

# How the “Invisible Hand” Operates in Law Firm Employment Decisions: The Top 12 Most Important Factors Firms Consider When Hiring (and Firing) Attorneys

By A. Harrison Barnes

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## *How the “Invisible Hand” Operates in Law Firm Employment Decisions: The Top 12 Most Important Factors Firms Consider When Hiring (and Firing) Attorneys*

By A. Harrison Barnes

### Summary

Learn how law firms and attorneys maximize their own self-interest in the hiring process and the most important factors that law firms consider when hiring.

Adam Smith’s 1776 book *An Inquiry into the Nature and Causes of the Wealth of Nations* coined the term the “invisible hand.” The invisible hand describes how the market regulates itself when participants act in their self-interest. As groups and individuals try to maximize their own self-interests, they end up benefitting society by efficiently allocating resources and creating equilibrium between supply and demand. The best regulator of the economy is thus not intervention, but a free market driven by self-interest.

In my legal recruiting career, I have watched market forces at work in law firm employment decisions and the result is that hiring (and firing) decisions have become increasingly merit-based, especially in major markets. By necessity, in order to remain competitive, firms must make employment decisions based on self-interest, i.e., based on an attorney’s contribution to a firm and its clients. This phenomenon has resulted in law firms becoming more diverse, as attorneys rise or fail to rise to the top based on their suitability to the profession as opposed to irrelevant

factors such as race, gender or class. Talented attorneys of all racial, sexual and class backgrounds are now part of the profession and judged on what they provide the market instead of superficial qualities.

Regardless of what someone does to his or her resume—or says in an interview—most of the important “market” qualities offered by a given attorney are clear to the people who make hiring decisions. I can take one look at an attorney’s resume and know with exactitude the sorts of firms that will interview and hire that attorney.

Even though the invisible hand is at work in law firm hiring decisions, the relevant factors firms use to determine who gets hired and who does not are quite clear to anyone who looks beneath the surface (as I have). It seems impossible to me that law firms all over the country could be acting in ways that do not match their self-interest. In my experience of placing thousands of attorneys, the factors that I have found matter most to law firms are the following:

## 1. Motivation and Drive to Work in a Law Firm

Attorneys have to really want to “play the game” in order to get hired by a law firm. If you are not motivated to work in a law firm then you will not get hired by one.

I frequently speak with attorneys who went to great law schools like **Stanford** and **Michigan** and who were never hired by a law firm but who now express a weak desire to potentially go work in a law firm.

They generally say that they interviewed a few places on campus during law school and did not get a position in a law firm. Sometimes they say they went on a bunch of interviews and did not get a position.

When an attorney has a great background but does not get a position, the most obvious explanation is generally the Freudian one that the attorney does not really want to work in a law firm. In fact, this explanation applies to almost every attorney who is unemployed for any length of time. If you are unemployed for any length of time and not getting a position it is probably because you do not actually want a position.

- You may have had bad experiences and are protecting yourself (and your ego) from more disappointment.
- You may have issues about being controlled by others.
- You may want to **work in-house**, or see

yourself working for the government, or in academia.

I remember once interviewing with **Barry Ostrager**, a well-known attorney from **Simpson Thacher** in New York City. As a lateral, I had been verbally offered a position in the Los Angeles office of the firm but he wanted to meet me since I would largely be working for him. After we had chatted for about 45 minutes, he told me something I will never

forget: “You look great on paper and interview well, but I can tell you do not really want to do this. You are not excited enough.”

***“Attorneys have to really want to ‘play the game’ in order to get hired by a law firm. If you are not motivated to work in a law firm then you will not get hired by one.”***

He was dead-on right and ultimately I did not go to work at that firm—or any firm—ever again. Had I wanted the job I would have been more enthusiastic. I would have sat up straight and been more engaged. I would have expressed (verbally and nonverbally) a level of commitment that showed I really wanted it.

When I started recruiting I wanted it. Something clicked for me and I found myself working 16 hours a day seven days a week and loving it. One year I was working on the Fourth of July and was annoyed I had to go see fireworks. When someone wants something and loves it, it is very obvious and that person knows it in his or her heart. I love recruiting so much I am still enthused by it today.

