



## *Article of the Week from Harrison Barnes*

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### ***The Only Seven Reasons a Law Firm Will Ever Make You a Partner***

**Summary:** Find out what you need to do to make partner in your law firm in this article.

Over the past few years, when I have been on airplanes or in other circumstances with limited entertainment options, I have seen several documentaries about the training of Navy Seals. Maybe it is related to the killing of [Osama Bin Laden](#)—I do not know. However, these training shows are so plentiful that I have concluded that anytime I am stuck somewhere with only a few channels of television to watch that a Navy Seals training documentary will be on.

A recurring theme of these documentaries is that soldiers are forced to work so hard they give up, put down their helmets, ring a bell and quit the training. There are always multiple images of the bell and of helmets sitting next to the bell, as well as commentaries from remaining soldiers:

“It just got too much for him and he could no longer cope.”

“They were hard on him but the Seals are only for the strongest.”

“It’s not easy being a Seal and that is why so many quit.”

The announcer, in a deep and serious voice, will then offer a few words about how many try and fail and that being a Seal requires an extraordinary amount of endurance to succeed.

In every class of recruits, many would-be Seals quit training because it is very, very difficult. On little sleep, you are forced to run long distances, hold your breath for extended periods of time, endure extreme cold and deal with all sorts of unreasonable stress that is not normal by any stretch of the imagination. At each step, recruits simply put down their helmets because it is just too difficult.

The training culminates in something called “hell week,” where there is even less sleep, harder work and the conditions are even more perilous. Fewer recruits think they will end up making it—and many more quit.



Recently, as I was watching one of these documentaries, it occurred to me that a lot of what is going on with soldiers who want to be Navy Seals is similar to what is going on with attorneys who want to be partners in large law firms:

- They put down their hats too soon.
- They do it too close to the finish line.
- They could make it, but most do not.

Many rewards come with being a Navy Seal, including being tasked with important assignments and being endowed with the “identity” of a Navy Seal. I have met several Seals, and one was even in my family for some time. These soldiers are proud of the tremendous accomplishment of becoming a Navy Seal and those who know them also are proud to be affiliated with a Navy Seal. It is more than just being in the Navy—it is about being a Navy Seal. Navy Seals also tend to feel a tremendous amount of confidence in other areas of their lives because of what they achieved.

When people talk about an attorney, it is much more meaningful to say that the attorney made partner at a given law firm as opposed to that the attorney was just an associate or counsel there. There are plenty of attorneys all over—and attorneys who practiced in major law firms—but there are few attorneys who had the staying power and ability to become partners. It is difficult to do this. However, the main hurdles —just as in Navy Seal training—are often psychological and even physical. They are not impossible to overcome.

For the past 15+ years, I have spent my days speaking with attorneys. I have watched some of them become partners in major law firms, but I have watched far, far more not become partners but instead leave their firms to do something else—go to work for the government, become counsel, go in-house, or (most common) quit the practice of law altogether. All of the choices other than becoming a partner are similar to putting your helmet down and ringing the bell. These are easy choices and available to everyone.

You can put your helmet down, ring the bell and suddenly have less responsibility, more free time and less pressure. It is that easy. The question every attorney needs to ask, though, is if the attorney really wants to be a partner in a large law firm.



## Law Firms Do Not Want to Make Partners

Law firm partners love it when you put your helmet down and ring the bell. The more people who ring the bell, the more it has the impact of making existing partners (who did not ring the bell) feel and look that much more special. The existing partners feel better about themselves and those around the partners (other attorneys and staff) also tend to view the partners with more respect.

Moreover, there is that much more money left over for existing partners.

