

15 Career Mistakes Attorneys Make Because They Do Not Have the Right Career Information

By Harrison Barnes from Los Angeles Office Managing Director

Summary: Find out what information blindness is and how avoiding it can help you avoid these major career mistakes as an attorney.

Attorneys require a plethora of information, especially when taking on a case and representing a client's interests.

Those same attorneys, however, may not be making intelligent decisions on a day-to-day basis, particularly about their careers.

These attorneys suffer an imbalance of power due to an imbalance of information about their prospects, the current state of their law firm, peer relationship and when to move on to another firm.

The Bible says, "Pride goeth before destruction." If you do not have the ability to see and understand the mistakes you are making and the false assumptions you are making on a day-to-day basis, the odds are good that you will experience catastrophic failure in your career.

One of the biggest problems all attorneys have is that they do not have enough information to make intelligent career decisions. There is an imbalance of power because there is an imbalance of information. Attorneys lack information about jobs, their prospects in their current firms, the health of their firms, how to deal with peers and decision makers, when to move and when not to move, and more. Nowhere is the lack of information more prevalent than in the law firm environment and in attorneys' job searches--where far too many attorneys blindly follow career paths without access to the vital information they need to truly succeed.

In some respects, you might call this "poetic justice" (or extremely ironic) because attorneys are typically the ones who hold information when it comes to their relationships with their clients. Attorneys tend to understand their clients' legal problems better than their clients and have the ability to selectively solve problems. Most attorneys have an imbalance of information compared to their clients. Attorneys know the law, the weaknesses and strengths of each matter they work on--and more. Attorneys charge for their superior information; however, when it comes to their own careers, they often lack information about what to do.

See: [Police Chases, Foreclosures and Access to Information](#) for more information.

There are many mistakes attorneys make in their careers that are due in large part to information blindness. Here are some of the major ones:

You are in the right profession

I would estimate that perhaps 50% of all attorneys out there are not in the right profession. Being in the wrong profession has all sorts of unintended consequences for attorneys and ends up limiting them in their lives and careers. Attorneys who are in the wrong profession typically are (1) unhappier, (2) more stressed, (3) apt to make less money, and (4) more unfulfilled than they would be if they were in a different profession. Many attorneys enter and remain in the legal profession for the wrong reasons.

See [Why You Should \(and Should Not\) Quit the Practice of Law](#) for more information.

Just because you are smart does not mean you should be practicing law

If you have the right intellectual pedigree, it is not too difficult to get into a major law school and law firm. This certainly does not mean that you are suited for law school and law firm life.

I went to college with some very smart people. Just about everyone I knew that did very well on their SATs got a similarly high score on their LSATs. If they also worked hard in college and got good grades, they got into very good law schools. The LSATs test your "intelligence" in taking a standardized test. They do not test your interest or ability to practice law. Your grades in whatever you studied in college also do not test your ability to be a good attorney. Just because you are smart and motivated does not mean that you will be a good attorney. This has nothing to do with any of that.

See [Law School Grades and Your Career](#) for more information.

If you do not have some natural gifts for practicing law, you are not in the right profession

The other possibility is that you might not be good at practicing law--this is another possibility entirely. Keep in mind that there are a lot of very smart people in the legal profession. Typically, the people who succeed in the game of law are the smartest ones because being good at practicing law requires that you have the ability to see issues that others do not, verbalize and document your findings, and more. The attorneys who have the most intellectual horsepower tend to get the best jobs, win the most cases, and get the better end of most deals. I hate to make statements like this--but it is true. There are lots of people who could do much better in other professions than practicing law and they might be better served doing so. You need to be very interested in what you are doing and have some natural gifts in the practice of law or you will get eaten alive by attorneys who do. There is likely not much point at all to doing something if you are not likely to succeed at it over the long run, or ever be good at it. Get out now.

See [Why You Should Quit Practicing Law](#) for more information.

You are not in the right profession if you do not have a strong interest in solving the problems of others

I could write forever about what makes a good attorney; however, at its heart being a good attorney means that you have a real interest in solving the problems of others (people, companies, whomever). You are more motivated by the writing, documentation, details, and research involved in this than you are by other things. You are happy to spend your days in an office behind a computer, running out to meet clients, and going to meetings and (for most attorneys) billing your time by the hour. You are happy to spend long hours working on others' matters. You get a real "charge" and sense of satisfaction from this.

