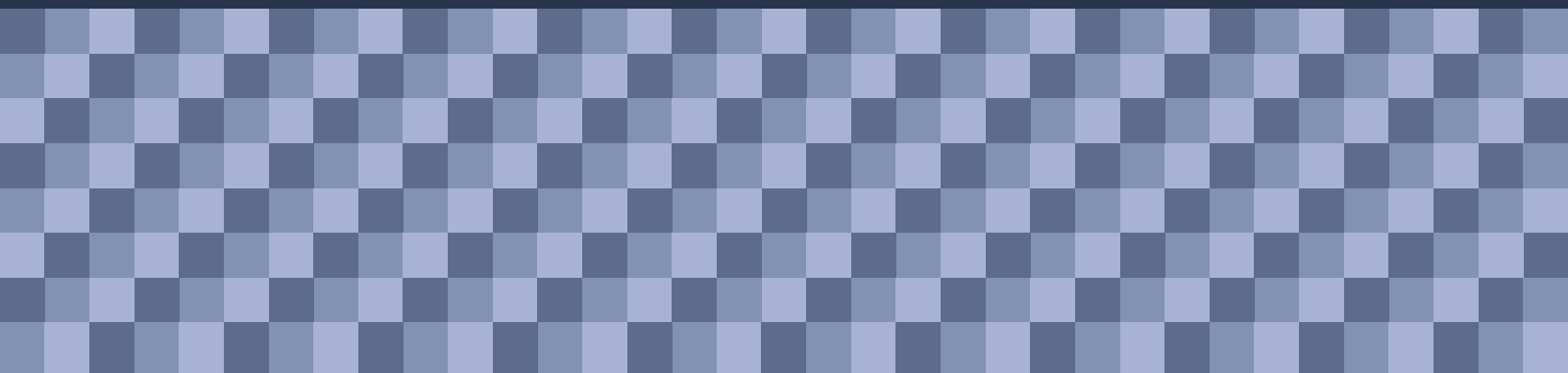


ATTORNEY SEARCH

ARTICLE OF THE WEEK

by Harrison Barnes, CEO of BCG





Two Things the Most Successful 5% of Attorneys Do That the Rest Do Not

Summary: *Learn how to do these two things that will ensure your successful career as an attorney.*

Two different attorneys approached me recently looking for jobs. Both were self-confident men who had every reason to be successful but will not be. Both attended top law schools and did extremely well there. Both got jobs in major law firms out of law school but had recently lost their jobs. One was fired and the other quit.

Both attorneys made the same fundamental career mistake but in different ways. The attorney who was fired approached his career tactically but not strategically, while the attorney who quit approached his career strategically but not tactically. You must be both strategic and tactical to be truly successful in your legal career.

See the following articles for more information:

- [Strategy, Symbolism, and Your Career](#)
- [To-Do Lists, Tactics, Strategies, and Going to the Moon](#)

The Purely Tactical Attorney

The attorney who was fired had worked in an extremely prestigious New York law firm for exactly one year before he was let go. He had grades that put him among the top 10 or so graduating students in a top 5 law school. He had a history of stellar academic and life achievement and by all indications he should have had a very promising future in the legal profession. His downfall was his lack of strategy.

Things started off well for him at the firm. He worked very hard on the matters he was given. But he was very, very smart (perhaps too smart for his own good), and he soon began to make the mistake of questioning aspects of his assignments. He went back to the assigning partners and told them that some of the work was completely unnecessary because (1) it would never help the client and (2) it was a waste of money for the client. He believed the assignments and the work he was being asked to do were wasting the client's money.

This did not go over well with the people who were assigning him the work.

He got into his first performance review and was told in no uncertain terms that he should leave



the firm. He was told that he could spend the next few months looking for a position and “good luck.” He now goes into work each day with very little to do.

I recommended that he do a judicial clerkship and apply to every single judge he could. “That way, it will look to law firms like you worked for a year and then went to clerk. You will save your career. A few months is enough time for someone with your background to find a clerkship,” I told him. “This will work and save your career. If you do not find a job in the next few months then you are going to be unemployed and this will add to your future employment problems because it will look like you were fired.”

“I want to stay in BigLaw,” he said. “What can you do for me now?”

