

## *How to Handle a Big Law Layoff*

As a recruiter, I occasionally encounter candidates who have been laid off by their firms. At most AmLaw 100 firms, the dismissal is handled in a fairly civilized manner. The candidate is taken aside and told that "things are not working out"; and that he has approximately three months to find a new position. During this three month grace period, the firm usually allows the candidate to continue to use the office, keep his profile page on the firm website, and generally maintain the appearance of employment while he pursues a new position.

### **Reactions to the Dismissal**

Candidates who are dismissed from their firms often experience a variety of reactions. They are angry, hurt, frustrated, and sometimes even confused. Questions like "What did I do?", "Why is this happening to me?", and "How will I ever find another job?" are very common. Often a candidate did not "do" anything. When you are dealing with candidates who have been high enough achievers all their lives to even get a job at an [AmLaw 100 firm](#), then it becomes increasingly unlikely that they actually did anything to precipitate their dismissals. It is more often the case that the firm (or more specifically the candidate's practice group) is slow, and since the firm is unwilling to admit that they are slow, they decide to tell the candidate that "things are not working out". Another fairly common scenario is that the candidate got on the wrong side of the wrong partner in the group, and his entire existence is now colored by his experience with that partner. In fact, the very way candidates who have been dismissed are treated - e.g. given a three month grace period - suggests that the firm knows that the candidate is not wholly (or may be even partially) at fault. Take solace in this perspective; be grateful for your grace period; and focus on finding a new position.

### **References Are Critical**

[When I encounter a candidate who is being dismissed, I ask him whether he can obtain references.](#) In the last ten years, firms have begun to take the position that they do not give references for departing attorneys regardless of the manner in which the attorney is departing. Firms will merely confirm dates of employment. Occasionally, when a firm has this policy a partner (who likes the candidate and knows the real reason the candidate is being dismissed) will act "off the record". Other times, a candidate can reach out to a partner or [senior associate](#) with whom he worked but who is no longer with the firm; and, therefore, can act as a reference. If neither of these options is available, then the candidate must be able to provide references from law school, a clerkship, [or perhaps even another law firm where he summered](#). It is imperative that a candidate be able to provide references both for the [new firm](#), and also for me. I will not work with a candidate who cannot provide references because I value my clients - the law firms - and I do not want to jeopardize my relationships with them by submitting a candidate who may be a difficult or problematic employee.

### **Maintain Your Hours at a Respectable Level during Grace Period**

It is hard to show up at a [law firm where you have been dismissed](#), and no one is going to minimize how difficult it may be to show up every day for three months while you try to find a new position. I am not going to make life easier by telling you that not only must you show up for work each day, but I highly recommend actually doing some work while you are there. I make this recommendation because a new trend among law firms is to have all candidates - not just partners - complete a Lateral Hiring Questionnaire ("LHQ") as part of the hiring process. The LHQ always asks for your hours to date. If you learned that you were being dismissed in February (and stopped doing billing), and you are completing a LHQ in May, and you only have 350 hours for the year, then it is going to raise questions that you probably do not want to answer. In all likelihood, the new firm will figure out that you have been laid off, and may even pull the offer. It is critical that you continue to bill hours while you look for a new position. You can even explain to your current firm that you do not want

to be in a position where you are accepting a check each week, but not doing any work. I am confident that they will find some project you to handle so that you can stay busy, and be honest when completing your LHQ.

## Keep Track of Your Submissions and Engage a Committed Recruiter

Usually, I do not need to tell a dismissed candidate that he should submit his resume as broadly as possible. Often I have the opposite problem. A candidates may be so anxious that he thinks that using multiple recruiters and submitting to the same openings repeatedly will increase his chances of getting interviews and offers. It will not. If anything, this scattershot approach - much like suspiciously low hours - will be a red flag to new employers. A dismissed candidate who has been laid off should absolutely explore all possible job opportunities, including jobs in different geographic locations; however, he should keep track of his submissions so that he does not submit multiple applications. In addition, a dismissed candidate will have much better results if he finds one recruiter who really believes in him and wants to invest time in his search. One committed and experienced recruiter is worth more than ten experienced but less than dedicated recruiters.

## Conclusion

Weathering a dismissal from an AmLaw 100 firm is challenging. It is absolutely normal to experience a wide range of emotions and reactions. Feel your feelings, but do not wallow in self-pity or agonize over the past. Accept the things you cannot change; and you most certainly cannot change the past. Focus instead on the future. Who will you use for references? Having excellent references is critical. Who at your firm will continue to give you work? Seek out that person and maintain your hours. It is likely that you will be asked about your hours to date by your new employer. Who will help you with your search? Find a reputable and dedicated recruiter who understands your predicament and believes in you. Multiple submissions are not a good idea, but a focused and experienced recruiter who genuinely knows that market and is loyal to you is invaluable. As the saying goes . . . "Stay calm and carry on!"

See the [Top 32 Reasons Attorneys Lose Their Jobs Inside of Law Firms](#) to learn some of the most common reasons attorneys are fired or let go from law firms.