Most law firms do not want to make you partner. Of course they do not. If they make you a “real” partner they will suddenly have to share profits with you and that will decrease the income that the partners in the law firm make. You will suddenly be sharing the money they are bringing in and they will have to share with you regardless of what sort of money you are bringing in the door. They are not interested in this. Every partner, in every law firm, would prefer that you stay an “employee”, and they have all sorts of brilliant ways to keep you an employee:

- They will keep you an associate as long as it passes the “straight face” test—a twenty-year associate is generally not acceptable.
- They will make you “counsel” and limit your income.
- They will make you a “non-equity” partner—a brilliant invention meant to keep you an employee and give other attorneys in the firm the perception that it is possible to become a partner.

When I talk to senior associates in large law firms, or counsel attorneys, they frequently say things such as “the firm has not made a partner in this office in 15 years ...” and so forth. The fact that being a partner is such a “monumental” accomplishment means that in the eyes of most attorneys there is nothing wrong with giving up, quitting, [going in-house](#), going to work in a “boutique law firm,” or doing something else entirely. One attorney I know from a major New York City law firm decided to open up an ice cream store after becoming an expert in corporate securities and billing 2,800 hours a year for 12 years of his life.

## Why Law Firms Make Partners

***Law firms will generally only make you a partner if they have to.*** There is no other reason for them to do this and no other incentives whatsoever for a law firm to make you partner. They are not



going to make you a partner because they like you, or because it seems “fair,” or any other reason. The only reason you will be made a partner is because the law firm has no other logical choice but to do so. It is as simple as that.

These are the only reasons why an attorney will generally make partner:

### **1. You Have (or Look Like You Will Have) a Ton of Business the Law Firm Can Exploit**

Law firms will make you partner—without a doubt—if you have a lot of business they can exploit. Why do I use the word “exploit”? I use this word because if you have \$2-million in business you are likely to take home somewhere between \$400,000 and \$700,000 (maybe less and maybe more). What happens to the rest of the money you collect? It is spent on things you have no control over such as the law firm’s overhead (office space, salaries and so forth) and also distributed to partners more powerful and higher up the food chain than you. Perhaps it is even used to try and open new offices.

Who knows?

The point is that when you have a lot business you will be paid a fraction of it and the rest will be gravy that the firm will use for a variety of self-serving purposes—including enriching those more powerful than you. It is not much different than being an associate.

When you bring business to the table your value proposition is as simple as this:

“Hey guys! If I give you \$2,000,000 a year can I have an office, a secretary, \$500,000 and call myself a partner? You can do whatever you want with the extra \$1,500,000 I give you each year!”

“Well, things are very competitive here and we do not just admit anyone to the partnership. Let us give it some thought for the next three seconds and we will get back to you after a ‘vote of the partnership.’”

Two seconds later ...

“Well, we all met and voted. Congratulations on making partner!”



It is a no-brainer for firms to make attorneys with lots of business partners. Notwithstanding, a good amount of business means different things at different law firms because some firms require more than others. At a major American law firm with extremely high profits per partner, it may take far more than \$2,000,000 to be a serious contender for partnership. I work with attorneys at giant New York law firms all the time who have that much business, but they are still associates—and their prospects of becoming partners are “iffy” at best. They may need much more business to be taken seriously—possibly as much as \$3,000,000 or even \$4,000,000 in business. Some of these attorneys simply move down the food chain a bit and get a warm and welcoming reception from other great law firms—just not the most prestigious law firms of them all. It all depends on the firm.

If you do not have a ton of business but are (1) continually (over a period of years) bringing in business and (2) the amount of business is continually increasing, the law firm will be interested and take this seriously. If the firm sees a ton of potential for what you are likely to do in the future and you look like you will be able to make the firm money, then the firm will make you partner. Some attorneys just have a “knack” for connecting with people and getting business—and these sorts of attorneys are frequently made partners in large law firms.

The more money you bring to the table (or look like you will bring), the more likely law firms will make you partner. Money is the driving force of the entire equation. If you are doing work but sucking up money, then you are a liability if the work goes away. If you are bringing in money to feed the army, then you are the most valuable commodity in the entire picture. Law firms need people like you and depend on people like you for profits per partner and all of the overhead that goes into making a great law firm. If you truly want to be a partner you need to find ways to bring in lots of business and keep it coming.