When you look at presidential candidates, the person who generally wins is the person who wants it the most. You can tell who wants it

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the most. It is always very clear because that person makes sure to be heard and exudes a level of enthusiasm and drive that makes the candidate connect with his or her audience and tell people what they want to hear. This is what people do who get positions in law firms as well.

I speak with talented attorneys all day. I often find myself speaking with attorneys with maybe ten years of experience who have some business and have been out in the legal community giving talks, writing articles and being involved in law-related activities. But then they say something that shows they do not have full-on motivation: “Do you have anything in-house?”

There are tens of thousands of law firms in the country. Any attorney who really wants a position in a law firm can get one. It does not matter what the economy is like. There are jobs for everyone. The most motivated people are the ones who get positions.

I am always amazed during recessions to see who succeeds and who fails. There are always very talented attorneys who lose their jobs during recessions such as the ones that occurred between late-2000 and 2002, and 2008 and 2009. Recessions are like floods that carry away weak and dying trees but leave others standing. Firms need to let people go regardless of how talented they are.

Many attorneys who get laid off during recessions simply give up and decide to do something else. But there are also people who come back and get great jobs. These are the ones who hit the phones and put in effort each day to get a position. They call me and

other people they know who might be able to help them get a job in a law firm. They get back in touch with law school classmates, set up lunch interviews, and travel around the country in search of an opening. These people always get jobs, and they are in great firms. Always. Their heart is in it.

During the last two recessions, I watched corporate attorneys engage in this all-out approach and many are now full-on equity partners at major American law firms. They always succeed because they have the motivation and really want it. It is in the fabric of who they are.

When an attorney is motivated and really wants to succeed the attorney will succeed. The more motivated, committed and interested an attorney is, the more likely the attorney will provide value to a law firm—and law firms know this. Law firms can channel this motivation into inspiring the attorney to bring in business, to help other attorneys, to bill lots of hours and to carry the law firm torch. With this motivation the law firm is likely to benefit itself. Law firms need motivation to survive and grow.

## **2. Business and the Ability to Bring It In**

Law firms require business to survive. Attorneys with significant and consistent business are the lifeblood of any law firm. These attorneys support office staff, office space and other attorneys. Nothing is more valuable to a law firm than attorneys with significant business.

Law firms can always find people to do the work. They can find people from big firms,

great schools and so forth without too much difficulty. Far more rare are attorneys who can go out and bring in the clients that support everyone.

On a basic level, we are all cavemen and cavewomen. There are people who can go out and hunt animals and bring them in and there are others who can cook the animals and do administrative tasks around the cave. The people who can successfully hunt and bring in large animals are always going to be more valued than those who can cook them. Law firms value the people who go out and bring in the clients more than those who do the rest of the work. Without people who go out and bring in the clients there is not going to be enough work to feed everyone.

If an attorney has business, or shows a lot of promise for bringing in business, the attorney is always going to be more highly valued than an attorney who does not.

- When I am working with an attorney with lots of business, if we approach 10 firms the odds are pretty good that most of the firms will want to speak with him or her—that is just how it works.
- Similarly, if an associate at a marketable class year, with top law firm and law school credentials but no business is looking for a job, the odds are pretty good that not nearly as many firms are going to be interested in that associate than in another one who has a lot of business.

Law firms do not really care how you get business – you could be related to the CEO of a huge company and not even be that great of

an attorney. If you have enough business law firms will welcome you with open arms. Law firms will bend rules, make exceptions and do all sorts of other things to recruit attorneys with business. Nothing is more important to law firms than this.

The “invisible hand” will bring in people who support the group with work. This is the largest force out there and it is very important for the survival of all law firms.

### 3. Ability to Be Controlled

An attorney who has the ability to be controlled is an attorney who respects the group, management and others and who will follow orders and direction and not be too independent-minded. If an attorney cannot be controlled the attorney cannot be part of a group and this causes all sorts of problems. Attorneys who cannot be controlled tend to live more in their heads and think about what is important to them—rather than about what is important to the law firm. While the “invisible hand” respects an attorney’s self-interest, the attorney’s self-interest is actually maximized inside of a law firm when the attorney cares more about the group than himself or herself.

