



## *Article of the Week from Harrison Barnes*

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### ***Legal Career Suicide: Quitting a Job without Having Another One Lined Up***

**Summary:** Considering leaving your law firm? You must be prepared to make a transition to another firm before you go. Otherwise, your career will be in jeopardy.

One of the craziest and riskiest things any attorney can do is to quit a job without having another one lined up. It really does not matter what sort of job it is. It could be another firm job, a judicial clerkship, or a job as an in-house counsel. If you quit a job without having another one it becomes excruciatingly more difficult to get a new job. I would estimate it is about 9-times more difficult to get a new job when you are unemployed than when you are employed. It can be done (and I am going to tell you how), and you can even make not having a job a good thing, but you need to know what you are getting into before quitting a job without having one lined up.

As a preliminary matter, I once quit a legal job without having another one lined up so I am in a perfect position to tell you about it. In fact, it was arguably the greatest move of my life and something I will never regret having done. However, you need to understand that if you quit a job without having another one lined up—and actually want to stay working as an attorney—this is an incredibly risky proposition and will unnecessarily complicate your job search efforts.

Years ago, before they went out of business, I was working in the Los Angeles office of [Dewey Ballantine](#) and it was a fairly frightening situation. The New York-based firm had, for the most part, priced itself out of the Los Angeles legal market with billing rates as much as 50% more than major Los Angeles law firms and there was not a lot of work in the office. With an absence of work, partners were being let go in droves and associates were also dropping out and taking any sort of job they could get. Because the partners did not have much work, they were not happy and the atmosphere was pretty unpleasant in all respects.



From what I remember, by the end of my first year with the firm I was one of the only associates left on the corridor I was working on. When I would walk down the hallways, I would see a few partners consistently playing solitaire because they had nothing to do.

In one well-publicized instance, the firm leased out and furnished an entire additional floor of the Los Angeles skyscraper we were in. Just days away from bringing in over 50+ attorneys from [Paul Hastings](#), the partners responsible for the deal were spotted meeting with the Paul Hastings attorneys by other Paul Hastings attorneys—in our office—and it was obvious to all what was going on. Though the deal had been in the works for over a year, everything fell apart and Dewey was left with maybe a half dozen attorneys who ultimately made the move.

After that, things went downhill very, very fast and morale was very low. More and more attorneys started being let go even faster than before. Every few days I would receive a long email diatribe addressed to all the attorneys in the office on someone's last day reflecting on their experience in a positive light but generally having a subtle barb at the firm.

While I was able to bill over 2,000 hours (required for a bonus), I was not pleased with the absence of work or the need to sniff out any sort of work that was available. Although I was in the litigation department, I made friends with a corporate attorney and started doing corporate work with him and learning a little about that. The former Attorney General of California, [John Van de Kamp](#), worked in my office. He was quite patrician and very classy and distinguished.

He had a friend who owned an auto insurance company in Massachusetts and gave him the cases of people who drove from Massachusetts to California and got into accidents. John gave me all the cases. That was good stuff. I billed at least a few hundred hours a year doing auto accident cases and it was entertaining. Other associates in the firm could not believe I had stooped so low to do these cases. They were happier with no bonuses and their jobs at risk for no hours.



“Are you sure the light was red?” I might ask in a deposition.

“Yes, it was red.”

It was high-profile, important work that took me closer to my goal of getting a bonus!

Somehow, through a few people I knew casually, I started bringing in bits of work from small companies in the Bay Area that had an abundance of money they had no business controlling. This was the “Dot Com Boom” and everyone was getting rich. Incredibly, the young clients I was working for in the Bay Area thought the fact that Dewey’s billing rates were so much higher than any other firm somehow made the work Dewey did better than the work of other firms. (I’ve never understood how that one works.)

“You mean you are hosting your website with a giant website hosting company and you want me to call the general counsel of the hosting company and negotiate a contract?”

“Yes! We want to get the best terms!”

“How much is the hosting contract for?”

“It’s for one year at \$90/month. But what if the data center explodes? We could lose all of our work! It would be bad for business!”

“Are you sure this is necessary?”

“We think it is and so do our investors. This is going to be big and we are not taking any chances.”

