



Understanding How Small Canadian Legal Employers Hire Summer and Articling Students

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Introduction

Law students are often surprised to learn that a majority of lawyers across Canada practise in small law firms/offices of fewer than 10 lawyers.¹ At some point in your legal practice, you are more likely to be part of a small firm than any other type of practice arrangement.

Some students begin their careers with a small firm (as a summer or articling student), and there are many advantages to doing so.² Others start with a larger firm, often because they are unsure of the type of practice they will pursue, and either find their niche in that larger environment, or look elsewhere after the initial experience. Finally, many students seek out professional employment with a range of other types of legal employers, including government, not-for-profit or public interest, or in-house counsel. The options are plentiful.

If you are seeking a summer or articling position with a smaller legal employer, it is important you understand how, when, and why small legal employers hire law students so you can conduct a productive job search, interview effectively, and determine whether a particular employer is the right fit for your current career goals.

How small is small?

The definition of a “small” or “mid-sized” law firm varies depending upon the market in which the employer is located. For our purposes, “small” in Canada means fewer than (20) lawyers. In smaller cities, bigger towns, and rural markets, a small firm/employer might be one (1) to five (5) lawyers.

When do small legal employers hire?

Each Canadian province has a regulatory body that governs the legal profession in the public interest.³ Some of these regulatory bodies also govern how and when summer and articling students can be hired. For example, Ontario’s hiring guidelines specify application deadlines, “blackout” periods during which no recruitment can take place, the day on which an employer can contact a student to book an interview, when an interview can be held, when an offer can be made, and more. Each province has its own hiring guidelines, so familiarize yourself with the guidelines for your preferred province so that you know what to expect from employers, and what they are expecting from you.

For advice on recruitment timing for your preferred market, consult your law school career development office.

An employer that wishes to hire an articling student must follow the applicable hiring guidelines for that province. Generally speaking, most of these regulated hiring timelines are quite “early”, meaning employers must consider applications for summer and articling positions at least one (1) year prior to when the candidate would begin work.

However, most smaller legal employers typically realize they have a business need for a summer or articling student after the regulated hiring period has occurred. This results in an employer hiring its summer or articling students one or two months before the employer needs the student to begin work — not one year in advance. Where an employer intends to hire a student after the regulated hiring period, or has permission from the regulatory body to hire outside the hiring guidelines, there are no specific guidelines governing how and when the hiring process may take place (aside from the employment laws of the province).

Some small employers will hire a summer or articling student each and every year, either during the regulated hiring period or afterwards. However, most small employers will only hire a summer or articling student sporadically — that is, not every year. These firms will hire based on business need and resources. Accordingly, don’t assume a small firm’s hiring needs will be the same year over year. The only way to know if a small employer is hiring is by speaking to lawyers at that office.

This handout will help you navigate the hiring process for small employers who are hiring after the regulated hiring period.

How do I figure out if a small legal employer wants to hire a student?

A small legal employer that does not hire students during the regulated hiring period is unlikely to post a summer or articling job, even if the employer has a real business need for a student. This is because most small legal employers have limited administrative resources to devote to hiring, and often, the lawyers themselves are responsible for human resources, business planning, and the practice of law, all at the same time. These employers generally hire through word of mouth, or when a student has taken a proactive approach to contacting the employer about its hiring needs. As such, as a job seeker, you must take a proactive approach to learning about student opportunities.

The following job search strategies will apply to small legal employers which have not posted a summer or articling job posting, either through your law school's career development office, the NALP Canadian Directory of Legal Employers (www.nalpcanada.com/), or some other online job posting website.

Start by creating a list of employers to target.

Consult your law school career development office to see if it has a list of small legal employers in your preferred practice and geographic areas that have historically hired students. Your law school may also have contact information for alumni willing to be contacted by current law students for informational interviews regarding their practice and career path.

Look at the employer's website, if one exists, to determine whether it has posted any information about current or historical hiring needs, or who an applicant might contact.

Your provincial branch of the Canadian Bar Association⁴

or provincial law society may have an online directory of lawyers and legal employers in your province. Consult this directory and develop a list of potential small law firms and other smaller legal employers in your preferred geographic and practice areas.

