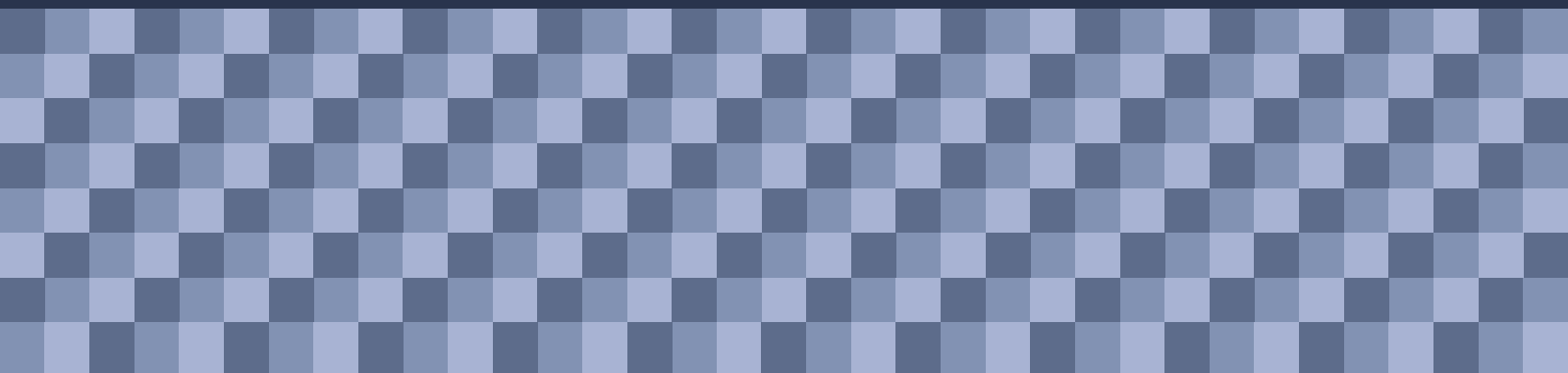




ATTORNEY SEARCH

ARTICLE OF THE WEEK

by Harrison Barnes, CEO of BCG



The Similarities between Human Trafficking and Practicing Law: Why Control and Energy Are So Important to Your Life and Career

Summary: *Learn how you can regain control of your legal career and have the career you are entitled to and deserve in this article.*

Several years ago I was working with an extremely talented attorney in Silicon Valley who was up for partner in a major law firm. She had an extremely distinguished record and a phenomenal history of achievement. She had graduated at the top of her class from a very good college and excelled during law school at [Berkeley](#). Her parents had immigrated to the United States and opened a restaurant to survive. My candidate spent her childhood working for her parents at the restaurant and her entire legal career working for the same law firm. She was “tough” and had an exterior and personality that came from a life of working hard, overcoming odds and sticking up for herself. Her confidence was such that I remember thinking to myself that she was among the tougher attorneys I had spoken with in a long time—men or women.

She received stellar reviews throughout her time at the law firm and in her most recent review, a year prior, she was told that her chances of making partner “looked good” and that she should continue doing what she had been doing. What she had been doing was billing 2,500 to 3,000 hours a year, having very little personal life and basically giving everything she had to the firm for her entire career.

“I need you to get me an offer, with a comparable firm as a partner, within the next two months before they let me know what they are going to do,” she told me. “I’ve seen them screw over people before and I need to be prepared in case they try to screw me over too.”

This is the sort of conversation I regularly have with attorneys in her position. In fact, over the past several months I have worked with multiple attorneys like this woman who did not know their futures and were seeking some semblance of control in the form of another offer before they found out what their current firms were going to do with them.

Think about this for a moment. The woman had overcome incredible odds to get where she was. She had grown up working for her parents in a small take out restaurant in a bad part of the city where she grew up. She had worked extremely hard, applied herself, and gave everything she could to her career. She had been in her firm for about a decade and during that decade had put her entire life on hold to serve the firm’s interests. She was not married and spent all of her time and energy in service to her firm. Something inside of her was motivating her to succeed; yet, despite everything she was giving, her career was out of control.