In this particular instance—and many more like it—I sent the company a bill for over \$10,000 for drafting a silly contract that in my opinion was completely unnecessary. I went back and forth with someone in the legal department of the giant hosting company and we



redlined again and again. On a few instances, we may have even done a conference call or two with a few people in my client's company who gathered around a Polycom speaker-phone to hear what they had gotten. They were putting a website on the World Wide Web! This was important business.

This ridiculous situation somehow led to more and more referrals and in a short time I was doing \$20,000 to \$25,000 a month of stupid little agreements and other miscellaneous assignments for various small companies and individuals. I want to be very clear that I have no special business generation ability. These were pretty extraordinary times. I was young and in the right place at the right time. This would not likely have lasted more than a year or two. The economy was acting crazy.

Each time I would get a new client I had to take it to a young partner in the law firm to get a conflict check done. The partner would also get "originating credit" for the client (not me) since associates were not compensated for bringing in clients. After five or six of these deals, I along with every other attorney in the Los Angeles office got a mass email from the young partner's secretary stating that the conflicts-check partner "has incredibly brought in another Internet client!" The email then went on to describe what the client did.

One day I was out to lunch with another associate and he remarked to me that the partner was "really on fire" and the office was going to get really busy with all of the "internet boom work."

While I was not necessarily proud of charging companies that did not understand money \$10,000 to \$25,000 to negotiate silly little contracts, I started to see that even as a young associate other people were trying to take credit for my work. My only objective had been to bill enough hours so I could get a bonus!

One Christmas I went home for a break and started reflecting on how difficult it had been to bill 2,000 hours, the pervasive sense of dread in the office, the fact that people were taking credit for my work, the fact that people seemed unhappy, the fact that the office was going



downhill and the general lack of any optimism in the environment I was in. No one was particularly nice to each other and no one was really very happy at the firm.

Moreover, I was doing auto accident cases. In one terrifying instance, I had to end a deposition in an auto accident when a 500-pound attorney in sweatpants showed up to defend a deposition, drenched in whisky smelling sweat, and threatened to “pound my ass” if I asked his client if she saw a car in front of her again. I had to end the deposition.

When I told John Van de Kamp, an old, patrician, upper class sort of man (his family [founded a large bakery and frozen fish company](#)), he simply stated “That’s curious” and went back to his “email”. He did not use a computer and his secretary would print his emails and read them to him and he would dictate a response.

I did not see a future where I was, and I did not see a future in a law firm at that moment. I thought about it long and hard for the rest of my vacation and when I got back to work, I sent a short email to a few partners I was working with and the head of the office announcing that I was giving two weeks’ notice and left it at that. It was just too much. From a psychological and health point of view (I could scarcely fit into my pants and was worried I too would soon need to wear sweatpants to work—what would John Van de Kamp think?), I was clearly better off doing something else.

I figured I would leave and lead an unsatisfying life doing website development agreements from an extra bedroom in my 1,200 square foot house. Problem solved.

What I did not know then—but know now—is that if an attorney quits a job without having another one lined up it is generally going to be bad news. I will tell you what happened to me in a moment.

**See the following articles for more information:**

- [Taking a Hiatus from Practicing Law](#)



- **No, You Should Not Quit Your Job before Securing a New One**
- **Is Taking Six Months off a Good Idea Before Resuming a Job Search?**

## **A. Why Law Firms Avoid Attorneys Not Working Like Bad Viruses**

### **1. Most other law firms that subsequently see the resume of the attorney will assume the attorney was fired.**

People expect attorneys to be constantly employed. Being an attorney is a middle-class profession and middle-class people are expected to always be working—and want more than anything to be working. Attorneys are even expected to not take vacations very frequently—if at all. Every decent attorney I know will always say: “I have not taken a vacation in 5 years!”

I once considered quitting a job as a garbage man when I was younger and my mother practically tore her hair out: “If you quit, you won’t have a job! What are you going to do if you don’t have a job?” Her reaction indicated she was acting out some primal response that had been in my family’s DNA for generations. My mom’s mother was a teacher, her father owned a hardware store, their parents were clerks of some sort and so on.

The idea of constantly needing to work and be busy is something that is drilled into attorneys in school and throughout their entire lives. You better do your homework! Once you start working, you can never stop. This is just how a “normal” attorney is programmed at a basic level. It is a middle-class thought process and that is how it works. Other middle-class attorneys assume that the last thing in the world that anyone would ever want to do is quit a job without having another one lined up, because every attorney wants to always be working. After all, you have student loan payments, a car payment, maybe a mortgage—and you know how bad it looks to others to be unemployed!