If you see your career as working inside of a law firm, you need to be so interested in this sort of thing that you can see yourself getting a book of business and doing this sort of thing for clients. You like it so much that you dream of supervising younger attorneys and getting more and more clients to do this work for.

If you want to work in-house, or in another practice setting, you are so interested in this sort of work that you dream of working on the problems of others without having to get clients of your own.

This is what attorneys do. If you have these sorts of characteristics, then this is probably what you should be doing. But if you are more interested in doing something else, then you probably belong in a different profession--there are plenty of professions that likely involve what you are most interested in and in which you do not have to practice law. You will never be as good of an attorney as you are capable of being, or come anywhere near to reaching your full potential, if you are not extremely interested in practicing law.

See [The Only Way to Be Happy Practicing Law](#) for more information.

You are not in the right profession if you require a lot of positive feedback and care what others think

Attorneys do not get a lot of positive feedback. Even the best attorneys do not. You need to be 100% committed to being in the profession if you hope to succeed as an attorney. Attorneys who need positive feedback will almost never succeed as attorneys. Clients, superiors, fellow attorneys, judges, and others will always have a lot of negative things to say to most attorneys. If you feel that you need a lot of positive feedback, then you probably should not be practicing law. You will never get enough of the feedback you need.

On the other hand, if you do find yourself receiving a large amount of positive feedback, the odds are pretty good that you are in the right profession. Most attorneys simply do not receive this and if you do then you are

likely doing something very right.

See [Why the Best Attorneys Are So Hard on Themselves and Others](#) for more information.

You are not in the right profession if your goal is to make a lot of money

I know a guy who sells and rents surfboards along the side of the road in my hometown of Malibu, California. He has two kids working for him. He pays these two kids \$12/hour and they are so slow (or so stoned--I cannot tell), that I have a difficult time understanding them when they talk. But the proprietor of the surfboard stand lives in a multi-million-dollar house, never finished high school, and in the worst year he has had in the past 10 years he made \$450,000. He has always managed to surf a few hours each day. He is interested in the subject matter and his passion comes through. That is why he succeeds at what he is doing.

There are a lot of ways you can make money that do not require you to practice law. You do not need to be that smart, or even that motivated, to make money doing things besides practicing law. You also do not need to put on a suit each day (maybe a wetsuit, though, when the water is cold). Attorneys are under the incredible misconception that they need to practice law to make a good living. Not true at all.

See the following articles for more information:

[Twelve Sexy Things You Can Do with a Law Degree That \(1\) May Make You Famous and \(2\) Do Not Require Practicing Law](#)

[60 Nontraditional Jobs You Can Do With A Law Degree \(And Should Strongly Consider Doing\) Practicing Law Not the Only Option for Attorneys](#)

[Make 7 Figures as a General Counsel](#)

You are not in the right profession if you are unsure of what you are doing

It takes at least a few years to see if you are "taking to" the practice of law and have an aptitude for it. The first few years in most law firms could be compared to "boot camp" in the armed services. It is not pleasant, but it necessary to separate the "wheat from the chaff." Once you get through the hazing, you then have the opportunity to discover if what you are doing matches your needs. If you are still unsure of this after at least a few years of practice--or are continually unsure of this after more than a few years of practice--you should probably be in a different profession. I have noticed that attorneys who continually express the fact that they are unsure about practicing law typically [end up dropping out](#) and doing something completely different later on. If you are unsure about what you are doing you should probably leave sooner rather than later.

See [Considering an Alternative Career](#) for more information.

You should not remain in the legal profession because you are afraid of what others think

Attorneys often remain in the legal profession because they are afraid of what others think, or how it will look to others (their peers from law school, college, people they grew up with, their social group, or others) if they do something else. The "group think" mentality of attorneys ends up making people very unhappy. You should never do something and continue doing something if you are not more satisfied than you are dissatisfied doing it. Being concerned with what others think is something that gets many attorneys into serious trouble and the results of this are never good.

See [Never Worry about What Others Think](#) for more information.

You should take the job that pays the most money

One of the more significant mistakes that attorneys make is that the most competitive of them gravitate towards positions that pay the most money. This is a very common mistake that attorneys make in their careers and something that creates a disproportionate share of attorneys who end up doing things like dropping out of the practice of law, going in-house (when they might be suited for a law firm), and other mistakes that end up sabotaging their own careers.

