue to make Fenwick extraordinarily attractive to recruits. They include items

like the following: a mortgage-assistance program for first-time buyers, a stock pool, benefits for domestic partners and we even have pet insurance.

Did these strategies work? You bet. One cautionary note: all the richness of culture, all the panoply of perks will not matter a whit in recruiting if you can't get people to notice your firm in the first place. This is the recruiting corollary of the marketing truth that a large part of your job is probably to ensure that your firm gets on "the short list." You can't compete if no one knows who you are. But wait, there's more.

Other Offices as Recruiting Magnets: The San Francisco Gambit.

While all of the big San Francisco firms were gearing up to come down to Palo Alto to get "smart" about technology and hunt for business, we decided to do something that appeared to be counter-intuitive at the time. We decided to open an office in San Francisco. We had had a San Francisco "outpost" for a number of years that supported a few extraordinarily talented attorneys in the part of the city that was then referred to as "MultiMedia Gulch," but we decided it was time to get serious. And our fundamental rationale was





two-fold: we believed that technology was becoming omnipresent and that the high technology legal needs of the more traditional San Francisco businesses were not being adequately served by traditional law firms. But more importantly, we thought we could get the two offices to work seamlessly (the initial business proposal for San Francisco that we drafted referred to the new office as “the eleventh floor”). It was not lost on us that housing in San Francisco was cheaper than housing in Palo Alto and that a number of talented young lawyers with tech savvy were more drawn to the city as a place to live than they were to Silicon Valley. So we decided we would create a space to support that preference and use it as a recruiting advantage. And use it we did. Our initial proposal for this office projected 40 lawyers at the end of three years. We currently have close to 100 lawyers in our San Francisco offices. Once we made this move, several of our Silicon Valley competitors followed suit. Prior to this move, we lost at least one or two recruits annually who opted to go to a San Francisco firm because they wanted to live and work in the city. We have not lost a single recruit on this basis since we made this move.

A Few Words about Lateral Recruiting.

While we did not focus on lateral recruiting as part of this push, a few years earlier, we had. One of the items we concentrated on very successfully was becoming more focused about our presence in the local and legal press to ensure that the marketplace understood what we viewed as our brand. So we used both advertising and PR to support this goal. Initially, we focused more on PR than advertising. One story pitch I made to our local legal newspaper went something like this: “ You know that Fenwick has never wanted to be the biggest firm in the Valley or do the most of anything. Our goal has always been to do the most interesting work for the most interesting clients. So, if you look at the IPOs for the past year, it’s not like we’ve done the most of them. We haven’t. But we’ve done the most significant ones.” This pitch resulted in a page one story of our local legal newspaper about our representation of marquee high technology clients. The following day we received a call from a headhunter who said he had a candidate who called him up and said “Did you see the article on Fenwick? That’s the kind of place I want to work.” That lawyer is a partner here today and very happily working in a platform that’s a much better fit for him.

Lateral moves have become far more frequent in the past few years as the marketplace has exploded. I think this trend will probably continue unabated despite uncertainty in the marketplace. Senior lawyers are motivated to seek a different firm for a number of reasons. You need to make sure that your story is out there and being told, if your stories accurately describe the character and culture of your firm, you will find laterals being drawn to a platform that will suit them well. This kind of PR will not only have a positive impact on your lateral recruiting, it should also have a positive impact on your internal morale. People want to be proud of the place they work and see it reflected in the local news. Make sure your department is doing its part to ensure that this happens.

Each year, one of your PR goals should be to make sure that a certain number of “human” stories are placed. You should also consider issuing a



release to local papers and “people on the move” columns each year with the names and basic data about the members of your incoming class. It will help them to feel like they made the right decision early on. And, of course, in planning your lateral PR, remember that this contact with you is likely to be the first contact of this new person with your department. How available you are, how supportive you are, and how successful you are in telling his or her story will have an impact on how you start your longer-term marketing relationship with this person. If I’ve only talked to laterals over the phone before their actual arrival, I often will stop by their office on the first day with a logo denim shirt or a logo fleece vest just to introduce myself in person and make him or her feel welcome.

Results, results, results.

The chart below shows just how effective this program has been. In a single year, we doubled both the size of our summer class as well as the

	1997	1998	1999	2000
Fall Associates	22	17	28	46
Summer Associates	17	30	34	69
Lateral Partners	2	2	4	4

size of our incoming fall class.

And yet, it all started with an enormous push in 1999 that was driven by an intense need to get lawyers in the door quickly. Just to give you an idea of how quickly this all happened: I met Ross at the airport on July 20 on my return from an Internet conference. We drove to the firm. This project – including the posting of the new section of our firm Web site - was largely completed by September 6. Recruiting would not have been able to do this alone. Nor would Marketing have been able to do this alone. It took the energy and imagination of both departments with the active support of our partners to pull this off. The benefits of this project are vast and ongoing, and I don’t think either Recruiting or Marketing will ever be quite the same here again.

Diane E. Hamlin is Chief Strategic Officer at Fenwick & West. She can be reached at 650.858.7217 or dhamlin@fenwick.com.

Advertising credit – These ads were developed by Diane Hamlin in collaboration with Mark Duran of Mark Duran Graphic Design, and Brian Colucci, also of Fenwick & West’s marketing team.

¹ In December 1999, Gunderson Dettmer Stough Villeneuve Franklin & Hachigian (aka Gunderson Dettmer) raised associate salaries in all classes in an attempt to improve its own recruiting program with an enormous salary differentiation. Under the new program, first-year attorneys, for example, were paid a base salary of \$125,000 with a guaranteed \$20,000 bonus. This amounted to almost a 50% pay raise. Cooley Godward and Brobeck, Phleger & Harrison quickly followed suit and then enormous salary wars were off and running nationwide. As a result, Gunderson lost any chance it had at differentiation. In fall of this year (2001), Gunderson announced the end of its guaranteed bonus program.

Our response to these salary wars at Fenwick did not include introduction of a guaranteed bonus program. Outstanding performers at Fenwick have long achieved annual bonuses far above market level. We did, however, introduce a two-tier compensation system whereby associates could opt to bill a minimum of 1950 hours annually in exchange for a comparably higher salary. Salaries were also raised at the 1800-hour level and associates opting for the lower level of workload who achieved higher hours are “trued up” at the end of the year so they don’t lose money by opting for the 1800-hour billable hour commitment.