- See [The Real Reason Why Most Attorneys' Careers Are Out of Control](#) for more information.

She had no control over what was going to happen to her. In the absence of control, she had reached out to me to try and give her control.

What happened next with her will astonish you.

I worked very fast and we managed to get her an offer to join a major American law firm as a partner in its Silicon Valley office. She had no business, but she had confidence, drive and presence and the law firm was sold on her. It was a relatively new office and could afford to take risks.

When the firm made her an offer the firm expected an immediate response. But she told me that she wanted to interview with a few more places before making a decision. She was getting more interviews, but the process for hiring a lateral partner with no business can take some time. I told her she might not be able to expect another offer for some time and she told me she was fine with that. The law firm that made her the offer was upset that she was not accepting right away. The firm wanted to know her answer and people from the firm started calling me to ask what was going on. When I called my candidate she did not return my phone calls. This went on for several days and I was worried the firm would pull the offer.

Then, with no notice whatsoever, a few lawyers from her existing firm called her into a conference room. These were the very people who had been encouraging her to work so hard for so many years, and who had told her that she was on the right track for partnership.

With dour faces, they told her that not only were they not making her partner, but that she should leave immediately because it would be bad for "morale" if she stuck around. They did not offer her an extra year, a counsel role, or anything. They let her go. She called me on her cell phone as she was driving away from the office park one last time. She did not even sound upset. She was matter of fact, like she was talking to a client.

"You need to accept your offer with the firm right now," I told her. "Accept it and start immediately."

"I need a few days," she told me.

An hour or so later the law firm that had made the offer called me to withdraw the offer. The firm was very upset, after having gone out of its way to get her approved for a partner role and more. She had won this firm over, convinced the firm that she wanted to work there, and then suddenly turned apathetic.



Over the next week or so I convinced her that we needed to put this back together. People at the firm told me that she needed to call them and tell them that she still wanted the offer and then come back and convince them in person. I finally managed to convince her that she needed to go back and get the offer back. Incredibly, the firm she got an offer from was a more prestigious firm than the one from which she was let go. It seemed a no-brainer to me. I set up a meeting, got her “fired up” and spent a lot of time with the firm putting things back together as well.

As an aside, many people do not understand everything a good legal recruiter does. At its “heart,” legal recruiting is the ability to bring people together who, without the recruiter’s involvement, never would come together. Legal recruiters manage both sides and make sure that no egos get in the way of a good outcome. Here, the woman was upset that the firm had pulled the offer and her ego was hurt. At the same time, the lawyers at the firm were upset that she had not accepted the offer right away and their egos were also hurt. These two egos had clashed and the deal fell apart. I put the deal back together. This is something I do constantly and I have saved countless careers by being good at this.

See the following articles for more information:

- [**Should I Use a Legal Recruiter? Top 10 Reasons to Use a Legal Recruiter**](#)
- [**What Makes a World Class Recruiter**](#)
- [**10 Things That Most Legal Recruiters Will Not Tell You**](#)

The best agents (whether real estate agents, recruiters, or others) get people together with the least amount of tension possible on both sides. In the legal recruiting realm, a law firm may be interested in rejecting a candidate and have all sorts of negative things to say about that candidate. The attorney candidate may also have all sorts of negative things to say about the law firm. A talented recruiter will step in and manage both sides and bring people together who should be together. These people get together and their expectations are managed because of the involvement of a talented recruiter. In contrast, a bad recruiter will *involve the recruiter’s own ego* in the search and think only about him or herself in relation to the deal:

- *Does it make me look bad to grovel?*
- *Should I only work with really good attorneys with no issues?*
- *How does it make me look if I try and sell the firm on my candidate?*
- *I do not like dealing with this upset candidate and law firm.*

Alternatively, an average legal recruiter will not understand people well enough to realize that people can get upset and still come together. Healthy couples fight before they get married, but that does not mean that they should not be together. It is all just part of the game. Always has been.



People test each other's boundaries, learn about each other and respect those who have some fight in them.

But I have not told you the entire story yet ...

