How to Negotiate a Good Offer from a Law Firm

Congratulations! Finally, an offer that you can seriously consider! Up to this point, you’ve focused on packaging, presenting, and proposing. Now, attention turns to getting precisely what you want—and the ante is raised.

With that issue on the table, it is now time to refine the offer. If you are perfectly happy with the dollars and the package the employer has laid out, by all means, don’t tamper with it. But if it isn’t up to your expectations, it is perfectly OK to negotiate a better deal. This is the risk-taking portion of the program—you get to ask for what you want.

Employers come at job offers from this angle: if they bring the candidate on board at a lower salary, hundreds and possibly thousands of dollars will be saved over the time the candidate is employed with the organization. As for you, starting at a salary that is far lower than you need will cause incredible angst as you try to make up the difference over the next few years.

Here are a few ways to better equip yourself to avoid possible friction during the actual discussions:

1. If you are planning to negotiate over the phone, make certain you
   - Are in a private area so you can talk freely—eliminate all distractions
   - Are not on a cell phone or car phone, which can lose the signal or create interference
   - Have your resume, offer letter, paper, pencil, calendar, and calculator ready.

2. Make certain you know the employer’s issues or concerns, such as
   - Employer is concerned you may not have enough education or experience.
   - You are asking for more than the employer bargained for.
   - Employer may lack the authority to change the terms of the offer, causing the employer to feel disempowered. (For example, if an administrator has to go back to the managing partner to get more dollars.)
   - Pinpoint the roadblocks in the flow of communication that might arise because of your concerns or hot buttons. Don’t get angry. Get over it.

   1. Develop an outline with the main points you want to cover in a logical sequence.
   2. Have your counteroffers ready.

Rehearse key phrases and wording that will help neutralize the employer’s tissues and the resulting roadblocks. Here are just a few key phrases that might help:

"I can appreciate the pressure you must be under. I would like to find a way for us to resolve one area of concern. I’m hoping that the firm has some flexibility.”
"Thank you so much. I was hoping to get this job offer. I would like to make sure that we won’t be cut short in this discussion. I have some time to talk now. Would that be convenient for you, or shall I call you back around 3:00?"

"Thank you for this insightful offer. I’m delighted at the possibility of working for Jones & Jones. However, there is one remaining issue that I hope we can resolve together."

"I have some concerns about the level of assignment in regards to what the corresponding pay is. Can you clarify a few things for me?"

**How to Ask the Question**

Frequently, employers are thrilled they have found the right candidate and are excited when they present the offer. It becomes incumbent upon you not to deflate their egos. How you ask the question to attain more dollars is central to your successful negotiation. Asking close-ended questions will most likely cause you and your potential employer to be on opposite ends of a spectrum:

Closed-ended questions (which you do not want to ask) would be "Can you change the base compensation?" Asking questions that call for a yes or no answer do not allow for discussion. There's nowhere to go with it. Again, a closed-ended question. It's too easy for the employer to say "no." This is a statement of fact or an objection, not a question toward resolution. Another statement of fact, which does not lead to resolution.

Your goal is to open up the discussion and create possibilities in an atmosphere that is comfortable. You can only do this by asking several questions and creating a common focus of resolving an issue together. You might try these open-ended questions:

"The base salary is lower than what I am currently making. Can you tell me what factors were revolved in arriving at this salary?"

"Are there ways in which we could include more in the base salary so that I do not have to take a 20 percent pay cut?"

Use salary survey information as a basis to point to for validation of your salary request. The Association for Legal Administrators offers a great salary survey. Legal Assistant Today magazine offers another excellent national survey. You may be able to obtain one from your local paralegal association. If not, you can always conduct an informal survey by calling local staffing organizations who may be willing to assist you. Your response to an employer’s offer may be:

"According to recent salary survey information, this offer is slightly below market rate. How can we work together to bring it up?"

"Given your need for someone with my background and given my interest in this position, can you share with me how we might exercise some flexibility in this offer?"

"How can we reshape this compensation package?"

When putting together your negotiating tactic, take into consideration whether you bring something unique to the firm. Now is the time to be very honest with yourself about your present skill level and expertise. The strategy is to get the firm to acknowledge that you are bringing something to the firm that it does not already have. For example, a nurse entering the paralegal field may bring a value-added skill that the firm does not have but needs. It is therefore worth more dollars to the firm. An experienced paralegal seeking a higher salary may be replacing a more junior-level paralegal. In this instance, the candidate can use her experience level by saying:

"I am very experienced in medical malpractice issues because of my four years at Smith and Jones. I will be able to complete assignments quicker than more junior-level paralegals could. You will be able to compensate for the additional increase in salary because you will be able to bill my services at a higher rate to the client."

**WHAT TO DO IF YOU CAN'T GET MORE MONEY**

Sometimes you won't be able to get the employer to up the base pay. You just can't. Either the firm has
given you its maximum amount of dollars it feels it can for this position, or it just doesn’t agree with you about additional dollars. In either case, you may still want the position. And it may still be a good one for you. The trick is to avoid the escalation of uncomfortable feelings that can often result in ineffective exchanges. The stakes remain high—this is your career, and a good portion of time and energy is about to be dedicated to this new firm or organization.

The following questions can be used as a pivotal turning of the negotiations from salary to benefits, perks, and action items:

"In what ways can we redefine this offer?"

"In what ways, other than compensation, can we think about changing the nature of this offer?"