I have seen countless good attorneys lose jobs and crash careers because they could not be controlled. Just a few weeks ago, I saw an attorney from a top law firm with impeccable credentials lose a job because he refused to work on a Saturday because he told the firm it was “family time.” I have seen other attorneys lose jobs for refusing to do certain projects or work on various matters—either because they were outside their

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practice groups or because they objected to the work for reasons personal to them.

Anytime an attorney is working for a law firm that attorney needs to be controlled. When you are working for a law firm you are working for a group and the group requires you to do what is necessary to support the group that also is supporting you. Back to the caveman days, if a lion attacks the clan and the caveman who is responsible for saving babies during lion attacks simply refuses to do his job that day, then the group suffers. The group will expel the person who does not follow orders.

From the standpoint of the caveman, the clan will not survive without a leader and followers. It is far too risky for law firms and other groups to bring in people who will not be controlled and follow directions. It just does not work.

Partners, associates and others working inside of a law firm need to be capable of being controlled by others. The level of control one permits is an issue, of course, but the smartest attorneys generally realize that being part of a group means they need to sublimate many of their wants and desires for the interest of the group.

Attorneys who are not hired, or do not succeed inside of law firms, generally give the impression to those in charge that they are resistant to being controlled by others. They give off a distance

and an impression of a lack of commitment, or something along those lines. I've heard of attorneys losing jobs, or being frozen out of getting additional work, by stating things like the following:

- "If I need to travel more I would like a larger bonus. No one else travels so much."
- "I'm not paid enough to work this hard. I was not told I would have to work so many hours when I came here."
- "This is the sort of work a first-year should be doing and I am a third-year. You should find someone else to do it."
- "This is the sort of work that a fifth-year should be doing and you should not be asking me since I am a second-year."
- "I went to **Yale Law School** and should not have to be working on a document review. I will do this for a while, but there are limits."
- "It is unethical for this case to be staffed with so many attorneys. I'm not comfortable participating."

***"From the standpoint of the caveman, the clan will not survive without a leader and followers. It is far too risky for law firms and other groups to bring in people who will not be controlled and follow directions. It just does not work."***

Statements that carry these connotations in interviews will cause you serious problems, because to get hired you need to be the kind of person who will put his or her head down and do what is asked.

Everyone needs to follow directions and be controllable, including partners.

Attorneys who have been members of fraternities and sororities, the military and

other groups where they are often “broken in” to be subservient to the overall interest of the group often perform exceptionally well inside of law firms because they can be controlled. The rituals that sororities, fraternities and the military follow to make people subservient to the group may be part of an ancient evolutionary function of societies that benefit from people following orders as part of the group as opposed to operating independently.

#### 4. Desire to Be Part of a Group

The desire to be part of a group means that the attorney wants to work with others and participate and practice law with other people. At its most fundamental level, the desire to be part of a group means that the attorney wants to work with others and needs to be around others to function well and be happy. An attorney inside of a law firm needs to (generally) like people and derive strength from working close to others. This sort of attorney would rather travel one-hour each way to work than work at home because the attorney feels enriched by being around others. The attorney is socialized and needs other people to feel fulfilled. Attorneys who need to be around others are the best members of any team. Solitary and alone attorneys may contribute hours and money to a law firm, but they do not add to the sense of camaraderie and other important factors that are needed to make a law firm work.

An attorney who wants to be part of a group and needs to be part of a group interviews differently and behaves differently once inside of a law firm. The attorney who wants to be part of a group will attempt to mirror and adopt the mannerisms of the group as

quickly as possible. The attorney will want to be like the people in the law firm and so the attorney will study them and attempt to be like them. The attorney will try to connect with these people and find common ground in interviews. Once hired, this type of attorney will try to come under the group’s favor and be protected by the group.

As cavemen, it was important for everyone to be in a group that protected them. If someone did not have a group that person was vulnerable to starvation, loneliness and being attacked by animals or others. On a primitive level, every job interview is an attempt by attorneys to be accepted by a group and come under the protection of a group. Groups exist for people to feel part of something and be protected. The need to be in groups is hardwired into some peoples’ DNA and not in others.

An attorney needs to really want to be part of a group to get a position in a law firm and to stay employed there. For that reason, law firms are not interested in hiring people who are clearly entrepreneurs and entrepreneurially inclined. Entrepreneurs do not care about fitting in and being part of most groups and often want to create their own groups. I see very few entrepreneurs who have long-term success inside of law firms. Most law firms are wise to avoid them.