- See [Top 9 Ways for Any Attorney to Generate a Ton of Business](#) for more information.

## **2. You Are Connected to a Powerful Partner (or Group of Partners) with a Ton of Business the Law Firm is Exploiting**

In large law firms, a common way for attorneys to make partner is to be closely connected to a powerful partner (or group of partners) with a ton of business that the firm is currently exploiting. As an associate, one of the most important things you can do is get close to partners with lots of business. These partners bring business that supports the firm and the people who work there.



These partners have a lot of power in the firm. The more business they have, the more sway they have.

There are numerous partners in major law firms in every good-sized legal market who have \$5,000,000 or more in business—and many of these partners (there are some in most firms) have well in excess of \$10,000,000 in business. These partners are throwing a lot of money into the pot each year and supporting a lot of people—including other partners. They are giving other partners in the firm work to do, keeping things moving, and paying for a lot of private schools, German luxury cars and expensive vacations. There is no way that anyone wants to piss these people off, and when these partners want something, the other partners whom they support are generally happy to give it to them.

Here is how to think about this: Imagine you are a partner who has some business, but not a ton of business (a scenario that fits a decent percentage of partners in major law firms) and you have an opportunity to be a brown noser and impress someone who gives you 500 or so hours of work a year. These hours are important because they allow you to get to 2,000 hours a year, which keeps you employed and appearing productive in the eyes of other partners. In fact, if you did not have these hours your income would be dramatically different.

Imagine further that your benefactor comes to you wanting something: “Nancy’s doing a good job for me and I would appreciate your support in voting for her.”

Do you think you would choose not support your benefactor and vote for Nancy to be made partner? Of course you will help your benefactor, which helps Nancy. In fact, partners who leave firms often do so because (for whatever reason) they are not supported when they try and propose associates for partner. Sometimes there are even groups of partners in the firm who are not supporting the more powerful partners because they are not getting work from the powerful partners, or even are jealous of them. This sort of stuff occurring behind the scenes in partnerships is often the reason firms get in trouble and is part of the day-to-day drama of most law firms. The best law firms manage this political stuff well and the worst ones (which are the ones that have lots of problems) do not.

It is as simple as that. From a political standpoint, if you get close to a partner who has a ton of work and you work extremely hard for that partner, then your odds of making partner are very good.



What also sometimes happens is the more powerful partners end up leaving their current firms and taking loyal associates with them and demanding that they be made partners at the new firms as a condition of joining.

One of the smartest things that any ambitious attorney can do is to get close to a partner with a ton of business and then do everything within their power to impress that partner and get that partner's loyalty. The support of powerful people goes a long way.

You get this kind of support by

- working incredibly hard,
- making them look good,
- giving them credit for your work,
- covering up their mistakes,
- billing clients in a way that helps the partner (the partner may want you to under-bill certain clients to keep them happy),
- saying nice things about the partner to clients,
- being the confidant of the partner and keeping the partner's secrets,
- helping the partner develop lots of business,
- never talking behind the partner's back,
- making the partner's life and job much easier,
- being at work before the partner gets there and leaving after the partner goes home,
- prioritizing the partner's work and life above your own,
- correcting the partner's work when necessary,
- being a personal assistant (happily) when necessary and without being asked to do so—even if you think the work is beneath you, and
- turning in perfect work to the partner that does not require any review because the partner already knows it will be exceptional.

This is how it is done. If it is offensive to you to do to any of these things, then you are going to have to make partner in a different way. When you make others feel important and significant, their



natural reaction, over time, is to reciprocate by doing whatever it takes to make you feel important and significant as well.

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

- [\*\*The Importance of Being Well-Liked in Your Job\*\*](#)
- [\*\*The Importance of Being Well-Liked\*\*](#)

People who do not become partners let their egos get in the way. They think they should not have to work so hard, that they should not have to kiss ass, that they did not go to law school to be someone's personal assistant, that the quality of the work of their benefactor is not their concern, that they are their own people and can talk about others how they like, that they are employees and do not owe a high degree of loyalty to anyone in particular.