I used to have a giant office of at least 20,000 square feet. I would be recruiting and working with attorneys all over Los Angeles and when they lost their jobs I would demand they come



in and meet with me so I could drill in them the need for massive action on the job search front. To my utter astonishment, on numerous occasions some of these attorneys would say to me: “Do you mind if I come in and work at an extra desk in your office? I just need a place to go each day.”

They would come in and look busy (doing what I am not sure) at desks I set up for them and walk around the office chatting with others. Sometimes I hired them. The point was that the need to be working was so ingrained in them that they could not see themselves not going to work each day.

“Thank you so much for giving me a place to go each day. It means so much to me!” they would say. Every attorney—and person cut out for this work—always needs to feel like they have a home and a job—even if it is not a job! It is primal!

Law firms amaze me. I am always working with a slew of candidates who went to top law schools and worked in the best law firms who were either (1) fired or (2) left voluntarily and it is very difficult to get firms interested in these candidates. In fact, it is almost impossible. (I will tell you how I address this later).

I’ve got a few candidates formerly at [Skadden](#) who went to Ivy League law schools in hot practice areas. I’ve got one from [Fried Frank](#) and another from [Ropes and Grey](#). Were these candidates employed, every law firm would be fighting to interview and hire them. However, when law firms find out they are unemployed they lose interest almost instantly.

I am working with one unemployed candidate from a major law firm with awesome educational qualifications who got an interview with a major firm a few weeks ago. He was quite excited! I started working with him recently, but he has been out of work for two years. On the day of his interview, he was scheduled for a full day of interviews and lunch with a few associates. He was very excited and things were looking up! I was finally getting him some traction when others had not. We did an interview preparation call and he was ready for the big day! I texted him the morning of the big interview wishing him good luck. I made



sure he read my book about interviewing and sent him several articles. He was pumped up!

He walked into his first interview and the partner took one look at his resume and said: “I do not think this is going to work out. We are looking for something different.” The rest of the interviews were cancelled. This was a major American law firm.

“What happened?” I asked the firm.

“Someone misread his resume and did not realize he was unemployed. We are desperate for someone. Please find us somebody we can hire who currently has a job.”

These are the kinds of things that hiring partners think about attorneys who have no job:

- If you do not have a job, it is because you were not busy.
- If you were not busy, it is because you were not doing good work—or God forbid—you were lazy.
- If you are lazy, then you have no business being an attorney and being part of our “bill all you can” culture.
- If you were not lazy, you did not know how to get others to give you work and you are dead weight. If partners were unwilling to give you work, how could you possibly expect clients to?
- If you were fired, you must have done something terrible.
- If you did something terrible, you should not be part of the guild.
- If you are not part of the guild, we do not want you.

One nice thing about attorneys is that they rarely will say anything negative about an attorney to another attorney. The only way you can learn about whether or not there are issues with an attorney is if they have a “gap” of unemployment on their resume. This is the sign that something is wrong and a sign they might have been fired.





Because attorneys will not say anything negative about other attorneys, these gaps in your resume—or unemployment—are something that “says it all” and allows attorneys to reach all sorts of conclusions about you and not hire you. It is what is not said that allows attorneys to reach all sorts of paranoid conclusions about other attorneys.

**See the following articles for more information:**

- [\*\*How to Explain the Employment Gap in Your Resume\*\*](#)
- [\*\*How Do Law Firms Treat “Gaps” in Your Resume?\*\*](#)

Attorneys are very careful to protect one another’s reputations and even do so when an attorney is fired. (One exception to this is patent attorneys. They are often quite spiteful when they fire an attorney and will say bad things about that attorney. I think this has to do with the fact they are scientists first before attorneys. I do not know.) I have seen attorneys get fired for some of the most outrageous stuff imaginable (theft, bad sex stuff, catastrophic legal mistakes and more) and the law firm and other attorneys will not say anything negative about them. However, if they are unemployed and not working then all of that is implied. You do not want it implied that you were fired, and that is the reason it is best to never leave a job unless you have something new lined up.

