



ATTORNEY SEARCH

by Stephen Seckler

### Finding the right way to explain a negative

Daniel Smart was having a difficult time with his job search. Dan (whose name has been changed for this article) had an impressive resume. He graduated with honors from a top law school and spent four years at a major Boston firm.

Four months after Dan had been fired, however, he was still feeling unsettled. He knew that his performance had been below par and he realized that the job was no longer a good fit. Objectively, he understood that he had not been turning around work fast enough.

But being terminated had come as a big shock. He was unaccustomed to failure and he was still trying to figure out how to explain his departure to prospective employers.

Stephen Long (also not his real name) took a generous severance package when his company was acquired. After leaving his job, he spent the first several months reconnecting with his family and pursuing a number of personal interests that had been put on hold during the sale.

But in the past year, Stephen has been unable to find another full-time job as in-house corporate counsel. He has picked up several clients for whom he does work on an independent contractor basis. Nonetheless, Stephen believes that the length of his unemployment is a stigma and he worries that the stigma gets worse with each passing month.

Job-hunting is challenging to the ego. It is a process that is filled with rejection. One career counselor described job hunting as "No, no, no, no, no, no, no, no ... yes." Add in all the unreturned phone calls (including lawyers who used to call you right back when you were their client) and even the strongest ego is likely to feel somewhat deflated.

And what if there is a blemish on your record? What if you were fired from your last job? What if you didn't make partner and were asked to leave? What if you are stuck working for a difficult partner and decide that leaving is the only viable solution if you want to preserve your mental health?

If you are in transition and have some explaining to do, here are some tips that might come in handy. While I would never suggest that job hunting is fun or easy, the situation is probably not as dire as you perceive. As long as you keep your volume of contacts high and take an active role in looking for opportunity (i.e., rather than relying on classifieds and recruiters to identify jobs for you), success is just a matter of time.

FINDING THE RIGHT WAY TO EXPLAIN A NEGATIVE

### *1. Is it really a negative?*

If you lost your job because business conditions were poor or your company was acquired, some self-reflection may be in order. Your first line of defense after a layoff is to get comfortable with the fact that losing your job had nothing to do with you.

Getting laid off is not as big a stigma as it once was. We live in a culture where lifetime employment has largely disappeared. Most professionals will change jobs several times during their careers and many professionals will have to endure at least one period of unemployment.

If you lost your job because your company was acquired, wear it as a badge of honor. I'm looking to help another start-up company succeed. We make money Industries was a great opportunity to help a small company grow; but we achieved our goals and it was time to move on.

Similarly, failing to make partner is no longer the negative that it might have once been. As firms elevate fewer and fewer lawyers to the top tier of the firm, you should be assured that you are in good company.

It is well known that being a great lawyer is far from a guarantee that you will be voted in. Only one lawyer from my starting class was elevated to partnership and his department has been much busier than my department.

If you were laid off when business slowed, did you survive the first few rounds? If you were working at a firm, were you part of a group of lawyers who were let go? I was one of 10 lawyers who were laid off from the corporate department of Smith and Jones.

Recession and business failure are facts of life. Killer technology and a great business team cannot help you if no one needs your technology or services.

### *2. The truth, nothing but the truth – but not the whole truth.*

In an interview, you should always tell the truth. You also have an obligation not to mislead an interviewer. Don't suggest that you left voluntarily if you were asked to leave. But you are under no obligation to share all of the sordid details of your demise.

What if the partner you worked for was unbearable? Try: Smith & Jones was a difficult place to work. What if your performance suffered because you were bored out of your mind? Try: Smith and Jones was not a good fit.

I was once screening a candidate for a search and I noticed that she had a big gap on her resume. I asked her what she was doing during this time. She answered: "I was a drug addict." It would have been more effective to tell me that she had taken off some time to deal with personal issues.

Sometimes the whole truth is best because it provides a very good explanation for something that might be perceived as a negative. It also removes any speculation that you have some skeletons in your closet (e.g., the gap in your resume is because your mother was sick and you left work to care for her).

### *3. The best defense is a short defense.*

In crafting an explanation for anything that needs explaining, your best strategy is to be terse. A well-rehearsed line in response to a question about something negative is much more compelling than a verbose explanation. The last thing you want to do at an interview is sound defensive – and lengthy answers will sound defensive.

Giving a long-winded response will also invite more discussion about the very topic that you want to avoid. If you can keep it short and sweet, then you can steer the conversation in a more constructive direction (i.e., whether you are a good candidate).

Once you come up with a good explanation, practice it in front of a mirror. Get feedback from your friends and family. You want to sound confident and credible.

This can be hard for lawyers. Lawyers are trained to provide detail. But lawyering and marketing call for very different styles of communication. In marketing yourself, you want to distill your experience down to essential talking points.

Job-hunting is not an exercise in documenting your entire work history. Rather, it is an exercise in communicating a positive message about what you have to offer an employer and why you are a good fit. No company sells soap on television by listing every ingredient. Similarly, you only need to give pertinent highlights to an interviewer.

#### *4. Explain why the negative would be a positive in the new situation.*

Sometimes, the very reason you failed at one job is the reason why you might succeed at another. You are not interested in financial services but you have a great interest in technology. You enjoy serving small business clients with entrepreneurial owners. You don't connect as well with executives at large corporations.

If you like to give projects the time they deserve and you have trouble limiting the number of billable hours that you charge to a matter, then maybe you are more valuable in an environment where your contribution is not measured by your billing efficiency. I am better suited to an in-house environment, because I am very thorough. In a law firm, I feel like I am penalized for doing a good job.

#### *5. Make time for yourself.*

When your self-esteem is low, it is hard to project confidence. But self-confidence will dramatically increase your chances of getting hired. The Catch 22, of course, is that you derive a lot of self-esteem from working. So how do you project self-confidence when being unemployed is really hurting your self-esteem?

The simple answer is that you need to find other ways to improve your self-esteem. Make exercise part of your job search. Eat well and spend some time on things that you like to do. Pick up the guitar that has been sitting untouched in your living room. Go on a hike or a bike ride. See some museums that you enjoy. Do some volunteer work. Join a chorus.

The point is to find something that you enjoy and set aside time to do it. It will help your mood and make you more confident when you are out speaking with other professionals about your search.

If you feel like you need extra support, consider hiring a coach or talking to a mental health professional. While conserving cash may seem critically important to you right now, realize that getting help may shorten your search and ultimately cost you a lot less in the long run.

#### **Conclusion**

Being unemployed is one of life's greatest stresses. There will be many ups and downs while you search for your next position. But if you take the time to focus your message and practice it, you will be much more effective when opportunities do come your way.

Just remember that relative to most of the working people in this country, you are looking for a high-paying job. While you may get lucky and land something in your first week of pounding the pavement, in all likelihood it is going to be a process that takes some time; so make the best of it.