The desire to be part of a group also helps ensure the long-term success of an attorney once the attorney is hired and gets inside of a law firm. Group-oriented attorneys will get close to other attorneys who will protect them, mentor them and teach them the rules and how things work. Group-oriented attorneys

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will also go out of their way to socialize and spend time with other attorneys and will learn a great deal in the process of doing this. The attorney who desires to be part of a group is ultimately going to be much stronger than the attorney who does not desire to be part of a group. This is why, from an “invisible hand” standpoint, attorneys who desire to be part of a group are such better fits inside of law firms.

Attorneys who have been team athletes or members of clubs and organizations prior to becoming attorneys are often good fits because they have consistently shown that they desire to be part of a group.

## 5. The Quality of Law School and Performance in Law School

The quality of the roster of law schools that attorneys from a given firm attended is relevant to hiring decisions. This shows the selectivity of the law firm and the pedigree of the lawyers it is able to attract. From a selfish standpoint, lawyers feel good when they are surrounded by other very smart and well-pedigreed lawyers. In addition, clients, judges and the general public presume that attorneys who attended the best law schools are generally the best attorneys. Even if you were at the bottom of your class, telling anyone that you went to **Harvard Law School** carries a lot more weight than if you said you went to even an outstanding law school like **Michigan**.

- **Law firms look better to clients when their attorneys attended the best law schools.** It is much easier for a law firm to attract clients when they have attorneys from the best schools because it looks better to clients.

- **Law firms look better to other law firms when their attorneys attended the best law schools.** This is simply one way that law firms judge each other—but it is important to understand that this is important to many firms.
- **Law firms feel better about themselves when their attorneys attended the best law schools.** The more selective the schools the attorneys go to, the more selective the law firm feels it is.
- **Law firms have a better presumed reputation when their attorneys attended the best law schools.** A law firm packed with graduates of top law schools looks better in the market than one that does not have such graduates.

Schools are interesting and I have written a great deal about them elsewhere.

The caliber of a law school an attorney attended can be a dangerous barometer of whether that attorney will be successful inside of a law firm, but it means a lot to the market and cannot be ignored.

From a caveman standpoint, we want to be around those who are like us. Connections based on a shared history, or a prestigious pedigree, are powerful drivers that bring groups of people together. People congregate with others like them because they feel this will help them to understand each other. This is the same reason most people marry within their social class and—all thing being equal—generally also within their religion and race. This is just how it works. Most people want to be around those like them.

From a business standpoint, law firms are maximizing their self-interest by hiring people with the best pedigrees that they can. Individuals are maximizing their self-interest by trying to be with the groups they believe will be the highest performing and that are most like them.

## 6. Quality of Experience

The experience that an attorney has is, of course, relevant to most lateral hiring. Most law firms will hire laterally based on the experience of an attorney. If an attorney is being interviewed to be a litigator, for example, the law firm may evaluate whether the attorney has done depositions, trials and so forth. But the experience an attorney has goes far deeper than just whether an attorney has done “this” or “that.” What is important to law firms is the quality of an attorney’s experience.

The quality of the experience means whether or not the attorney is coming from another group of attorneys that has a reputation for doing a certain quality of work and was “accepted” as part of this group and not “cast out” of it. Certain law firms are more highly valued than others for their training and the quality and quantity of work that they expect of their people.

Attorneys from major New York City-based law firms all seem to feel like they are part of a fraternity of sorts. The work in most of these law firms is quite demanding and attorneys are expected to do very good work and produce a lot of it. These top law firms generally produce an attorney with very good experience. This experience (if the attorney has enough of it) is highly regarded in the

market. Similarly, there are top law firms all around the country that are highly regarded for the presumed competence of the attorneys coming out of them.

Law firms want to hire people they believe will do well, impress their clients and raise the quality of the game of everyone around them. When they hire people like this, everyone in the firm is benefitted and it helps the group. After an attorney has been practicing for a few years, the quality of that experience is generally valued by most law firms much more than the quality of the attorney’s law school. Law firms want to bring on people who are trained to do work at a high level and have expectations that they will operate at a high level.