What is wrong with a law firm hiring a fired attorney? While your objective is to protect yourself and get a job, from the law firm’s point of view and experience there is always a lot wrong with hiring a fired attorney. What almost always happens is history repeats itself. Whatever it was that caused the issues at the attorney’s prior firm will generally repeat itself at the new firm. Some attorneys are just not cut out for practicing law and working in an office environment.

- They may not be able to keep it together psychologically.
- They may have issues with deadlines.
- They may have issues working with others.



- They may not be careful with details.
- They may not like the work and do poor work.
- They may not have the energy to work hard.
- They may not have the social skills necessary to get work from others (in and outside the firm).
- Others may not like giving them work (due to the quality of their work, how pleasant they are to work with, the thoroughness of their work, their ability to follow directions, their constantly questioning the ethics of the attorneys they are working for, their tendency to look for shortcuts to keep client bills down and money out of superiors' pockets, their criticism of their superiors' and peers' work, their general threat to the firm, the fact they seem to be "looking for trouble" and a possible lawsuit waiting to happen, their tendency to "bad mouth" or undermine superiors or fellow attorneys to clients, their tendency to spread rumors inside and outside of the firm, or their tendency to side against the firm and management).

All of these are valid reasons for firms to fire people, and the last thing a large law firm wants to do is turn these sorts of people loose on itself (and its clients). Let's face it: Some people really suck and they are not part of the team. Law firms do not like these sorts of people.

**See the following articles for more information:**

- [\*\*Why You Should \(and Should Not\) Quit the Practice of Law\*\*](#)
- [\*\*Why You Should Quit Practicing Law\*\*](#)

When I was a summer associate at a large New York law firm I was once in a meeting with an associate who was head of the pro bono committee for the firm, all of the other summer associates, and several partners. The associate was there to tell us about the pro bono work at the firm. The guy got up and started talking about how our firm had the lowest pro bono hours of any firm in the city and that it was a disgrace and management did not care



and so forth. It was shocking and amazing that someone would do this. He felt very strongly that he was not getting any support and that the firm did not care.

What this said, of course, was that the guy (1) did not care about the firm's recruiting efforts (he was bad mouthing the firm to summer associates) and (2) he was not on the side of the management of the firm (they had bills to pay and billable work was more important to them) and (3) he was willing to attack higher-ups who were giving him work and a salary. Within a few weeks this guy was no longer at the firm and he had apparently been fired. Regardless of whether or not you agree with his feelings about pro bono work, the fact is that firms do not want trouble makers around—they bring everyone down.

- See **Builders and Destroyers** for more information.

There is a final danger for law firms that hire fired attorneys: These attorneys will be pissed off when they join their new firm and will likely return the anger in all sorts of ways. I would not be mentioning this if it were not so important, but it is very important. When an attorney is fired he or she is generally quite upset. The attorney may have been fired for valid reasons, but that does not make him or her any less angry. When the attorney gets to a new firm, he or she will be (1) paranoid about getting fired again and (2) eager to inflict anger on the new employer.

The point is this: Fired attorneys more often than not make trouble at their next home. They are more likely to quit and make problems at their next firm. They are more likely to be paranoid and document every interaction and thing that happens in case they have to “sue” their next employer. They are more likely to want to hurt people who employ them because they feel like they have been wronged.

Look, I know none of these are nice things to say. However, I have seen this sort of thing play itself out more times than I can remember and it is what it is. This is not always the case—not even 50% of the time—but there is enough of a pattern that law firms avoid it. They know there is likely going to be trouble with fired attorneys and they avoid them for that reason.



## **2. If you do not have a job when looking for a job, employers will assume (at a minimum) that you left on bad terms.**

Since I have been doing this nearly my entire career and have spoken with thousands of attorneys, I can generally tell when an attorney has been fired and when an attorney has simply left on bad terms. Attorneys who have been fired will generally be quite honest about the reasons why, or they will give a series of explanations (often conflicting) that make such little sense you know there is something going on in the background. In contrast, an attorney who has left on bad terms will generally be quite vocal about the reasons why:

- Not being given the sort of work he or she wanted.
- Upset about bonus or compensation issues—not being paid as much as he or she wanted.
- Too much work and not conducive to the lifestyle the attorney wanted.
- Disagreement about how to handle a matter.

If you left a firm on bad terms, regardless of the terms, other law firms are going to assume the problem is with you and not the firm you left. After all, these law firms are large institutions that in many cases have been around for one hundred years or more. Thousands of attorneys have passed through them without issue. Why did you have so many issues?