She went back and met with the law firm, apologized, re-expressed her interest and put on an incredible show. A day later the law firm called me and asked "are you sure she really wants this?" I sold all I could. The representatives from the firm explained that it was "unprecedented" for them to make someone like her a partner to begin with. They further stressed it was "unprecedented" for them to pull an offer and then make another again. The firm had to call a telephone meeting with several members of the executive hiring committee to get the offer reissued. I was ecstatic for my candidate and could not believe that we had saved the day.

I started calling her and received no response. I could not understand what was going on. I continued to call her for a few days and she did not return my calls. I was very concerned. I did not know if she had accepted the offer, turned it down, or what happened. I could not find her.

I felt like I lost control. I felt like my candidate was out of control. She had contacted me originally because she felt that the whole process of making partner in her firm and what would happen to her was beyond her control. She had lost control over her career when she lost her job and further lost control when the offer was pulled. Now that she was back "in control" with the new offer and I could not reach her I was very concerned. I felt like we were going from

- In weak control (employed with a good job that could go away) to
- In control (offer from a good firm) to
- In weak control (lost job but had another offer that could be pulled) to
- Out of control (offer pulled and no job) to
- In control (got offer back) to
- In weak control (offer could be pulled again)

I will tell you what happened to her shortly. But first I need to discuss the issues of **control** and **energy**. The issues of "control" and "energy" are very serious and affect the lives and careers of attorneys at all levels.

See the following articles for more information:

- **[Do Not Allow Others to Be in Control of Your Career and Life](#)**
- **[Your Strength Is Your Ability to Control Your Internal World](#)**



- **Control Your Environment**
- **Your Job Is about the Transference Energy**

Lack of Control Afflicts Attorneys in the Same Way It Afflicts Human Trafficking Victims

One of the main reasons that people become attorneys is because they want to have control over their lives and to “improve their lot” in life. They go to law school and often accumulate hundreds of thousands of dollars in debt in search of this control. To pay back this debt, they take jobs where they often are forced to work inhumane hours and cede significant control over their futures. Control means many things to many people; however, in general it means the right to grow, to be self-determining and to be able to develop your life in the way you choose. Each year, tens of thousands of people enter the legal profession with these sorts of expectations, and the majority of these people end up disappointed. They never find the control they are after. This happens to associates and it happens to partners.

In a similar vein, each year countless people are smuggled over to the United States from areas where they do not have rights or a hope of a bright future. They desperately seek to “improve their lot” and get control over their lives. Instead of owing money to law schools, these victims end up owing untenable debts to the people who smuggled them here to begin with. They are forced to work inhumane jobs, long hours and often find they have little control over their futures. Many people who come to the United States as human trafficking victims never find what they are looking for. They were made great promises, but these promises never come to fruition.

When an aspiring attorney decides what law school to go to, the decision influences where the attorney will get to work. When an aspiring attorney gets to law school, the grades he or she gets there also will have a lot to do with where he or she gets to work. An employer will either “pick” this person or not pick this person. The only “control” most attorneys have early in their careers is where they go to law school and how well they do there. Even that is not fully within their control. They do the best they can and hope it is good enough. To the extent that attorneys are “in control” of their intelligence (test taking ability) and “in control” of their work ethic, they do the best they can.

When an attorney joins a law firm, that attorney largely surrenders all semblance of control. After several months in any law firm, most attorneys readily conclude that they have no idea what is going to happen to their futures. This is not always the case, of course. In many smaller markets, where attorneys work together and where some predictable upward mobility still exists, an attorney may feel some control. However, in larger markets, where the hungriest and most academically qualified attorneys go, there is generally a perceived lack of control. The attorneys who join these firms have no idea what is going to happen to them and they soon realize that they have very little control.

Instead of being in control of their destinies, these attorneys are told to put their heads down and work hard and see what happens. Most do. They do what they are told believing this gives them control. However, this lack of control is terrifying for some attorneys and those attorneys leave. Others (wisely so for the right ones) stick it out and succeed. Not having control is completely against human nature. This is the problem with most large law firms and why a great number of attorneys who join these law firms quit the practice of law completely: They feel like they do not have control over their careers and lives. Not only are the time demands extreme and leave them with little autonomy over their lives, these same attorneys feel a complete lack of control over what all of the work eventually will lead to.