See the following articles for more information:

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

The positions that pay the most money are typically those that are the most demanding, unpleasant, and in which you will have the least opportunity for long-term success. The jobs that pay the most typically do so with the "hidden deal" that young attorneys are "front loading" their compensation earlier into their careers (meaning they will work hard and then be expected to leave), the underlying reality that these positions pay the most because they have the highest performance expectations (partners need to have as much business as possible), the underlying reality that they have the greatest competition for advancement and least likelihood of advancement success, or (in most cases), the underlying reality that they pay so much because they come with the greatest overall risk (that you could lose your job or not succeed).

In any case, the more the job pays, the more likely you are to fail. Attorneys who take these high paying jobs tend to have great confidence in themselves and believe that they will succeed against all odds--but this is just not the case. When you take the highest paying jobs, you are more likely to fail than when you take the lowest paying ones. Attorneys do not think this will ever happen to them, but it does--I see it daily. *You may be one of these attorneys failing in a highly paid environment right now.*

As an aside, something I have noticed and have written about in the past is that attorneys who start out with smaller law firms, or in smaller markets, are much more likely to be practicing law five, ten, or more years hence than attorneys who start out in larger law firms. I am not sure about all of the reasons for this, but my guess is that those who join smaller law firms and work in smaller markets do not experience the same pressures and demands of attorneys in larger firms in the largest markets. An attorney is often much better off joining a firm in a smaller market than a larger one.

See [Which Type of Law Firm Is Best for You and Your Career: Main Offices of Large National Firms, Branch Offices of Large National Firms, Midsized Firms, Boutiques, or Newer Fast-Growing Firms?](#) for more information.

You are in the right practice area

Many attorneys join practice areas (or switch to practice areas) that the attorneys are not suited for and will not experience the most success in. One of the biggest mistakes attorneys make is joining transactional practice areas when they are most suited for practice areas such as litigation, employment, and so forth (and vice versa).

Because the legal profession is so competitive, attorneys should do their absolute best to be in the practice area that most closely matches their skillset and interests. Many attorneys go into practice areas like corporate or real estate for the wrong reasons (they might believe they are interested in these professions). Then they end up not doing well and not being happy practicing in these areas.

Attorneys tell me that they are unhappy practicing law all the time. Many times the real issue is that they are simply in the wrong practice area. How do you know if you are in the wrong practice area? There are many ways to tell this, but I often give attorneys the following example to help them assess whether they are in the practice area they should be in.

By the time that most future attorneys are in first or second grade, they begin to excel in subjects like math and science, or in subjects like reading, writing, history, and so forth. Most people tend to be more interested in either reading and writing or math and science related subjects. You will do much better in one area or the other. Throughout high school and college, most people continue to gravitate towards, and do better in, the

subjects that they are most interested in.

Attorneys who tend gravitate towards math and science-related disciplines almost always do the best (and are most comfortable) with transactional-related practice areas like corporate and real estate. These sorts of attorneys tend to enjoy working through the nitty-gritty of transactions and documenting things in a careful manner, using the unique terms of their practice areas. They enjoy reviewing terms, gathering information, and exchanging terms.

Attorneys who gravitate towards reading and writing-related disciplines are almost always people who do the best (and are most comfortable) with litigation-related disciplines. They enjoy writing, crafting new arguments, arguing back and forth, and making their points.

While this is an overly simplistic analysis, when you are in the wrong practice area, you tend not to be that comfortable with the thinking style or the people. In order to be happy practicing law, you should do what you can to be in the correct practice area so you make the most of your unique skills, interests, and talents. One of the biggest mistakes I see is attorneys who would be most comfortable in reading and writing practice areas go into transactional practice areas and attorneys who would be most comfortable in transactional practice areas go into reading and writing-related practice areas.

If you are in the wrong practice area, you may mistakenly conclude that you do not like practicing law. All you need to do is change practice areas and you will likely begin to enjoy practicing law.

See the following articles for more information:

[BCG Attorney Search Comprehensive Attorney Practice Area Guide](#)

[BCG Attorney Search's Guide to Corporate and Finance Practice Areas](#)

[How Can I Change Practice Areas Early on in My Career as an Attorney?](#)

[A Realistic Approach to Changing Practice Areas](#)

[Understanding the Different Types of Lawyer Jobs](#)

[You can rest on your past laurels](#)

Many attorneys believe that the smartest attorneys are the ones who succeed. They believe that because they went to a good law school, or previously worked in a very good law firm, that they do not need to apply themselves as much, or work as hard, as those with lesser qualifications. They may believe that the law firm that gets them is lucky to have them and they will be coddled and rewarded based on their past achievements.