There is no substitute for experience. The best law firms will always bring on the people with the best experience at the lateral level. The training and competency an attorney develops early in his or her career are paramount.

Finally, many law firms pride themselves on the quality of the firms that their attorneys have come from. The fact that attorneys have come from other excellent firms makes the attorneys within the firm proud and this is also something that the firm’s clients expect and want to hear. The better the pedigrees of the attorneys the stronger the group. This “invisible hand” operates beneath the surface in all lateral hiring decisions.

## 7. Stability

The stability of an attorney is extremely important. Law firms look weak and flawed to their own attorneys and clients if the attorneys

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within them are constantly leaving. When I speak to attorneys and they are unhappy at their current firms they often say things to me like “Four people have left in the past two months and the firm is not doing well.”

- When attorneys are constantly leaving a law firm, the law firm looks weak to its attorneys.
- When attorneys are constantly leaving a law firm, that law firm looks weak to its clients.
- When attorneys are constantly leaving a law firm, that law firm looks weak to other attorneys at other law firms.

Therefore, to protect its self-interest, a law firm is most interested in hiring and bringing on people who are likely to be stable. From an “invisible hand” standpoint, law firms want people who are going to be stable and unlikely to leave. The stability of attorneys makes the group stronger and more cohesive socially and likely to succeed economically.

The stability factor is incredibly important. When I am marketing candidates:

- **They are more likely to get positions if they are relocating to markets where they are from rather than if they are moving within their own city.** Law firms assume that if they are “moving home” that they are going to settle down and be stable. These are easy placements to make because law firms are receptive to people coming home and believe they will be stable.
- **They are more likely to get positions if they are trying to move to much better firms than their current law firms—as opposed to lesser law firms.** If an attorney

is at a good law firm but trying to move to an exceptional one, the attorney is more likely to get a position because the law firm presumes the attorney will be stable by virtue of getting a job at a much better firm. Conversely, if an attorney is trying to move to a firm that is less prestigious, the law firm knows that the attorney will likely try and leave and go to a much prestigious firm later. Some of the stupidest hires law firms make is when they hire highly ambitious people from giant law firms at smaller law firms—this rarely lasts because the attorney generally always wants to go back to making more money, or to a more prestigious firm later. These sorts of hires are generally made in recessions or when the attorney has other factors/reasons for moving.

- **They are more likely to get positions if they have only had one previous job and not two or three.** The more stable the attorney looks the better.
- **They are more likely to get positions if they have been at their current positions three years instead of one year.** The longer an attorney has been with a given employer the more stable the attorney looks.
- **People with commitments (homes, children, community ties and so forth) are more likely to get positions than those without commitments.** If an attorney has commitments that require the attorney to work, it is going to be very difficult for the attorney to take risks and jump around between jobs. A home, marriage, children and strong community ties suggest commitment and this is something law firms very much like to see.

- **Primary breadwinners in a family are more likely to get positions than those who are not primary breadwinners.** If someone needs the money from their job, they are more likely to be stable than someone who does not. Law firms want to hire and employ attorneys who need the jobs they are hired to do because they will take these positions more seriously. If someone has a fallback position, that person is likely to leave and not be as stable.

- **They are more likely to get positions if they are one-dimensional versus multidimensional.** There are lots of interesting attorneys out there with all sorts of outside interests. However, the more interests an attorney has and the less these interests have to do with practicing law, the less likely the attorney is to be stable in a law firm. I've seen attorneys start talking to me with incredible passion about things like biking, art, acting and other outside interests that I could tell consumed them. If the outside love of something is strong enough, the attorney will almost always leave—and law firms want stability. It is actually better to be mildly boring than very interesting when getting a law firm position.

- **They are more likely to get positions if they express zero doubts about wanting to practice in a law firm environment.** Incredibly, partners, associates and others sometimes go into interviews expressing a desire to one day go in-house, work for the US Attorney's Office and a variety of other professions—or just express some level of doubt about practicing law long-term. You cannot do this. You need to express 100% commitment to practicing law in a law firm

when you go into interviews. Law firms do not want to hire unstable people.