When you sacrifice control you are no different than a group of cows being led off to slaughter with the idea that a few of you will be spared for your “past good deeds.” Allowing others to have control over us and decide our fates—for reasons that make no sense to us—is insane. It is something that drives many attorneys crazy, makes them work ungodly hours and eventually drives them out of the profession.

- **See [25 Reasons Most Attorneys Hate the Practice of Law and Go Crazy \(and What to Do About it\)](#) for more information.**

Having random standards and no sense of what is going to become of our own destinies is also something that is used to enslave us. If we are told to just work a little harder, work a few more years even harder and if we do what we are told then good things will happen ... well, this is used to get even more work out of us and make others richer while we wait for the hope that something good will happen. This is the same thing that happens to victims of human trafficking. Many are brought over to this country and told they now must repay a huge debt and when they pay it off they can do whatever they want. They are forced to do all sorts of unpleasant work (including prostitution) in order to earn money. Meanwhile, they need to live, so they spend money as well. Many are never able to pay off their debts and remain indentured servants for life.

Attorneys in law firms generally join firms with a lot of law school debt. Like human trafficking victims, they want to pay these debts off before moving on. Then, they realize they want to do things like buy a car, nice clothes, a home, start a family, and so on. Law firms encourage this, of course, because they know that with these expenses the attorneys will feel the need to work even harder and lose even more control in their quest to maintain the lifestyle they have adopted. In this way, they are essentially no different than human trafficking victims.

The Only Thing You Have Is Energy and You Must Ensure Your Energy Is Sustained and Not Depleted

You are born with a certain amount of energy and when you use up all of that energy you die. How well you manage the energy and apply the energy you are born with will have a direct impact on

how much you will enjoy your life. You are the one who makes the decisions about what will happen with the energy you are given. There are things that steal your energy and things that create energy for you. *When your life is over, what do you want your life to have been about? How will you say you used your energy?* You can put your energy towards something that empowers you and gives you more energy, or you can put your energy towards something that does not give you energy and in fact sucks it out of you.

- See [Another Big Law Attorney I Know Just Died Young](#) for more information.

When I was practicing law, it was all I could do to drag myself into the office by 9:30 each morning. I would get there and see many unhappy people. Throughout the day, various attorneys would pop in my office to tell me how bad things were at the law firm—it did not matter which law firm, it was the same at all of them. Even if the law firm was doing well and succeeding, there were still tons of people who had nothing but negative things to say.

I would work hard and then go home exhausted and rarely empowered.

I made a decision to get into legal recruiting and do what I am doing right now for a very simple reason: I wanted to be in control of what happened to me and did not trust the system to take care of me. I quit not knowing what would happen to me as a recruiter, but believing it was better for me to have control than to not be in control. Control was very important to me. I believed I could accomplish more and make better use of my energy by being in control versus being in an environment where I had no control.

When I quit my first job in a law firm, a partner sat down with me and started giving me convincing reasons to stay at the law firm. I told him I was concerned that a few people had not made partner and had left the firm while only one attorney had been made a partner that year. What I was saying, in effect, was: *“Why commit myself to this system if it leads nowhere? I do not believe I will be in control of my life and career if I stay here.”* He said something to the effect of:

“Yeah, but one of them only billed 2,800 hours and the other billed around the same. The attorney we made partner billed 3,300.”

Statements like this are meant to give the “illusion” of control. Two people practically killed themselves billing hours and another killed himself just a little bit more and that is why one succeeded and two others failed. The difference of a few hundred hours is “control”?

When I got to a new firm I started to see partners and others being shown the door and I did not understand why—until I realized that they had no business (i.e., no control). I eventually concluded that I had no control over my career and, to the extent that I did, control was often an illusion. (As I will explain later, partners often have even less control than associates.)