Law firms will generally side with other law firms. Law firms are, for the most part, the equivalent of “guilds” and you generally do not leave a guild. Law firms could also be compared to “unions.” While the United Auto Workers is a union for all auto workers at competing companies, the benefits of a union job compared to a non-union one are so great that union members assume anyone who leaves a union job without a union job must be insane. The benefits are simply too great. You do not want to leave a law firm job without another one. When you do so, you are leaving a guild/union that is presumed to protect its own.



- **See [Four Union-Like Rules of All Law Firms You Need to Know About](#) for more information.**

Among middle-class guild members, the only people who are presumed to leave are those who make trouble, and law firms do not want to hire those who make trouble. There are certain people who simply make trouble wherever they go. The troublemakers become relegated to positions such as contract attorneys. Sometimes they get jobs with the government or in-house and they often start solo practices. This is just how it works.

I was once being represented by a solo practitioner who had left a position where he was working for a large law firm representing various pop stars. I thought (naively) that he was a good person to represent me due to his extensive experience working for high-profile clients on important matters. He told me he had left his job due to the fact that he did not like how things were being done at the large, important law firm where he worked for a partner who happened to be one of the top entertainment litigators in the world.

After I had spent \$100,000 or so in legal fees and he had lost just about everything he touched, I had a conversation with him where I told him I did not think he was being aggressive enough, not filing appropriate motions and not doing substantive enough research.

“That’s not the sort of lawyer I want to be,” he told me. “That is why I left a big firm.”

This attorney was “trouble” and not the sort of person who would be a good hire. He wanted to do a job that did not require a lot of work, did not want to follow or take directions and wanted to do things on his own terms, even it meant harming his client. (He also still wanted to get paid a lot of money, like most bad attorneys.) There are a lot of attorneys like this all over and they are dangerous and law firms want to avoid hiring them.

I’ve known attorneys with problems at home—they seem to always have problems at home—that keep them away from work and clients. They could be romantic issues, issues



with children and other problems that make it near impossible for them to dedicate time to their work and be effective attorneys.

I've known still other attorneys who will pack up and leave firms when they are not getting the sort of work that they want. I have these sorts of conversations weekly.

"Wow, that's amazing. You went to an average law school and graduated with only a 3.0 and got a job at one of the largest and most prestigious law firms in the country but were only there six months. Why did you leave?"

"I wanted to get more constitutional appellate litigation and they did not have any First Amendment cases that were on appeal in the office. So, I had a discussion with the partners about this and they said if I was unhappy I should leave. I'm trying to find a position doing this right now and have been for the past year."

"What are you doing to make money?"

"I've been doing document review. I have to hold out for what I want and I am not giving up on my dream."

I am not kidding. I have at least one of these sorts of conversations per week. Attorneys expect to be given work in a discrete practice area and leave when they cannot get it. These attorneys are trouble. First of all, they may have been lucky to get a job in the first place. Second of all, they have no training. Thirdly, they are interested in work that is so specialized and requires such high qualifications and a high barrier to entry (think incredible law school grades, important federal clerkship) that the odds of them getting it are next to nothing. There is nothing wrong with a dream, but you generally need to earn what you are seeking first.

If you left one firm on bad terms, you are likely to leave the next on bad terms as well, and so forth. You are trouble and the guild does not want trouble.



**3. Other legal employers will assume that you left due to the fact that there was not a lot of work available—because no one wanted to give you work (or you could not get work).**

When I was at Dewey Ballantine and they had no litigation work, I went and hung out with John Van De Kamp (whom I respected) and picked up a few hundred billable hours (which I am sure was discounted) of auto accident work. I did not care. There were other associates who were billing at most a few hours of work per month who never would have stooped to this level (they were “important” and only worked on matters for big clients).

I also went and made friends with the guys in the corporate department and got some work that way as well. I enjoyed this work and they were happy to give me work because I was nice to them and asked for it and they had it.

In order to at least protect my salary and not look like dead weight, I was able to bring in a lot of internet-related work from companies in the Bay Area. In order to keep this gravy train rolling, I spent my weekends learning everything I could about this “new” area of law and even wrote memos and other “alerts” to my clients about things they should look out for and work I could do. Clients appreciate this kind of “coddling” and it makes them want to give you more work.