- **They are more likely to get positions if they have never quit a job without a new one.** The biggest mistake that many attorneys make is quitting one job without having another lined up. This shows a lack of stability and that you might do the same in your next job. Law firms do not like to see this because it puts their client relationships at risk and also the morale of the other people on the team.
- **They are more likely to get positions if the only legal job they have ever had (besides a clerkship) has been working inside of a law firm.** If an attorney has only worked inside of law firms, that attorney is far more marketable than if that attorney has gone in-house or done something else. Any position outside of a law firm shows that an attorney may not be committed to practicing in a law firm and might leave and go do something else again.

In general, you need to look as stable as possible to get hired. Law firms spend a lot of time and money hiring and interviewing people and it is a lot of work for them. Every person that quits and leaves for different pastures is also a bit hard on the group and law firms and their clients crave and need stability.

## 8. Personality/Fit

The personality and fit of an attorney with a given law firm is extremely important. A given law firm and attorney may simply be “mismatched” by having personalities that make them incompatible – and there is nothing wrong with this. I once interviewed

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in a firm where everyone whispered to one another around the entire office. It would have been extremely difficult for me there. I walked out of the interview hearing the sound of the air conditioning vents blowing air because that was the loudest sound in the firm. Even my interviewers spoke to me in low voices barely above a whisper. I would not have been the least bit comfortable in this firm.

The law firm you work with is a “tribe” and your personality needs to fit with the people you are speaking and interviewing with. Law firms are businesses and they function best when they have groups of people who are similar and work well together. The “feel” of a given law firm is often a part of its brand and something that distinguishes it in the market. Law firms hire certain types of people and it has always been this way. In some firms in large markets with plenty of lawyers to choose from, I have seen remarkable similarities in the personalities and mannerisms of the people who work there.

From a business standpoint, the invisible hand operating here is the belief that if the law firm projects a certain “feel” with its people that this will be its “brand” in the market and that this distinguishing characteristic will help it succeed in the market. There is truth to this. Lawyers protect themselves by associating with similar people. Law firms also advance their own brands and the interest of the group by doing this.

## 9. Trust Level

Law firms want to hire people whom they trust. From an evolutionary standpoint, trust is among the most important aspects of any group’s ability to function. If one member

***"Law firms want to hire people whom they trust. From an evolutionary standpoint, trust is among the most important aspects of any group’s ability to function. If one member of the group is not trustworthy then the entire group can end up collapsing."***

of the group is not trustworthy then the entire group can end up collapsing. For example, if one member of the group is working at odds with the group and communicating sensitive information about the group to

the group’s enemies then the whole group may be at risk.

When law firms are interviewing people, trust is a huge factor they take into account.

- People from the same community who are known are more likely to be hired than people outside the community who are not known.
- People from the same religious and social backgrounds are more likely to be hired.
- People from the same schools are more likely to be hired.

When law firms are asking for “references,” what they are really asking for is for people to vouch for you that you can be trusted. Law firms succeed—as all groups do—to the extent the members of the group trust each other. They need to trust one another to tell the truth to each other and not betray one another.

Law firms want people who are similar for no other reason than they want to trust them. The safer the group feels from betrayal from within, the better off the group will be. Trust is often something that is not necessarily immediately obvious and people often get a sense of whom they trust and whom they do not. Attorneys generally want to get an immediate sense that they trust the people they are hiring. This is often “instinctual” and nonverbal and something that is crucial for most hiring decisions. Without trust a lawyer often has very little to go on.

## 10. Age and Amount of Experience

In the absence of an attorney having a large book of business, law firms prefer to hire people who are younger. Attorneys are most marketable with between one to five years of experience because they are not yet someone the firm has to worry about making partner and they (presumably) still have a lot of energy to try and become partner. Too much experience without any business is generally a bad thing in the legal world. Older attorneys may be considered less impressionable, less loyal, less trustworthy, less likely to follow orders and perhaps less stable – all things that are important to the hiring process of law firms.

In the times of the caveman, younger people were likely more valued for their stamina, ability to hunt and potential. Older members of the clan may have been esteemed for their knowledge, but they added less value to the tribe and were allocated fewer resources and pushed out of the way by younger people.

Unless an attorney has a lot of business, age is a factor that can hurt the attorney. The

invisible hand sends resources and gives jobs to people who are presumed to be hungrier and more able to contribute to growing the group and the economic pie.