Before going any further, I gave him an extensive lecture covering some of the finer points about what he did wrong:

I explained that he should have just done what was asked of him—he was a soldier and not a general at this point in his career. The partners assigning him work were paid based on how much work they assigned to associates like him and on how much work those associates produced. Those partners were excited about the opportunity to make money and the associate was not supposed to question their ideas. He was preventing the partners and the firm from making money by questioning his assignments. He was a liability to the firm because he was not doing the work he was assigned in the way it was assigned. The firm wanted to make money. The firm did not want to deal with an overly clever first-year associate. How could he expect to advance in the firm if he stood in its way?

After this lecture, with which he appeared to agree, I sent him a list of numerous firms all over the country:

- I recommended he look in other geographic areas—he **refused**.
- I recommended that he look at smaller firms as well—he **refused**.
- I recommended he apply to firms immediately—he **wanted to think about it**.

Then, after sending him the names of several law firms (including large law firms), he wanted to discuss each firm and the ways in which it was or was not “suitable” for someone like him culturally and in other ways. The problem with this attorney and his career prospects, I realized, was that he lacked strategy. He was purely a tactician; despite his intelligence, the lack of his ability to employ strategy in addition to tactics all but ensured his ultimate downfall.

- See [Be Proactive in Business and in Your Job Search](#) for more information.

Your entire legal career is about your strategy and the means you employ to get where you want to go. If you are operating with “loose tactics” then you are going to have a very rocky and dangerous career and your career is going to fail, or never reach its full potential—no matter how smart you are.

The Purely Strategic Attorney

The other attorney was a pure strategist. He knew exactly what he wanted: He wanted to be in a law firm that rapidly advanced him to partner and a large paycheck. He was not interested in anything else. He had gone to a top law school, done extremely well there and believed that he was entitled to this.

He had joined a top law firm out of law school and very quickly realized that the firm offered very little immediate advancement opportunity. When he realized it was going to be very difficult for him to get ahead, he immediately quit his job and expected a recruiter to find him a position in a law firm that would very quickly advance him without him having to learn the ropes, pay the price, or do much work whatsoever. He believed that strategy was more than enough for him to get ahead.

He was wrong. You can have all the strategy you want, but without employing the proper “tactics” to get where you want to go nothing much ever happens.

See the following articles for more information:

- [Top 10 Ways Attorneys Can Move to a Better Law Firm and Get a Better Attorney Job](#)
- [10 Biggest Career Mistakes Big Law Firm Attorneys Make \(and 10 Ways to Survive in a Big Firm\)](#)
- [21 Pieces of Career Advice No One Gives Attorneys](#)

What are the “tactical” realities involved in [becoming a highly-compensated partner in a major law firm](#)? For starters, you need to get into a good law school and do well there. Then you need to become very strong in your practice area, become indispensable to other partners and also generally bring in significant business (at least a few million). This attorney apparently thought his law school and grades were enough. He appeared oblivious to his need to continue with his tactics at the law firm—potentially for a decade or more and involving great toil on his part—to meet his strategic goal of advancing and getting a big paycheck.

- See [The Only Seven Reasons a Law Firm Will Ever Make You a Partner](#) for more information.



The Interplay of Strategy and Tactics

Here is the critical interplay of strategy and tactics and why an attorney needs both in order to have a successful legal career:

- **Strategy is the process of figuring out where you want to ultimately get in your career** (to be a partner in a major law firm, to be an important politician, to go into the United States Attorney's Office, to start your own law firm one day).
- **Tactics are the means by which you achieve your ultimate goal** (working hard, taking positions along the way that bring you closer to your goal, doing a clerkship, becoming a law professor, and so forth.)

When it comes to your legal career, you need to make the absolute best strategic decisions before you make tactical decisions. The reason is because tactics follow (and implement) strategy. The “tactical” attorney never took the critical first step of coming up with an overall career strategy that would inform all the tactical decisions he would make.

“What do you want to do with your career?” I asked him.

“I do not know,” he answered.

Because this attorney had no overall strategic goal for his legal career, his tactics had no context for success. If he had truly wanted to be a partner at the firm he was at, for example, he would have conducted himself differently. He would not have questioned his assignments but would have instead simply done whatever was asked of him. He would have learned everything he could and respected the partners instead of questioning them. Even after he went off track, he would have tried to salvage his overall goal by following my advice and applying to firms all over that might have openings for him.