The point is that you need to constantly go after work in every possible way you can. If you leave a firm because there is no work—or are let go because of this—then you appear to be someone who is not proactive and cannot find ways to get work. You need to be seen as someone who finds ways to ingratiate yourself to others in the firm to get work and also to people outside the firm to get work.

- **See [Take this GIFT for Granted and Your Legal Career Will Be Dead](#) for more information.**

The role of partners in law firms is to “step up” and get work from clients to support other



partners, associates, secretaries, office space, your health insurance and more. The role of an associate is far less important. If you cannot even get work from people in your own firm (the logic goes) how can we be expected to invest in you with the expectation you will pay dividends and help support everyone here in the future?

**4. Still other law firms will assume you are not committed to what you are doing and will not like it at their firm either.**

Law firm success and the practice of law require a tremendous amount of commitment. You need to work on stuff you are not interested in working on. You need to do work for people you are not interested in working for. You need to work for clients and others you do not always believe in. You need to work very long hours. You need to be available to work as long as necessary on a moment's notice. You need to work without a feeling of security—or that anything you are doing may even lead anywhere.

- **See [The #1 Attorney Career Killer that Attorneys Are Never Taught](#) for more information.**

Being an attorney is similar to being a soldier in a war and it is not an easy profession. There is no “tenure,” for example, like you may get in an academic job. Because being an attorney is so difficult, you absolutely need to be committed to the work and this commitment cannot waiver. If the commitment waivers and you leave one firm, then it will waiver again and again. Law firms are smart enough to know that once a crack shows in your commitment level it is generally going to be fatal: You will leave again.

On my desk I keep a series of 25 rules I call “[rules of the road](#)” that I have added to now and then and referred to for years. One of the most important rules is “never rehire anyone.” This is a rule I apply to my own business; however, this rule is one that I have broken several times and each time it has been disastrous. I have had several people quit over the years and then come back asking for a job after quitting and leaving. In each instance when these people left, I spoke with them at length before they quit (the first time) and learned





their various reasons for leaving and gripes. Sometimes months or years later, these people came back asking for their jobs back and said they made a mistake in leaving. Flattered by this, I brought these people back on and was excited to have them back.

**[Click here to read Harrison's 25 Rules of the Road.](#)**

Within months the same problems reappeared. The people made problems and then quit again. This has happened every single time I rehired anyone. It has always happened and it happens when law firms rehire people too.

It also happens with law firms that hire people who have quit their last job. The law firms that hire people who quit their last jobs almost always will be faced with the same thing again. These attorneys will find fault wherever they go and have issues committing to the next firm as well. Law firms know this and the smart ones do not hire these people.

**5. You also look a bit desperate when you are looking for a job and are currently unemployed.**

If you do not have another job, you look desperate and like you need one. Law firms get “spooked” if it looks like you really need a job. They want to feel that they are getting someone who is valuable and that other people want.

When I was in high school, a girl showed up at our school who subsequently became a well-known television actress. She was kicked out of our school within a year. She was literally “discovered” when she took a short trip to Los Angeles to visit a relative during the summer after she was kicked out of the school. She was drop-dead gorgeous. To everyone’s surprise, she took an immediate liking to a guy in our class who had no girlfriend and was not too popular with the girls. I do not think he had ever even had a girlfriend. Incredibly, she was so forward and liked him so much that he completely backed off and had no interest in her whatsoever. Had he been the one to pursue her, however, and been blown off several times he would probably never have felt that way. Years later, when she



became a famous television star and her face was everywhere, I am sure he wondered what had been going through his head back then.

When someone really likes or needs us, the natural human instinct is to back off. When someone really needs a job, or does not have one, it spooks employers because they feel like you need them more than they need you. In addition to all of the suspicions (above) that law firms have when you are unemployed, they are also quite nervous about how important the job is to you as well. They also know that if you have had a difficult time finding a job, it will be harder on them to let you go. They do not want to feel like they are hiring current dead weight that will give them a tremendous sense of guilt if they have to let you go.

- **See [To Get a Job You Need to Get the Employer's Attention and Be a Safe Choice](#) for more information.**

When you are unemployed and law firms feel like you need them, it becomes much harder to get a job. You just do not look as desirable or attractive.