## 11. Interest in Self-Improvement and Getting Better

Law firms love seeing attorneys who are out there improving their books of business, working hard and making a major effort to improve themselves. The quality of trying hard to get better and better is very respected by law firms. Moving from a small regional firm to a major American law firm is respected. Continually improving a book of business is quite respected – and there are attorneys who do this. Law firms are very sympathetic in their hiring when they see an attorney who seems to get better and better over time and has tremendous drive.

Many attorneys start out in small law firms and through a series of artful moves end up at the most prestigious law firms—despite not having gone to the best schools or having earned the best grades. Law firms like seeing this because they sense that these kinds of attorneys value what they have and they know that tons of attorneys come through their doors and quit and do not value what they have.

I’ve received calls from attorneys at small law firms who want to work in major law firms.

“How much business do you have?” I may ask.

“About \$500,000,” they might say.

I kindly inform these attorneys that they need about \$3-million to get into the firms they are

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interested in. After countless conversations like this each year, every year a few of these attorneys call me back: “I’ve got \$3-million now.” They generally get into the firms they wanted a few years previously.

The cycle of improvement, getting various recognitions, moving to better firms and getting more business is highly regarded by law firms and this quality of striving and improving gets attorneys jobs. Law firms want to hire people who help themselves.

From a business standpoint, law firms have self-interest in hiring people who will be much more tomorrow than they are today. This helps the group grow and prosper. Law firms love finding diamonds in the rough and getting people who are driven and likely to continue improving.

## **12. Connections**

An attorney’s connections are also very important to hiring decisions. Business is done and resources are often distributed based on connections that groups of people have to one another. People will help each other based on connections.

I have seen numerous underqualified attorneys hired by major law firms because of connections they had to important people and businesses. Connections matter a great deal and play a very important role in hiring decisions. People are hired as favors to others, or because they have connections that can assure a flow of new business—or keep an existing flow of business coming. I

once saw an entire law firm grow to almost 50 attorneys based on a connection that one attorney had to a company (the law firm subsequently went away when the company changed hands).

Law firms want to grow to preserve themselves and from an economic standpoint they need connections to do this. Alliances between people and outside groups and organizations help keep law firms strong.

## **CONCLUSIONS**

Over the years, I have seen numerous academics and others not necessarily “in the thick of things” attempt to describe what is important to law firms and what law firms should look for when hiring people. I have even read various books and papers about this. None of this really matters. The qualities that law firms and their clients are looking for in attorneys are driven by the “invisible hand” and this market-driven phenomenon controls who succeeds and who fails.

For the most part, law firms hire attorneys based on their attempts to maximize their own self-interest and what is most likely to make their groups survive and grow. Similarly, for the most part, attorneys accept jobs based on their own self-interest and on what is most likely to benefit them. The invisible hand is thus operating in law firm hiring decisions. The result is that the attorneys who get hired are the attorneys who are the most motivated, qualified and suitable to the profession.

## Additional Article Resources

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Please see the following articles for more information:

*Why Upper and Lower Class Attorneys Rarely Succeed in Law Firms: How Race and Class Often Hinder Law Firm Success*

*Love What You Do*

*You Need to Enjoy What You Are Doing*

*Parking Benefits and Falling in Love with Your Job*

*8 Reasons You Are Not Motivated and Why You Need to Stay Motivated No Matter What!*

*Top 9 Ways for Any Attorney to Generate a Ton of Business*

*Four Union-Like Rules of All Law Firms You Need to Know About*

*Group Rules, Walking Off, Suffering, and Your Career*

*How Attorneys Destroy Their Careers by Choosing the Wrong Law Firms*

*10 Factors That Matter to Big Firms More Than Where You Went to Law School: Why the Law School You Went to Ultimately Does Not Matter as Much as You Think It Does to Major Law Firms*

*Top Law Schools Analyzed and Ranked By America's Top Legal Recruiter Harrison Barnes*

*What If You Get Rejected At Law Schools*

*The Pygmalion Effect and Setting Incredible Expectations for Your Career and Life*

*Be Around Those with High Expectations of You*

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

*No, You Should Not Quit Your Job before Securing a New One*

*Firm Culture Matters Most*

*The Importance of Trust and Access to Information*

*Top 10 Ways Attorneys Can Move to a Better Law Firm and Get a Better Attorney Job*

*Using Connections*