Tell everyone you are looking for a summer or articling position. Your law school professors, former employers, classmates, and non-law contacts may have professional or personal connections with small firm lawyers in your preferred cities and practice areas. Let these people know what sort of work you are looking for, so if an opportunity arises, they may let you know.

Prepare a “cold application email” to send to an individual lawyer at each employer you target. Your email should make clear you are writing to see if the employer is looking to hire a summer or articling student. You should clearly — and concisely — express the reasons for your interest in this employer's city, practice profile, and practice area. You should highlight a few reasons why you think you are worth meeting. The goal of this email is to set up a phone or in-person meeting with that lawyer to determine whether you might be a good fit for the employer. Attach your résumé, and make it clear how the lawyer can reach you.

If the employer's website is unclear as to who is responsible for hiring, send the email to the most senior lawyer in the office. Do not be disheartened if you do not get an initial

response. If there is still no response after three (3) to four (4) weeks, call the lawyer to follow up. It is appropriate to follow up, politely, two or three times (once per week) after your initial email before moving on. Your proactive, polite, and professional follow-up will demonstrate your initiative.

If you are targeting rural employers, or very senior lawyers who may not use email regularly, **consider making a “cold call”**, rather than sending an initial cold email. This initial phone call should not be with any expectation of talking to the lawyer right then and there, but rather to arrange a good time to talk.

Repeat the above strategy for each of your targeted employers. The earlier you start this process the better, as it can often take many months from the time a student initially reaches out, to the time the employer decides its workload justifies hiring a student.

If you are unsure about how to implement any of these strategies, consult your law school career development office.

What do I need to know about interviewing with a small legal employer?

If the employer follows the provincial hiring guidelines, those guidelines will determine when you will be contacted to set up an interview, including dates and times, when you may receive an offer, etc.

Beyond that, interviewing with a small legal employer is really no different from interviewing with a large firm.

Some small legal employers use a standard interview format, while others do not. Some conduct a one-to-one interview, while others have candidates meet with multiple lawyers. Some will use a two-stage interview process in which a candidate has an initial interview and returns a second time to meet with more lawyers. Since the process can vary from employer to employer, you may wish to inquire about the interview format when scheduling an interview time.

Do your homework!

When preparing to interview at a small legal employer, you should understand the office's range of practice areas and be prepared to speak about your specific experience and interest in its work, as well as its city and size. If the employer specializes in a focused area of practice (i.e., a “boutique” firm as opposed to “full-service”), you should be able to

clearly demonstrate why you are interested in this specialized area. If you cannot clearly articulate why you are interested in working in a smaller office, with a smaller team, in a particular city, and in particular areas of law, the employer will be less likely to offer you a job. For rural or regional employers, demonstrating your reason(s) for wanting to be in that community — ideally long-term — can be crucial.

What should I look for in a job offer to summer or article?

You are articling for a finite period of time after which you hope to be called to the bar. Similarly, a summer law job is for a finite period of time. The principal objective of summing and articling is to obtain quality, practical work experience, though salary and the intangible benefits are also important. In the perfect world, you will love your summer or articling job and the employer will feel the same about you, so that you'll be "hired back" into an articling position, or a full-time lawyer position when your summer job or articling position is completed.

Particularly because a small legal employer has fewer lawyers and staff, it's especially important to consider "if this is a good environment and employer for you". Ask yourself:

- Does the employer practise in areas that align with my strengths and interests?
- Am I clear on what I'll be doing day to day?
- Do I know how my success will be judged? What are the qualities of previously successful summer and articling students and lawyers at this employer?
- Do I know what sort of culture I'll be working in? Does it seem like a supportive environment?
- Do I know what type of manager I'll be working for? Do I like the lawyers with whom I'll be working?
- Are there lawyers who are my age or experience level or will I be working on my own?
- How will I be mentored?
- What is the firm's reputation generally?
- What is the firm's commitment to professional development?
- How does this job fit in with my overall career goals?