**6. Your skills are presumed to have deteriorated when you stop practicing law (even for a short time).**

If you have not practiced for some time, you are presumed to be out of the game. Not being in the game, employers presume you are no longer motivated, not up-to-date on the law and do not have the skills necessary to be a good attorney. The idea is that you have been off the track and are no longer fit, at least in the eyes of legal employers.

This belief is so strong in the legal profession that I have seen judges allow clerks to continue clerking for them for years longer than necessary because they fear that if the clerks are not working it will look to employers like they do not have the skills.

As strange as this seems, I think on one level other attorneys lose respect for attorneys who are no longer practicing because they are presumed to have “gone soft” and are part of



a low-pressure world and will not want to go back to a high-pressure and demanding world with lots of responsibility—deadlines, demands, hours and more. In the experience of many law firms, once someone has taken a less-demanding job (in-house, or not working at all), they rarely make the transition back to a law firm successfully.

- **See [The Dark Side of Going In-house](#) for more information.**

“Who needs this?” they often ask when they get back.

And then they leave again.

“Why take this risk?” law firms ask themselves—and with good reason. Once you have removed yourself from the high-stress world of law firm life, it often does not make sense to come back again.

## **B. How to Avoid the Negative Perceptions of Not Being Employed When Looking for a Legal Job**

A great number of the attorneys I work with look for jobs while unemployed, and I successfully place many of them. There are, however, many things the unemployed attorney must do when looking for a job. How they position themselves is very important to a successful outcome. There are certain reasons for being unemployed that almost always work well.

### **1. Moving to another state (to be closer to family) and so forth.**

If you lose/quit your job and fear a long period of unemployment where you are currently living, one useful strategy is to move to a city where your parents, relatives, or significant other is, start studying for the next bar exam and explain everything away based on a move. This generally will buy you between three and six months of unemployment that does not look suspicious to employers.



Law firms generally do not have any issues with people relocating, and it certainly makes sense. If you relocated to be close to your family, to help with a sick family member, to get married and so forth, this does not make law firms suspicious. All of the issues surrounding why you may have left your firm due to problems with you and your work become irrelevant. You relocated for geographic reasons.

I am going to tell you a secret: Most of the placements I make are for people relocating for one reason or another. These are easy placements to make. They are easy because there are no questions about the person doing good work at their prior firm, or potentially leaving because there are problems with the person. The only reason they are looking and leaving is because of geography! This works and if you left your last job and made a mistake, the easiest way to rectify this is to move and get your head together in a new location. There is nothing wrong with taking some time off to study for a bar before taking a new job. You will likely also become a better attorney by learning from your past mistakes—and learn to appreciate work more.

- See [Moving Your Career to Another City](#) for more information.

If you stay where you are, however, this is going to start to make law firms uncomfortable if more than a few months go by. Your unemployment will be more difficult to explain away. I have had several candidates refuse to leave places like New York City for other locations when the market seized up. This never works out well after they have been out of work for a while.

## **2. Sick or dying parent, spouse, child and other compassionate personal issues.**

In some cases, people move homes or leave jobs because a parent or other significant person is dying and they are the only ones who can take care of that person. Law firms are [mostly] made up of human beings and respect this. I have seen many prolonged absences explained away this way and these explanations generally work. If something very bad happened, then law firms will generally understand this. You can then explain that you are



interested in a new firm for various reasons and have not explored going back to your firm yet.

### **3. If all else fails enroll immediately in an LLM program or get a clerkship fast!**

This is a brilliant move and I have seen it work wonders. You can even do two LLMs if there is a severe market slump. Law firms (for the most part) do not see LLMs as a “break” in the practice of law. Moreover, if you are a litigator a clerkship is considered a form of experience and is respected as well.

The LLM, of course, must be related to your practice area and it should be from a good school, but being in an LLM program can save your career if you are in a tough spot.

- See **[LL.M's and Marketability](#)** for more information.

### **4. Try and keep your voicemail and profile on the website of your law firm as long as possible.**

This is generally a point of negotiation when attorneys are leaving a law firm. Some law firms are very nice about this, but it is rare. Most law firms will allow you to do this for a month or so, some longer. Most will not permit this for a long time, however. The longer you can look fully employed by your law firm the better. You should never lie, of course, but if the law firm is willing to help you find a job that is a good thing.