All of these thought patterns are fatal. They are also against how people have gotten ahead in the world for just about as long as human history has been recorded. Everyone needs to kiss ass—the President of the United States, CEOs of huge companies, the owners of huge companies, billionaires, rock stars, famous actors. Why should you be any different? Because you did well in college and the LSAT, went to a great law school and now work at a big firm?

While I hate to be so blunt, you will see a profound difference in your level of success and prosperity if you learn how to kiss ass and be a servant.

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

- [\*\*Flow, Your Ego and Your Career\*\*](#)
- [\*\*Rolls Royces, Your Ego and Choosing Who You Are Controlled By\*\*](#)

### **3. You Are Connected to a Powerful Client (or Group of Clients) That Gives a Ton of Business to The Law Firm and Is Being Exploited**

While it is not as common as being made partner due to a connection with a powerful partner, numerous attorneys in large law firms become partners each year due to connections with powerful clients that they are able to exploit to their benefit.





If you are an associate and tasked with working directly for a large client, your objective should be to do everything within your power to impress that client. That means that you want to do the best work possible for the client, try and keep their bills down and be the best attorney that they have ever had working for them. The more you understand about the client and their business, and the more you help them and are their point person, the better off you will be.

Part of getting close to a client and doing exceptional work for a client is becoming more available and more impressive to the client than even the partner who brought in the client to begin with. You want to be in a position where the client is calling you for answers to questions, where the client is calling you with new matters (which you will not get credit for) and—dare I say this—where the client feels ignored by the originating partner and coddled by you.

You need to be careful with this. If the firm (or the partner who brought in the client) thinks you are getting too close to the client, or potentially going to steal the client, then the firm will either get rid of you, or not let you work for the client anymore. This happens all the time and these decisions are made quickly. Therefore, the way you get close to the client needs to be subtle and take place over an extended period of time. By the time the law firm sees you have become indispensable to the client, it will be too late for the firm to penalize you, because if the firm puts you on matters not involving the client, or fires you, then the firm will face a real danger of losing the client.

The process of getting extremely close to the client generally needs to occur over a period of years. It needs to be such that your connection grows so strong that the client demands you be the point person on all of their matters and trusts you even more than the partner who brought them into the firm to begin with. You need to be brilliant, save the client money, make the client money and be outstanding to the client in all respects. If you do this, at some point the client will say to you:

“Have they voted for you to be a partner yet?”

If this is not said, the conversation will come up as a matter of course—especially if you are friendly with the client. If the client is large enough (\$5,000,000+ in billing a year for a major law firm; less for smaller firms), the client may volunteer to go to bat for you (or you can just flat out ask). When you get a client like this to go to bat for you and the law firm subtly feels that they might lose the client if they do not advance you, this might be all it takes.



In some firms it might be difficult for you to develop outside business, or get close to a powerful partner. A good option for making partner in this case is to get close to clients and become indispensable to them. You must be seen as honest, brilliant, a fair biller, hardworking, out to save them money and more. You must also cover up their mistakes and protect them from being exposed when they do something wrong. You need to have their back 100% and you need to figure out ways to bend rules to their advantage.

#### **4. You Have Worked So Incredibly Hard That to Not Make You Partner Would Demotivate Other Hard Working Associates the Law Firm Is Exploiting (Making the Ongoing Cycle of Exploitation Difficult for the Law Firm to Sustain)**

Hours matter to law firms. They matter a lot. In fact, without attorneys billing a lot of hours the law firm does not make money. Therefore, law firms love it when there are attorneys inside the law firm who set a good example for all other attorneys by billing incredible numbers of hours.

- In many law firms with large institutional clients it is often extremely difficult to get business.
- It can be extremely difficult for some attorneys to become the “go to person” for any particular client or powerful partner.