- Do I know how I'll be compensated, including salary and benefits? How does this compensation compare to other employers of a similar size, location, and focus?

To get an understanding of what is a reasonable amount of compensation for a summer or articling student in your province, or city, and in that particular practice of law, [consult your law school career development office](#). Although there are many excellent national salary surveys (NALP, for example), data about small firms can be more difficult to ascertain and there is wide variation depending on type of practice and region.

Vacation and other types of leave are regulated by the respective provincial employment standards legislation. In addition, some provincial regulators indicate how much vacation time an articling student may take during the articling term. In Ontario, for example, the maximum number of vacation days allotted to articling students is ten (10).

You will also want to know whether the employer will pay the fees and tuition related to your call to the bar. Each province has its own fees leading to the call to the bar, which may include a licensing course. Some employers pay these licensing fees as part of articling compensation. Some do so only if you will be returning as a lawyer following articles (that is, if you are "hired back"). Some do not cover these fees at all. Given fees associated with most provincial licensing programs and being called to the bar can be upwards of several thousands of dollars, it is best to confirm who will pay these fees when you receive a job offer and determine your compensation and other benefits.

How do I respond when I receive an offer?

If the employer is hiring during the regulated hiring period, when and how an offer can be made and accepted is set out in the guidelines. Both the employer and you must follow those guidelines.

Otherwise, responding to an offer from a small employer is no different than responding to any other employer. Be polite and professional — say thank you to acknowledge the offer and let the employer know you are excited about it. Ask questions about the offer if you have questions and confirm the timeline in which the employer needs to have a response.

Inform the employer of your decision in a timely and professional manner once you have made a decision. Often, the written employment agreement will follow before you start work. However, before that, you'll want to ensure you

understand the key terms such as start date, salary, benefits, vacation, etc. When the employment agreement arrives, be sure it matches up with the terms agreed to.

If you are not accepting the offer, communicate your decision in a clear and respectful manner. Remember the legal world is small, and the firm or lawyer you turn down today could be an employer, colleague, client, or reference tomorrow. ■

Endnotes

¹ Federation of Law Societies of Canada. ‘Statistics’, (2015), online at flsc.ca/wp-content/uploads/2014/10/2015-Stats-Report-FIN.pdf, 3.

² Ronit Dinovitzer. “Law and Beyond: A National Study of Canadian Law Graduates”, (May 27, 2015), online at ssrn.com/abstract=2615062 or dx.doi.org/10.2139/ssrn.2615062.

³ For a complete list of Canada’s Law Societies, see flsc.ca/about-us/our-members-canadas-law-societies/.

⁴ www.cba.org/Home

For more information

Contact the career development office at your law school.

University of Alberta
www.ualberta.ca/law/students/career-services

University of Calgary
www.law.ucalgary.ca/lawcareers

Dalhousie University
www.dal.ca/faculty/law/programs/jd-admissions/career-development.html

Lakehead University
www.lakeheadu.ca/academics/departments/law/practice-placements

University of Manitoba
law.robsonhall.com/career-development-office-2/

McGill University
www.mcgill.ca/cdo/

Université de Montréal
droit.umontreal.ca/ressources-et-services/centre-de-developpement-professionnel/

University of New Brunswick
www.unb.ca/fredericton/law/current-students/career-services.html

Osgoode Hall Law School
www.osgoode.yorku.ca/career-development

University of Ottawa
commonlaw.uottawa.ca/en/students/career-and-professional-development-office

**Peter A. Allard School of Law,
University of British Columbia**
www.allard.ubc.ca/career-services

Queen’s University
law.queensu.ca/jd-studies/career-development

University of Saskatchewan
law.usask.ca/law-career-office/index.php

Thompson Rivers University
<https://www.tru.ca/law/students/career-services.html>

University of Toronto
www.law.utoronto.ca/student-life/career-development-office

University of Victoria
www.uvic.ca/law/jd/lawcareersoffice/index.php

Western University
law.uwo.ca/current_students/careers/index.html

University of Windsor
www.uwindsor.ca/law/careers/

Resources from the Law School *(Click text box below to add your own resources)*



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