Once you have turned the negotiations from salary to added compensation in other areas, you might ask for a replacement for actual base dollars. Consider asking for one of the following instead:

- An accelerated salary review in 3 to 6 months (make certain you ask for a salary review, not a performance review!).
- Tuition reimbursement for classes or seminars for the Certified Legal Assistant designation or specifically those aimed at your new position.
- Tuition reimbursement to finish your degree or certificate, provided you stay with the firm for a certain length of time after achieving the designation (usually one to two years or more).
- Stock options, if provided by the organization.
- Hiring bonus. (Entry-level paralegals, we’re sorry, but generally firms do not give hiring bonuses to this level. They may make an exception, however, on very rare occasions, if they desperately need an entry-level with your particular unique skills and none is available anywhere.)
- Guaranteed year-end bonus.
- Four-day workweek.
- Laptop computer and telecommunications setup.
- Private or window office.
- Better or stronger title. (It will be useful for salary negotiations down the line. Or in the event you leave this position, a stronger title positions you to start negotiations at a higher level than here.)
- Salary in lieu of health benefits (if you can do it).
- Delayed start date.
- Additional vacation (not always negotiable).
- Car or generous allowance if one is required for traveling in the position (such as an investigative paralegal).

KNOWING HOW AND WHEN TO CONCEDE

Knowing how to handle objections to your requests is important. Navigating employers to close the deal is a learned skill. We weren’t born knowing how to do it. Before addressing the employer’s objections to your request, remember the employer is a buyer and you are the salesperson. A buyer, according to Garry Karrass in Negotiate to Close (Simon & Schuster), needs to feel satisfied. These “satisfiers” contribute to the buyer’s satisfaction, which is imperative for smooth sailing once you have started with the firm. It does you no good to alienate the buyer. After discussions are completed, you’ll have to work with this person, and you want that relationship to be comfortable and without ill feelings.

Most potential employers want to

- Feel competent and confident they are making a “good hire.”
- Avoid trouble.
- Look good within their own organization. A hiring authority’s job may depend on whom he or she hires.
- Get relief from overburdening work.
- ”Save face.”
- Have the process over with.
- Be considered fair and nice.
- Be listened to and taken seriously.
- Feel as though they got someone that somebody else wanted.

In negotiations, according to Karrass, how you concede may be more important than what you concede. We try to make the “buyers” earn the concession. We hesitate, we ask for time to reconsider, we may even consider other job offers. Then the buyer feels better. She can go to her administrator or managing partner and say, “I couldn’t get that candidate at the right salary. She wouldn’t come down in dollars.”

Another concession-making guideline: Always give yourself room to negotiate. What you ask for may not be what you are willing to settle for. For example, if you are negotiating salary points, you may ask for a salary slightly higher than what you might be willing to settle for. But don’t pull the pin on the hand grenade, throw
it over to the fence, and run for cover! If you cannot justify your request with solid aspects about your skill level, background, experience, or education, backed up by salary surveys, documentation, or market conditions, reconsider whether you should ask! And be careful not to give the employer the impression that your request is nonnegotiable when it is not. One good phrase to use is "I would consider an offer at $40,000 per year" rather than "My bottomline is $40,000 per year."

**DEADLINES**

Most good negotiators will issue a deadline. You must be able to determine whether the deadline is real. There is a tremendous amount of pressure to concede as the deadline nears. Stay calm. Most of the time, it’s the employer who sets the deadline and the candidate who must adhere to it. However, if you have placed a counteroffer on the table, there’s nothing wrong with asking, "How soon can you get back to me?" or "While Jones & Jones is my first choice, I do have another offer to consider. Can you get back to me by Friday?" Negotiations that continue on too long run into several dangers: confrontations, disinterest from both parties, or missed opportunities on both sides. It’s better to set the expectation as to when the negotiations will conclude.

We want to make sure that not only you, the candidate, is satisfied with the offer, but also the employer is satisfied with what she is getting. You will probably be seeing this person quite a bit once you land in the firm. It’s better to have made friends rather than enemies.

**Give in slowly and thoughtfully.**

- Give yourself room to negotiate.
- Give in graciously.
- Don’t mishandle a ridiculous offer.
- Don’t ask for the moon if at least part of the moon isn’t yours to have.
- Don’t concede too much so that you are miserable after you start.

The overall concept of conceding is that we want to wring as much buyer satisfaction as we can out of each concession. We want the buyer to know that he earned the concession in some way. He’ll feel better about the negotiation, and so will we.

**USING A STAFFING ORGANIZATION TO NEGOTIATE FOR YOU**

This is probably one of the few times in your professional life where a third party is at your disposal who can allay your fears, test the waters on your negotiating ideas, and inject some excitement and camaraderie into what is usually a lengthy and emotionally draining process. Good recruiters are highly trained in the negotiation process, and it is in their best interests to ensure that you get the job you want at the dollars you want.

An ethical recruiter will tell you about each stumbling block. Don’t shoot the messenger! Employers will confide in the recruiter things that they cannot confide in you as a candidate. This gives you the distinct advantage of being able to correct the course as it develops. The recruiter serves as the conduit for feedback on both sides.

An employer will also give a recruiter an indication that you may be the firm’s first choice, giving the go-ahead to discuss the parameters of an offer to get your initial read. Any objections can be headed off and a firm offer tweaked through this process. The recruiter can either negotiate between the two of you or pave the way for direct dialogue between you and the firm. But the process still belongs to you. You are at the helm, and you guide the process. Listen to what your recruiter has to say, but make up your own mind. Don’t get pressured into taking something that you don’t want. Ask your recruiter to amend your requests and carry your counteroffers. A good recruiter will facilitate the process but cannot and should not decide for you.