This sort of belief system is incredibly common among younger attorneys, but also found among older attorneys. While law firms and employers may respect the school you enrolled in when you were in your early 20s, or the law firm you got a position with in your mid-20s, this will not give you a free pass for very long. Attorneys need to have sustained commitment, do good work, bill more hours than their peers, play the correct political games, and make a series of very good decisions throughout their careers to succeed. If an attorney comes across as believing that that he or she is superior to his or her peers or superiors, the first reaction will be to show the arrogant attorney that he or she is not as good as he or she thinks.

The reason I even list the idea of "laurels" as part of this is that these are just "tickets" to get into the game. Can you imagine a professional football player suddenly believing that he needed special treatment because he managed to get drafted to a professional sports team from a well-regarded college football program? Once the professional athlete makes it into the professional leagues, the athlete needs to start trying harder than ever before. The same occurs with attorneys coming out of good law schools, or switching firms from good law firms. They always need to prove themselves. The game never ends.

See the following articles for more information:

[Never Stop Improving](#)

Never Stop Growing

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

If you bill enough hours you will succeed

Law firms function and succeed based on the attorneys working there billing a lot of hours. The more the attorney bills, the more money the law firm makes. This constant emphasis on billing hours means that law firms need to give the attorneys working there the belief that if they bill enough hours they will succeed--that the associate or counsel will become partner, that the income partner will become an equity partner, or that the equity partner will make more money.

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

Like many things, the ability of an attorney to succeed based on billing a lot of hours is often a "myth" of sorts. Hours contribute to the health of a law firm and are expected, but just because an attorney bills the most hours does not mean that the attorney is going to succeed. Many equity partners leave their firms because their contribution fails to match--or even approximate--their reward. The majority of associates and others who put in extremely long hours are never rewarded for their fantastical contributions. They may not get advanced and they may receive bonuses that are disproportionate to what their peers receive.

[Succeeding in a law firm is about a lot more than just sacrificing your time to bill a ton of hours.](#) A lot more is required out of attorneys in order to prosper and advance in a law firm setting. The problem with relying on this metric is that if this is all you do in a law firm as a nonequity partner (or lower), you will be asked to leave when your hours decline, or when you get more senior as an associate. You simply cannot succeed over the long run when all you are doing is billing a lot of hours. You need business, mentors, and sponsors within your law firm and much more. Billing enough hours is often the least of your worries.

See [Why Attorneys with 5+ Years of Law Firm Experience Are in Serious Trouble \(and Seven Steps They Need to Take to Save Their Legal Careers\)](#) for more information.

Being part of management and on various committees will help you succeed

Many times partners without a lot of business try and insulate themselves from losing their jobs by getting on various management committees. The idea that a committee will insulate you from this is a good one--but it most often does not work. Many large law firms experience a lot of turnover of their best partners because the partners in charge of things like compensating partners (including themselves) are the partners without a lot of business. It depends on the law firm, of course, but many law firm committees attract the partners who are the least busy and make the least financial contribution to their law firms. These are the same partners who are most likely to lose their positions.

Much of this is the same with associates. Just because you are a member of a committee does not mean you are doing the things that are most important to your law firm. Most law firms value attorneys who are bringing in business, doing high quality work, billing lots of hours, and who have important people sponsoring them.

Committees are more important in some law firms than others. You need to concentrate on what is important in your own law firm. Some law firms value committees a great deal, but you cannot hide behind poor fundamentals in a committee.

See [Should I Start a Junior Associate's Committee at My Law Firm?](#) for more information.

When looking for a position, it is bad to approach a lot of law firms

If an attorney is looking for a new position, there is a strange belief that the worst thing he or she can do is apply to a lot of law firms. I have no idea where this belief comes from but it does not make a lot of sense. Every law firm is its own little micro-organism with its own set of values. Typically, the more places you apply to and consider the better the odds you have of succeeding.

One story I like to tell is about an attorney I know who was unemployed and had nothing to lose by applying to a lot of law firms. He had, in fact, been unemployed for several years and was having an exceptionally difficult time finding a position because he had a health problem of sorts. He gave me authorization to market him all over the country. He had worked no more than five years in a law firm and was currently working as an editor getting paid an hourly wage that was not significant.

