

## *Two Essential Elements to Handling A Bad Departure From A Former Firm*

Sometimes things just don't work out as planned in our legal careers. We may not have gotten into the law school of our choice, the economy pushed us into a practice area we did not prefer, or we may have gotten stuck working for the nightmare partner everyone tries to avoid. Most anything can be overcome, and this includes a bad departure from a former firm, but it really comes down to how you handle it and finding the right approach.

One of the most frequent things I see as a recruiter is a set of candidate materials where something questionable stands out, like a very short tenure at one firm on a resume, or the lack of a listed reference from a recent employer of many years, both of which are fairly obvious indicators that something did not work out very well at that particular firm. I, and any hiring partner, are going to notice these things - we see hundreds of resumes a week, and patterns stand out.

In other words, if there is something that represents a potential issue on your resume, you are going to have to deal with it at some point, so it is best to formulate an approach and explanation in advance of your job search.

This article is obviously too short to cover every potential scenario, since every attorney's individual circumstances will be different, so I will just briefly cover the two absolutely essential elements to dealing with a bad departure from a former firm:

The first, and very most important thing in dealing with any situation is to always tell the truth. If you are a lawyer, you are likely already extremely familiar with the notion of telling the truth versus full and complete voluntary disclosure, but it is absolutely imperative that you do not twist or hide essential and easily-verifiable facts in telling your employment history to a potential new employer. The legal industry is small, and extremely insular at times, and the worst thing you can do is develop a reputation for deception and dishonesty. [Any firm's hiring process is going to involve reference checks, and firms will want to speak directly with a partner at your most recent firm\(s\).](#) If you are hoping to hide something, such as being let go because you blew an assignment, or termination due to other issues besides a lack of business, you will be out of luck, so you should be prepared to deal honestly with any issue head-on. The best case scenario is when the former partner is willing to be discreet and give only the barest details of your circumstances, which brings me to the second essential element:

Make an effort to get the whole story and know what your potential references are going to say about you. I once dealt with a candidate who had amazing credentials, but was currently unemployed after departing his most recent firm a few months prior. When I asked for an explanation, he had apparently blown a big assignment due to a clinically-diagnosed nervous breakdown, to which a number of outside factors contributed. Things like this happen, so I reassured him we would be okay pressing forward with his search, but the problem came when he could not tell me what his former firm's version of his story would be. In fact, he had had no contact at all with any former partners or colleagues since leaving his office and heading back home to another city. This unknown x-factor was something I could not work with, since it is my responsibility to provide firms with the full picture of my candidates, so I instructed my candidate that he needed to get in touch with his former firm to discuss the circumstances of his departure and to ask for a discreet recommendation for any future employer. The candidate did not want to do this because it would be both difficult and embarrassing, but any hardship associated with contacting a former employer in these circumstances would be multiplied a hundred-fold if it came late in the interview process when an offer was already on the table. Bottom line, is that you need to know what you are dealing with going into your search, because firms, hiring partners, and recruiters, do not like surprises. Bad information can be dealt with, but

you have to know what it is.

Most everything else associated with explaining a bad departure from a former firm is going to be on a case-by-case basis, and you should work with your recruiter to develop a solid explanation and strategy for dealing with this issue upfront. But whether you are dealing with this on your own independent search, or with the assistance of a recruiter, it is essential that you do not twist the truth, and that you do the homework/research on yourself that you know the hiring partners and recruiting coordinators are going to do on you, and particularly what your references and former employers are going to say in advance of sending out your resume and going on interviews. It is better to be unpleasantly prepared than unpleasantly surprised!