### **5. Have awesome explanations for why you left.**

The better your explanations for leaving your last job the better off you will be. In many cases, just being completely upfront about why you left will give law firms all the assurances in the world that you will be a good hire for them. These reasons, though, must have some weight to them:



- The law firm closed an entire office.
- The law firm eliminated a practice group.
- The partners you worked for all went to another firm and could not take any associates with them.

If you have really good reasons (and you believe they are good reasons) then it is always best to just be honest about these reasons. The number one rule for these reasons, however, is that these reasons should always be something outside of your control.

#### **6. Go all out and find a job fast.**

This is the most logical explanation. Make sure you use a good legal recruiter (with some balls) that will get you out to as many prospects as possible and help you shape the reasons for leaving. [You can submit your resume to us here.](#)

Use [LawCrossing.com](#) (which tracks down legal jobs and consolidates them all in one place) to research jobs and apply to every opening you can.

You need to find a position **FAST** and cannot mess around or pussyfoot about this in the least. Action and motivation are important.

Here are a couple of books I have written to help you—and I want to help you.

- **[Breakthrough Job Search Secrets](#)**
- **[Career Transformation System](#)**

#### **READ THESE BOOKS ASAP.**

You need to take action and do everything you can! Do not under any circumstances delay. If you find yourself delaying, take action and see a therapist. I'm [happy to coach you as well](#) but recommend you review the free stuff I have provided first.



## **This is an emergency—take action now!**

### **C. A Final Word of Advice (About Looking for a Job) If You Think You Are Going to Lose Your Job**

If you think you are going to lose your job—or are strongly considering quitting and are looking for a job—one of the most dangerous things you can do during interviews is give law firms the impression that you might be in danger of losing your job. Law firms are trained to hone in on any sort of weakness in your resume and employability and if they think you are in danger of losing your job they will not hire you.

One common method law firms will use to see how secure you are in your job is to ask how busy you are. If you tell them you are not that busy, they will think there is something wrong with your work, or that you might be in danger of losing your job. Law firms will ask how soon you can start and all sorts of questions along those lines to see how badly you want to work for them, and to sense if you are in any danger of losing your job.

The second a law firm smells weakness, it is all over. In fact, sometimes I feel one of the primary functions of the law firm interview is to figure out if you are in danger of losing your job so that the firm can disqualify you and not hire you if you are!

Never give the law firms you are interviewing with any indication you might lose your job or be in danger of losing your job.

### **Conclusions**

After I flipped out and gave my two weeks' notice at Dewey Ballantine, nothing much happened. They kept giving me work and no one even acknowledged receiving my resignation email. I thought the entire thing was very unusual. On a Thursday afternoon, the day before I was to leave, the head of the Los Angeles office walked into my office and closed the door.



“Look,” he told me. “You cannot leave here without something else lined up. If you do this, you will have a difficult time ever getting a position in another major law firm again.”

I explained to him the various reasons I was upset with my job and did not like the firm. He was clear with me that if I did not like the firm and was unhappy I should just go somewhere else. He told me to continue working at the firm and spend the next few months looking for a position. He urged me to “find some recruiters” and investigate the market.

**See the following articles for more information:**

- [\*\*How to Select the Best Legal Recruiter and Maximize the Effectiveness of Working with One\*\*](#)
- [\*\*10 Things That Most Legal Recruiters Will Not Tell You\*\*](#)
- [\*\*How to Choose a Good Attorney Recruiter\*\*](#)
- [\*\*A Comprehensive Guide to Working with a Legal Recruiter\*\*](#)

I did call some recruiters and spoke to countless law firms over the next few months (it was a very good market back then during the dot com boom). I realized very early on, however, that I did not want to work in a law firm and started to become strangely interested in legal recruiting. I started showing up in law firms and interviewing the partners about their law firms and within a few months I had learned about many of the law firms in Los Angeles and found a new profession that I still love to this day—legal recruiting. I interviewed the legal recruiters and saw what made some of them good at their jobs and others not so good.

Unbeknownst to me, a large law firm not accepting my resignation and telling me to look for a job if I was unhappy was the best thing that ever happened to me. It was a huge gift and the sort of gift I am sure many attorneys never receive. I am very grateful.

In my case, quitting a law firm was a good thing because I found a new career. Most attorneys, however, are not so lucky. If you quit a law firm without a new job lined up, you





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should be prepared that your next job (like it was for me) is unlikely to be in the law at all.

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