He ultimately got a position with a very busy small law firm that paid him 50% of what the firm collected on his billings--and the firm gave him all the work. He billed out at \$500 an hour and this meant his "new salary" was \$250 an hour. He made over \$500,000 his first year.

Good things happen to attorneys who apply to lots of firms. They always do.

Back in the mid-1990s when my clerkship ended, I decided I wanted to go to California. I applied to many law firms by simply sending letters to every law firm I found in Martindale. One firm that was probably not on most job seekers' maps coming out of a clerkship and prestigious law school was [Quinn Emanuel](#). Back then, the firm had about 40 attorneys and it certainly was not an AmLaw 100 law firm. Joining the firm was a great decision--I got really good experience, loved the people, and got exposed to a rapidly growing firm that was doing everything right. It provided me a good model for how to grow a business, how to manage people properly, and it taught me many things I would not have experienced at a larger firm. I never would have landed at this firm unless I applied to a lot of firms.

The worst thing any attorney can do is limit the attorney's search to just a few firms. Applying to a lot of firms will not damage the attorney's "brand" (a common misconception about applying to a lot of firms when looking for a job). I place a lot of attorneys each month. Whether young or old, attorneys experience the most success when they open up their searches and apply to more places.

Our firm has been doing this work for a long, long time. During the time that we have been doing this work, we have kept very detailed records and understand the sorts of firms that hire certain types of attorneys--regardless of their backgrounds. In most instances, just as many firms hire our candidates that have openings as do not have openings. A firm will hire you if (1) it can make money hiring you and (2) it has enough work to justify hiring you. It is as simple as that. A firm is not required to have an opening to hire you.

If you limit your search by applying to only firms with openings then you are going to find yourself having a much more difficult time finding a position than you would if you open up your search and apply to many places, including places without openings.

See the following articles for more information:

[Why Every Attorney Needs to Apply to a Lot of Places \(and Not Give Up\) When Rejected](#)

[The Worst Piece of Attorney Job Search Advice Ever](#)

[How Many Firms Should I Apply To?](#)

[Everything is fine in your law firm and will be as long as you keep working](#)

Law firms are notoriously secretive places. Partners often do not understand everything that is going on inside of their law firms. Law firms go out of business all the time. Law firms lay off hoards of associates and partners at a moment's notice all the time.

Unfortunately, regardless of the law firm you are in there are always things that can go wrong. Law firms are notorious for being secretive about their finances. You often do not know what is going on in your law firm until it is too late.

Your career inside of a law firm always needs to be managed and watched closely. It is important to always

make sure that you are aware of what is going on in the market. You should always maintain a lot of outside contacts with legal recruiters and others in the legal community to make sure your career is protected if things slow down in your own law firm. There is very little security in most law firms unless you have a strong client base. You need to make sure that you always keep your ear to the ground to protect yourself if and when things go wrong--and they always do.

Most attorneys can recognize the signs of things going wrong in most law firms. These are typically things like people in management leaving, work slowing down, lots of people (before you) being asked to leave, and similar sorts of things. When these things start occurring, it is often time for you to start understanding your options in the market.

See the following articles for more information:

[Why Every Big Firm Practice Area Eventually "Self-Destructs" at Least Once Every Eight Years](#)

[The Right and Wrong Reasons to Switch Law Firms](#)

[There Are Only Three Reasons an Attorney Should Ever Switch Law Firms](#)

[The Law Firm Lifecycle: Why Some Firms Fail](#)

[Your mentor will always help you](#)

Mentors are extremely important to attorneys succeeding in most law firms. However, not every mentor is created equal.

In order to make partner in most law firms, you need what is called a "sponsor." A sponsor is someone who will look out for you and help you make partner. Mentors, though, need to have power in their firms and people need to respect them and want to please them. Most often, mentors also need to have business. Preferably, a good amount of business. In addition to business, they need to be connected with other attorneys. If you choose the right mentor, the mentor will help you advance. Even partners need mentors in their law firms.

Many attorneys make the wrong decision when choosing a mentor. A mentor may be able to give you work, for example, but he or she may not be able to help you advance because he or she does not have the necessary business, or power, within the firm.

Moreover, someone you believe is your mentor may not really be your mentor--he or she may just need work done. I cannot tell you how many instances I have seen of attorneys working for supposed mentors for years who simply did not help those attorneys after they dedicated 10+ years of their lives to helping the supposed mentors. The attorney worked hard for the mentor for years and when push came to shove was not helped by that mentor.

