

The Problem with Contract Work

By Jennifer McKee

We often hear from attorneys with whom we are working that they are contemplating doing contract work while they look for permanent employment. Generally, these are attorneys who have worked for a while at law firms, but have been laid off or have relocated. They are thinking about doing contract work for one or more of the following reasons:

They need the money that contract work will provide to support themselves during their job searches;
They believe that contract work will allow them to keep up their skills; and/or
They believe that firms will view their contract work favorably, or at least neutrally, when evaluating their applications for permanent employment.
Many of these attorneys are surprised to learn that we advise our candidates to avoid doing contract work if at all possible.

Why do we advise against contract work for our candidates? Because it makes them less marketable.

The attorneys with whom we work are not average; they are highly qualified, with strong academic credentials and **excellent law firm experience**. They are not seeking average positions with average firms; they are looking to take their careers to the highest level with top law firms. The positions to which they aspire are highly competitive. The firms receive scores of resumes from stellar candidates and are able to be very selective in deciding whom to interview and hire. Therefore, a candidate's resume should be as clean and compelling as possible.

Unfortunately, top law firms tend to look down on contract work simply because it is contract work. This is true even if a firm hires contract attorneys; partners and hiring coordinators generally view the contract attorneys they hire as not up to par for permanent hiring. Moreover, firms know that, with rare exceptions, contract work does not provide the kind of stimulating work that will allow an attorney to maintain or upgrade his/her legal skills; the work often is rote and unchallenging.

Thus, if a hiring contact at a prestigious law firm to which you are applying sees that you are doing-or have done-contract work, he/she is less likely to be interested in you. This may not be fair, but it is the reality.

Another problem with contract work is that it increases the likelihood that you will have a conflict with the firm to which you have **applied for a permanent position**. Conflicts checks are a routine and necessary part of any law firm hiring decision. While each firm's conflicts check procedure varies somewhat, you generally should be prepared to provide a list of all clients for whom you have performed legal work in the past three to five years. This includes contract work. How unfortunate it would be if a firm was unable to make you an offer because you did some temporary contract work for a client that has a conflict with one of the firm's clients! (Obviously, the chances of contract work causing a conflict increase exponentially if you work as a contract attorney for more than one firm.)

Of course, we understand that in certain circumstances, highly qualified attorneys have no choice but to do contract work while they look for a permanent position; financial realities may dictate it. But if you have the means to avoid contract work, you will increase your chances of **making a lateral move** to a top firm. Moreover, if you must do contract work, try to limit the number of firms and projects with which you become involved. This will lessen the likelihood of conflicts with the firm that you hope to join on a permanent basis.