In situations like this, the best way to show your value to the law firm is to dedicate your life, heart and soul to billing as many hours as humanly possible. You need to show the law firm and partners within it that nothing is more important to you.

How many hours is enough? It depends on the firm. Here are some general rules of thumb based on what I have seen work:

- If the average attorney is billing 1,800, you should be at 2,500.
- If the average attorney is billing 2,000, you should be at 2,800.
- If the average attorney is billing 2,200, you should be at or over 3,000.
- If the average attorney is billing 2,500, you should be at 3,300 to 3,500.
- If the attorneys you are competing with to be partner are at or near 3,000, you should aim to be as close to 4,000 as possible.



Are such expectations inhumane, crazy, or awful? I do not think so. If there is no other way to get ahead you need some way to distinguish yourself from the pack and look the best you can to the people who will be voting on your success. You need to make them as much money as possible and show them how dedicated you are.

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

- **[Be Committed to What You Do](#)**
- **[The Only Things That Matters Is Commitment](#)**
- **[Why You Should Work Weekends and Holidays](#)**

This is where most people put down the helmet and ring the bell. They say things like “I want a life outside of work” and “It’s not for me” and so forth. These are all valid reasons not to work these sorts of hours. If you have no other way to truly get ahead (and most attorneys do not) then you need to do what you can to work these sorts of grueling hours for years, or longer. Most people will not do this. If you do this, however, you are showing the firm how dedicated you are and how much the work means to you and how much the job means to you. Once the firm sees this, to not advance you becomes extremely difficult for them to justify.

People want to help those who are unbelievably dedicated.

The problem with this sort of work ethic is that it does not always end with success; but it does more often than not. It is not easy to bill this many hours because the attorney needs to be good enough and talented enough to get this amount of work from other attorneys in the firm and also other clients. They need to be doing something right to be able to get this much work and create this much work.

As an aside, one of the most important skills an attorney can possess, when it comes to making money, is the ability to create work and find work to be done. You need to be able to convince clients and other attorneys to spend money on research and other tasks. Attorneys who bill 3,000+ hours a year have a special skill of finding and creating work to be done. They also have a skill of selling the idea to clients, partners and others that certain work should be done and that they should do it. This is a skill and billing a lot of hours shows the partnership that the attorney has the potential to get work from clients in the future and create wealth.



Finding work to be done creates wealth. Those who are not creating wealth are not finding work to be done.

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

- **To Succeed in Any Job You Need to Create Work**
- **Upgrade Your Career and Life by Finding Work to Be Done**

The other advantage of billing an incredible number of hours is that all of the associates and others in the firm will know who is and who is not billing an incredible number of hours. If you are always in the office and billing an incredible, hard-to-believe number of hours, then you are going to be a “role model” for everyone in the firm. To not make you partner after years of this will send shock waves through the ranks of other associates and demotivate the entire firm and show that working these sorts of hours may not be worth it. This is the sort of risk that firms are not interested in taking if they can help it. They need to reward extremely hard work, because if they do not then the entire system will crumble. When law firms do not reward the hardest workers there becomes no incentive for the legions of other attorneys to work harder. From a purely economic perspective, showing the troops that their sacrifice and hard work will be rewarded makes everyone work harder and keeps everyone motivated.

In large law firms, the most common way for attorneys to make partner is to work extremely hard for an extended period of time. Most attorneys give up after a few years of doing this and few have the fortitude to work like this for 10+ years. It is like becoming a Navy Seal—things just keep getting harder the closer you get.

It is very common for the largest law firms to pass attorneys over for partnership two, three and four times. Each time the attorney is being tested: Do they really have the commitment to go the distance? If the attorney keeps working incredibly hard in the face of rejection and discouragement then the attorney’s resilience and persistence is often rewarded.