I realized that working those sorts of hours made it impossible to get business and without business I could never be in control. Perhaps the system was set up to prevent control (business) and require incredible hours to get control? Just as captors of human trafficking victims structure their victims' captivity in a way that prevents them from gaining control and freedom by repaying their debts, so too do law firms and the law firm "system" try to structure the captivity of attorneys in a way that prevents them from gaining control over their lives by getting business or by having any semblance of a life that allows for perspective, choice and freedom. Incredibly, the only control may come from competing to bill the most hours.

But attorneys are not true captives in the way human trafficking victims are. Though it may not be easy, attorneys are actually far more like "free agents" than they have been led to believe by the system. They have the capacity to understand what is happening to them and to take actions to extricate themselves from unhealthy circumstances and to create new, healthier and empowering lives and careers.

When attorneys move firms early in their careers, and thereafter, they most often do so because they feel a lack of control. Early in an attorney's career (between one and five years out), the attorney starts to realize that things that matter to them and give them control are

- Getting access to work,
- Being liked by the right people,
- Working in a firm where there is advancement potential, and,
- Being in a place where they can develop business.

Attorneys believe these things are important for "control" and this is why the majority of them move. These are good reasons, but generally an attorney will not find "control" at most law firms because most law firms and most legal careers are simply out of control.

I want to talk about partners a bit because they are very important to the "concept of control" in terms of how the system works. I tend to work with just as many law firm partners seeking positions as I do associates and there are lessons to be gathered from working with each.

Law firm partners move firms for the same reason as associates: To get control. When a law firm partner is moving firms he or she will generally be moving with business (but not always). Here are the main reasons most law firm partners move. They are all relevant to the concept of control:

- They move because the law firm is not giving them a large enough percentage of the business they are bringing in.
- They move because the law firm is charging billing rates that are too high and not allowing

them to lower their rates. This drives away clients and hurts the partners' "control" over their futures.

- They move because the law firm does not provide them the support they need to service their clients effectively. The law firm is not providing enough quality associates or other assistance the partner needs to do their work.
- They move because the law firm makes various decisions that impact them negatively without consulting them and they feel left out (they do not have "control").
- They move because their current clients, or clients they are trying to bring in, are "conflicted" with the firm and the partner cannot bring in new business or service current business.
- They move because the law firm is experiencing problems and the partner needs a new place that is in control.
- They move because the law firm is poorly managed and they are nervous about their futures.

Partners and associates leave firms due to control issues. Each of them leaves because they do not believe they are in control and are looking for environments where they feel in control. The only difference between high-performing partners and associates is that partners have come far enough in their careers that they are less-out-of-control. Having clients gives some control, but never enough for many partners. The job of a good legal recruiter is to help partners find environments where they are likely to be in control.

See the following articles for more information:

- [How to Get Your Recruiter to Work for You](#)
- [Help Me, Help You - Tips on How to Maximize the Benefits of Your Recruiter/Associate Candidate Relationship](#)
- [Rules of Engagement: Tips for Working with a Legal Recruiter](#)
- [Finding the Right Recruiter for You](#)

Ultimately, people leave firms because they put their energy into something that is not providing proportionate feedback, or rewards. When you are in an environment that is taking your energy but not providing feedback, you do not know if your energy is being applied properly. When you apply your energy and that energy does not come back to you with the rewards promised or inferred, you have misused your energy. **People and organizations will try and rob you of your energy and that is what you need to protect yourself from.** Law firms rob partners and associates of their energy all the time. That energy is more valuable to the ones who hold it than money many times over: We are all going to die and have a limited amount of energy to give to the world. The human trafficking victim is used for his or her energy for very little reward. The energy of attorneys also is manipulated all the time.

Things that are good for you give you energy and things that are bad for you take your energy. One of the most important things you can do is learn about what gives you energy and what takes away your energy. The most important thing you can do for yourself is to do work and spend your life on what gives you energy instead of on what takes it away. Ultimately, your energy should be managed by you and not by others. This is the goal of your life and something that you should put front and center in terms of what you are trying to accomplish with everything you do. You need to learn everything about yourself to properly manage your energy. You need to do what gives you energy and you need to not do what takes your energy away.

