

## Business & Careers

# A good hire starts with understanding firm's culture



**David Namkung**  
**The Headhunter**

In law firm recruitment, understanding corporate culture is a key driver to an organization's success, as culture defines how a firm pursues its practice and who they need to support it. The decision-makers at law firms, however, are often unable to define it.

This lack of corporate self-awareness is an obvious pitfall in the hiring process—firms end up courting candidates based on gut instincts rather than a thoughtful strategy. On a practical level, the default hiring criteria for firms without a clear sense of their cultural identity is some version of the “beer test”—would I enjoy grabbing a beer with this candidate?

As pointed out by Kellogg School of Management professor Lauren Rivera in a *New York Times* article that went viral, the beer test has significant limitations as it only measures personality and not a genuine match with the firm's cultural values. Surely, chatting about hockey, travels and scotch isn't sufficient evidence that a candidate is the right choice for your firm. Without a more mindful approach, however, shared experiences and personal interests tend to override more salient factors.

Accordingly, if you are involved with the recruitment process at your firm, take the time to define the cultural factors supporting your organization's success, ask probative questions in the interview process, and have a diverse interviewing panel to better ensure you hire candidates who truly fit.

### Define culture

Before embarking on your next search process, consider how your firm communicates its culture. Go beyond generic cultural taglines such as “entrepreneurial,” “high quality” and “dynamic,” and instead evaluate how your office behaves as a corporate entity. Among other things, this includes how your firm services clients and rewards performance.

For instance, is your firm more team-oriented or individualistic in servicing client matters? The way in which partners staff files will often hinge on how they are compensated: eat-what-you-kill environments encourage lawyers to work more or less autonomously and independently, whereas more egalitarian models



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typically incentivize a collaborative approach to client service and business development.

Is your firm more concerned about the profession of law, or driving profits? While law firms usually tout they are equally concerned with both, their day-to-day actions will reveal the overall bias. Those who value the professional aspects of practice will provide incentives for their lawyers to engage in pro bono matters, write academic articles, invest in their articling or mentorship programs or volunteer in their community and/or with their bar association—and their partners will lead by example. At the other end of the spectrum, firms that tacitly or expressly focus more on profit will spend the majority of their non-billable time on industry-related business development activities, while providing higher incentives for billable matters.

To be sure, teams within firms often have their own distinct subcultures (the insurance litigation group versus the tax group, for instance), so it's key to understand the map of your firm's broader culture and subcultures to assess who might actually fit with a particular group.

### Ask probative questions

Upon identifying the driving cultural markers within your firm, build your interview questions around them. Firms most commonly employ a casual and conversational approach to interviewing, which effectively requires the candidate to just recycle the information on their resumé in person.

The data gathered in a conversational approach typically does not provide substantive insights regarding the candidate's potential fit on a cultural level. Also, consider using behavioural questions (ques-

tions that seek examples from past behaviour) and open-ended questions as they will

provide more insight regarding the candidate's potential fit.

For instance, asking, “tell us

about the most rewarding trial (or transaction) you worked on” can reveal many aspects regarding the lawyer's true motivations. Listen carefully to what the candidate emphasizes in their answer. Did they work alone or with a team? How were they supported? Were they most proud of the duration/complexity/size/impact of the file, or the type of client they were acting for?

In addition, consider asking when the candidate has felt frustrated by management in previous settings in order to gauge their ideal working environment. At the end of the interview, go beyond whether you simply “liked” the candidate and critically assess whether there is true alignment between the candidate's preferred approach to practice and the actual needs of your organization.

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## ANNOUNCEMENTS

### O'Connor MacLeod Hanna LLP Welcomes Megan Cheema and Orie Niedzviecki



O'Connor MacLeod Hanna LLP, Halton's largest full service law firm, is pleased to welcome Megan Cheema and Orie Niedzviecki to our team of specialized professionals.

A lifelong Halton resident, Megan has returned to the region to practice in the area of Business Law. Her practice includes the establishment and restructuring of business entities, sale, acquisition, merger, and financing transactions. She drafts, reviews and negotiates various commercial agreements including leases, services, distribution, partnership and shareholder agreements. Megan also advises on corporate governance and assists in the formation and organization of business structures including corporations, partnerships and not for profit entities. Megan joins our team of experienced legal counsel in the corporate commercial department.

Megan can be reached directly at:  
Tel: 905.842.8030 x 3320  
Fax: 905.842.2460  
Email: cheema@omh.ca

Orie is an experienced business litigation and estates lawyer who understands the needs of his clients, locally and globally. Licensed in both Ontario and Washington D.C., he brings his 20 years of experience before a variety of courts, arbitral panels, and administrative boards to provide clients with sound advice, sensible solutions and experienced advocacy. He practices in the areas of business litigation, employment law, international judgment enforcement, construction litigation, libel and slander including internet defamation and estate litigation. Orie joins us as the head of our litigation department, where he will be able to use his experience to further refine our team of fine litigators.