- **See [Never Give Up](#) for more information.**

## **5. The Law Firm Is Being Shaken to the Core By a Series of Departures and Needs to Set an Example to Keep People Around That the Law Firm Can Keep Exploiting**

In some situations, law firms may be facing a sea of departures for various reasons and the law



firm suddenly looks quite unstable. They may be losing top partners, associates and others as people feel they are on a sinking and rudderless ship. In these sorts of situations, law firms will often attempt to prop up morale and keep you from leaving too. In these sorts of instances, you likely would have made partner anyway, but the process is just sped up.

Keep in mind: Law firms will only make partners when they have to.

When attorneys are made partners under these sorts of conditions, they are often less than excited. They may already have been considering leaving and have been in the midst of talking to other law firms. The attempt to hold on to the attorney is often met with skepticism by the attorney receiving the offer. In addition, because there is often a “buy in” involved for these attorneys to become partners, they are often even more skeptical about investing money in what they perceive as a sinking ship.

Nevertheless, most law firms that are in any sort of trouble or shaken up with morale issues eventually recover. Getting a partnership in a major law firm in the midst of a crisis can often be a huge gift. This gift should be taken seriously and embraced if possible. You may never get an opportunity like this again.

## **6. The “Partner” Title Is Meaningless**

For a substantial percentage of law firms, the title of “partner” is basically meaningless and is generally something in name only.

Generally, an attorney’s first brush with partnership will be as an income, non-equity partner. Some firms advance attorneys to this title as a matter of course after a number of years and others treat it more seriously. While this job is no different than being an associate for the most part (albeit, with somewhat more income and an impressive title), it generally comes with some pressures that are quite significant.

Income partners may be given a few years to get business (using their new titles) and if they do not succeed they literally may lose their jobs. This is very common and never fun. In fact, many of the income partners I have spoken with in the past say they wish they had been able to stay associates. Some firms will let income partners stay income partners for a long period of time provided there is enough work.



In other law firms, the compensation system and formula for partners is such that while you may get a nice title (and even a share of the profits) you may make less—or the same as—senior associates and therefore having the title is somewhat meaningless.

- See **What Law Firm Titles Mean: Of Counsel, Non-Equity Partner, Equity Partner Explained** for more information.

## **7. You Have Some Sort of Expertise, Special Skill, or Connections the Law Firm Needs and Cannot Find Elsewhere**

In rare cases, you may be made a partner due to possessing some sort of expertise that the law firm is worried it will not be able to find elsewhere. The type of skills and expertise you have could be as varied as the practice of law.

- You could be such a brilliant and exceptional attorney that the law firm never wants to lose you.
- You could be an incredible trial lawyer with persuasive skills that are world class.
- Your writing ability could be so skilled that you win most motions.
- You could be trained in an obscure area of transactional law that the law firm could not possibly find elsewhere.
- You could be a brilliant patent attorney who has an understanding of a technical niche that is almost impossible to find in the market.

Law firms want to advance the smartest and best attorneys. If you are really, really exceptional at something, then this is valuable to them. Rather than have you take your skills elsewhere, the law firms may make you partner. They may also make you partner simply to reward, or legitimize, your skills and contribution.

Equally important are attorneys with special connections.

- You could have worked in a position in government that is important to the law firm (and its clients).
- You could be from an important family with connections to the law firm, government, or industry.



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- You could be a well-known attorney for one reason or another (and not necessarily have business).

There are all sorts of possibilities for why a law firm might want to make you partner due to various skills, expertise, or connections – and this often happens.

### Conclusions

There is no reason for any law firm to ever make an attorney a partner unless the law firm has to. The benefits of making you a partner have to outweigh the cost of doing so. The benefit of doing so now also has to outweigh the perceived long-term costs of doing so. If you can fit yourself into one of the seven situations described above, then becoming a partner – the Navy Seal of the legal profession – is within your grasp if you do not ring the bell and put down your helmet prematurely.

**See the following articles for more information about making partner in a law firm:**

- **[Top 10 Characteristics of Superstar Associates Who Make Partner](#)**
- **[Five Keys to Making Partner](#)**
- **[“Making Partner,” or Things to Do While Waiting for the Dream Job and the Dream Practice!](#)**

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