But he was not strategic and so he did not do these things. Tacticians think that because they are smart, because they can do the work and so forth, that good things should happen to them. They think that everything is about tactics and they fail to understand the need for overall strategy. This can work from time to time—but generally does not. In order to really achieve something you need to employ strategy along with tactics.

Let's take the example of two different attorneys who say they want to be partners in major law firms. One uses just tactics and the other uses tactics along with strategy.

Attorney A Employs Tactics

- Attorney A's tactics are to show up for work and do his or her job. Attorney A gets the best job possible out of law school—with a great firm. Attorney A completes his or her assignments

as well as possible, making sure to follow the rules and work lots of hours. Attorney A hopes that after eight to ten years he or she will be made partner, but Attorney A does not really care much one way or the other. Instead, Attorney A thinks that he or she may [go in-house](#) down the road or find some other job he or she likes better. Who knows what the future will bring! In the interim, Attorney A is going to just work hard and do the best he or she can.

Attorney B Employs Tactics and Strategy

- Attorney B has a tactical strategy to do what needs to be done in order to become a partner in a large law firm. Attorney B carefully selects his or her firm based on the likelihood of that firm eventually making him or her partner. Attorney B selects a law firm that is growing and that has a reputation for making the most partners each year. Attorney B is very careful to network with the partners and others who have the most power at the firm and who will give Attorney B the most important work. Attorney B selects a practice area that is rich with opportunity and makes time to network outside of work to meet potential clients. Attorney B writes articles and gives presentations to establish him or herself as a subject matter expert. Attorney B never questions assignments while an associate. Attorney B avoids office gossip and makes sure to be on the right side of everyone.

Who do you think gets ahead? Who should get ahead? The differences between Attorney A and Attorney B are as different as night and day. One attorney is captaining a ship with a well-charted course and destination. The other is a member of a crew who simply sails on the ship with no idea or concern where it might arrive.

See the following articles for more information:

- [Plan for Success—Not Failure](#)
- [Setting Goals Is Their Attainment](#)
- [If You Pursue Growth and a Vision You Will Never Be Unemployed](#)

The majority of attorneys who approach me looking for positions in major law firms have not employed the correct combination of strategy and tactics to get a position in a major law firm:

- They are at a small law firm doing the sort of work major law firms do not do.
- They have had numerous jobs (inside of law firms, in government, in-house) that do not indicate the sort of stability necessary to be an attorney in a major law firm charged with servicing large clients.
- They are not committed to practicing law in a large law firm.
- They are partners, or senior associates, without significant business.



Most attorneys—70% to 75% of them—are pure tacticians and for that reason never reach their full potential. Many of these attorneys fail and end up unhappy, in jobs that are beneath their potential and wondering why they did not achieve more in their legal careers. They work in relative obscurity in various practice settings all over the world. Sometimes they succeed. Generally they can find work even as partners in some large law firms—but not much ever happens to them (as it should).

About 15% to 20% of attorneys are pure strategists. About half of all strategists survive, but barely. Strategists generally do not make very good lawyers because they do not employ the tactics needed to reach the goals they set out for themselves. You can have all of the strategies you want, but unless you are using well-defined tactics to get there you are going to be in trouble.

Conclusions

If you are a tactical attorney you are just showing up for work. If you are also strategic, you are showing up for work and asking what is the most you can achieve with each tactic. If the answer is “to bill more hours” then you will always be chasing billable hours—and mediocrity—and not building a sustainable career.

If you want to be a truly successful attorney, you need to be both strategic and tactical. You need to figure out your overall strategic goal and then develop and follow the tactical plan you need to get there. You need to master your sailing skills, chart your course, and then captain your ship safely into port.

See the following articles for more information:

- [**How to Be a Successful Attorney**](#)
- [**How to Beat the System and Stop Being a Profit-Driven Workaholic Attorney**](#)
- [**Top 10 Characteristics of Superstar Associates Who Make Partner**](#)
- [**Two Fatal Deficiencies That Prevent 99% of Attorneys from Achieving Greatness**](#)
- [**Why the Best Actors and Attorneys Are Exactly Alike**](#)
- [**The #1 Attorney Career Killer That Attorneys Are Never Taught**](#)

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