See the following articles for more information:

- [Awaken Your Spirit](#)
- [Surround Yourself with Positive People](#)
- [Concentrate on the Positive, Not the Negative](#)

Most successful people never think of retiring: They get energy and keep going due to the fact that their work gives them energy. People who look forward to retiring are doing so because the work they do takes away their energy.

You want to do work that gives you energy and does not take it away from you!

When I started recruiting and doing what I am doing now it was like my energy was turned on with a firehose. I started getting up at 4:30 and 5:00 in the morning and coming into work. I was excited because I was in a position where I was able to channel my energy into something that I felt good about and I knew would provide proportionate rewards from a spiritual, karmic and financial perspective.

Something that gives many people “energy” is putting efforts towards tasks that help others and society. This is one of the greatest callings we can have. This is one of the reasons that attorneys go into government, public service, personal injury, academics and other branches of law that help others. They feel good about what they are doing and get energy from helping others. Some of these sorts of decisions are the smartest career decisions an attorney can ever make. In my experience, most attorneys working in these sorts of practice settings are happier despite not having the money or “perceived prestige” that many law firm jobs have.

I believe most of these attorneys are happier, live longer, practice longer and feel more fulfilled than the majority of attorneys practicing in giant law firms—who work longer hours, on less “personal” matters, but for more money.

Money generally does not give you energy.

See the following articles for more information:

- [**The Top Reasons Why Money Is the Dumbest Thing Any Attorney Should Focus on When Joining a Law Firm**](#)
- [**Never Focus on the Money: Focus on Your Higher Purpose and Contribution**](#)

You receive energy when you are channeling your energy into tasks that serve your heart and create good karma coming back to you from people, places and things that cannot always pay you in money. You need to learn everything you can about yourself and do tasks that give you energy.

You need to be honest with yourself: Is what you are doing now giving you energy, or taking it away? If you are getting energy you are doing what you should be doing and if you are losing energy then this is a problem—a big problem. Remember: You are only born with a certain amount of energy and if you use it improperly you will lose it all.

The struggles you are facing in your career generally always go back to control and energy. You need to control where and how your energy is used. When you cannot control how your energy is used you are unhappy, frustrated and do not like your job. When your energy is channeled into something that makes you feel good and where you have control you are having a career and life of meaning.

Isn't it time you woke up and started living the life and having the career you are entitled to and deserve?

See the following articles for more information:

- [**Love What You Do**](#)
- [**You Need to Enjoy What You Are Doing**](#)

Conclusions

Back to the story I began with. About four days, 10 voicemails and several emails after she got the law firm's reissued offer, I finally got in touch with my candidate. There was a bunch of noise in the background and I could hear she was on an airplane because there was an announcement coming over the loudspeaker. She sounded extremely happy, upbeat and unlike I had ever heard her. She sounded younger even and there was energy in her voice ...

"Where are you?" I asked her.

"I'm on a plane. I am moving back to New Jersey to live with my parents," she told me. "The movers



came yesterday and I'm going back today."

I was stunned by what I was hearing, of course.

"What about the offer?" I asked her. "What happened?"

"Oh, I called them back five minutes after I received the offer and told them I was turning it down. Smartest thing I ever did."

"I'm sorry, I do not understand why," I said.

"I never wanted to work there. I went back just to show myself that I was in control over my career. I put on the show of my life. I knew I would get the offer back. Once I did that, I called him back and told him I never would work in their law firm. "

"What are you going to do?" I asked her.

"No idea. *But I get to decide* what happens to me."

She then said something to the effect of: "Thanks for all your help, but I'm done. I need to go now." She then hung up the phone.

**

I did not understand any of this and spent the next several years occasionally pondering this over in my mind. "WOW! WOW! WOW!" was all I could think. That woman had some guts—or she had lost her marbles.

A few months ago I received an email from the attorney—it had been at least 12 or so years since I had heard from her. She was looking for partners for her law firm. She now had a very successful and rapidly growing 30-attorney law firm.

She had taken control.

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