Orie can be reached directly at:  
Tel: 905.842.8030 x 3342  
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## Business & Careers

### CAREERS

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#### LEGAL COUNSEL

Are you passionate about positive change, protecting the rights of consumers and contributing to an organization mandated with such a mission for our elderly population?

Located in Toronto, the RHRA is seeking candidates for the full-time, permanent role of Legal Counsel.

For more information, please visit [www.rhra.ca](http://www.rhra.ca). Interested candidates should submit their cover letter and resume to [careers@rhra.ca](mailto:careers@rhra.ca) by October 16, 2015.

We thank all applicants however, only those under consideration will be contacted.

Reporting to the General Counsel and Chief Privacy Officer, you will support and manage litigation and enforcement matters, including appeals and tribunal proceedings, judicial reviews, prosecutions, order-making and investigations. You will also research, advise and provide support on regulatory and legislative matters, and on legal issues that affect the organization's fulfillment of its mandate. Versatility and solid analytical and drafting skills are must-haves for this role.

You possess a Bachelor or Laws (LLB) or Juris Doctor (JD) from an accredited law school, are a member in good standing with the Law Society of Upper Canada and have 3-6 years of relevant litigation and legal practice experience, preferably with a focus on regulatory or administrative law.

The Retirement Homes Regulatory Authority administers the Retirement Homes Act, 2010, which involves licensing homes, educating licensees, consumers and the public about the standards regulating retirement homes, carrying out inspections of retirement homes, and taking compliance and enforcement action as needed. The RHRA offers a great working environment, learning and development opportunities, work-life balance and, a competitive compensation and benefits package. We have a diverse workforce and are an equal opportunity employer.



### INTEGRITY COMMISSIONER

The Toronto District School Board (TDSB) invites applications from qualified individuals to serve as its first, part-time Integrity Commissioner. The successful applicant will serve the Board of Trustees, and will be responsible for providing advice, and conducting inquiries, workshops and complaint resolution in an independent manner having regard to the ethical responsibilities of the elected members of the Board (trustees). Appointed by the Board of Trustees as an independent contractor for a five year non-renewable term, the Integrity Commissioner provides advice on the application of the Board Member Code of Conduct, the Complaint Protocol for Board Member Code of Conduct ("Complaint Protocol"), applicable Board policies and procedures, and provides information with respect to trustees' obligations under the Municipal Conflict of Interest Act.

Interested persons can find more details about the position at [www.tdsb.on.ca](http://www.tdsb.on.ca)

Applications must be submitted via email with "Integrity Commissioner" in the subject line to [josellyn.arias@tdsb.on.ca](mailto:josellyn.arias@tdsb.on.ca) by no later than noon on **October 19, 2015**

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## Potential: Get as many perspectives as you can

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Diversify your interview panel

Besides asking the right questions, take note of how you structure the interview process. Candidates are typically passed through rounds of interviews so they can meet numerous decision-makers. Ask yourself whether your candidate is essentially meeting the same interviewer multiple times. While the number of interviewers is important, consider whether your interviewing team is diverse enough to truly assess the candidate from multiple perspectives, in order to minimize the potential for collective biases. A diverse interviewing panel can protect the firm from losing out on talent and enable the organization to assess candidates more creatively and effectively — this is particularly true for early rounds of interviews when first impressions are set.

In recognition of this, one of our clients strategically front-loads the interview process to ensure that every candidate is interviewed by the firm's two primary hiring partners who have very different personalities: one is more introverted and biased towards the candidate's personality, while the other focuses more on skill set. Subsequent interview rounds are similarly tailored with diverse panels which include diversity in gender, race and orientation.

While their impressions are generally aligned, some of this firm's top lawyers were hired after series of healthy internal debates which were only made possible by a having a range of perspectives in the room.

In the end, law firms often have the same resources, technologies and access to talent, yet certain firms tend to lead the pack year after year, and a common denominator among the leaders is a strong

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The Counsel Network

sense of corporate culture. Can your firm clearly describe its distinct culture? As Einstein's famous saying goes, "If you can't explain it simply, you don't understand it well enough."

Understanding your organization's culture allows your firm to claim ownership of the collective bonds that unite your team in its success — and this is what inspires top talent to join you and your team in staying committed to its mission.

David Namkung is a partner with the Counsel Network in Vancouver, vice-president of the Federation of Asian Canadian Lawyers (B.C. chapter) and a board member/volunteer of WorkingGear.ca. Follow him on Twitter @DNamkung.

### ANNOUNCEMENTS

## Intellectual strength

Nathaniel Lipkus has joined our growing Intellectual Property team as Partner

A seasoned intellectual property litigator, Nathaniel has participated extensively in patent and regulatory issues, with an emphasis on pharmaceutical and biotechnology companies. We are pleased to welcome Nathaniel to Osler as we continually enhance the strength of our Intellectual Property team.



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