It is important to pick mentors and seek out mentors who can actually help you--and will sponsor your advancement in the firm.

See the following articles for more information:

[The Importance of and How to Find a Mentor](#)

[Mentors, Attachment Disorders, and Your Career](#)

[11 Steps for Attorneys to Find Mentors \(and Why Attorneys Need Mentors\)](#)

[The Importance of Law Firm Mentoring Programs](#)

[Taking Charge of Your Mentoring Experience](#)

[Top Six Tips for Attorneys to Find Mentors](#)

[You can leave the practice of law in a law firm and come back to a law firm later](#)

Many attorneys believe that they can leave the practice of law in a law firm and then come back at a later

time. In most instances (my example above notwithstanding), it is very difficult to leave the practice of law and return at a later time. Law firms are simply not responsive to this because they expect attorneys to either work in a law firm or not work in a law firm. Law firms have their own game with their own set of rules, requirements, and more. Law firms also know that if you leave a law firm once, you are likely to leave again--and they are unwilling to take a risk on attorneys where this is likely to occur.

Either you want to work in a law firm or you do not. Once you do, you need to commit and stick it out.

See the following articles for more information:

[The Only Thing That Matters Is Commitment](#)

[Be Committed to What You Do](#)

[Consistency and Commitment Beat Brilliance and Talent](#)

[Your Commitment Needs to Defy Explanation](#)

[Top 20 Reasons Why There Is No Better Profession Than Practicing Law](#)

[Beware! Once You Start Working in a Law Firm, If You Leave You Will Almost Certainly Not Be Able to Return](#)

[Why You Can Never Stop Practicing Law for More Than a Few Weeks Once You Start](#)

[Going in-house is a good career move](#)

Many attorneys believe that going in house is a good long-term career move. In most instances, going in-house is something that is quite risky. Law firms have their own set of risks and rewards just as in-house jobs do.

When you work for a law firm, provided you are generating your own work (or there is enough work to do), you are always going to be a profit center for the law firm. In contrast, most attorneys who go in-house become a cost center rather than a profit center. As a cost center, these attorneys are vulnerable to layoffs when the economy slows down--and it always does. While many companies are successful, many are not and go out of business at the drop of a hat. When this occurs, the attorneys lose their positions. The law firm also is something that is found everywhere--there are law firms in every decent-sized city in the country. If an attorney has a good expertise in something, it is generally not too difficult to find a position in a law firm.

In contrast, it is much more difficult to find in-house positions after an attorney has lost an in-house job.

Many attorneys spend years searching for in-house positions and never find them. However, if an attorney commits to the law firm path, there will generally be more security for that attorney.

See the following articles for more information:

[Why Going In-house Is Often the Worst Decision a Good Attorney Can Ever Make](#)

[The 'Dark Side' of Going In-house](#)

[Going In-house? Why You May Be Saying Goodbye to Law Firms for Good](#)

[Just because you are receiving good or bad performance reviews does not mean you are in the right or wrong profession](#)

Law firms follow a familiar path with how they hand out performance reviews.

Typically, during an attorney's first year--and sometimes into the attorney's second year--law firms will give performance reviews that are negative. Young attorneys will get these sorts of reviews because the firms want to push them to improve, learn from their mistakes, and develop into decent attorneys. The attorneys also are not profitable for the firm at that point because the odds are they will need to start writing off a lot of their time. However, if you work for a law firm that has more work than it can handle, or is afraid of people leaving, you might get better performance reviews than you otherwise should.

By the attorney's third year with a law firm, provided the attorney's hours are good enough and his or her work is acceptable, the attorney will start getting very good performance reviews. The reason for this is that the attorney is profitable, the attorney bills out much lower than partners (which looks good to clients), the attorney can do work without a lot of supervision, and the law firm does not have to worry about making the attorney a partner yet. At this point in the attorney's career, the law firm very much wants to keep the attorney around. The law firm has every reason to give a good performance review. If the law firm has enough work, it will continue giving the attorney good performance reviews.

If the work slows down, the performance reviews could suddenly turn irrationally bad. If political or business decisions are being made behind the scenes, your performance reviews could be affected one way or another. For example, your firm may be making a decision to get out of an existing practice area because it is no longer profitable. The firm may be pushing out people who are giving you work. You just have no idea. But when this sort of stuff starts occurring, you could get a poor performance review.

By the attorney's seventh to tenth year of practice, the situation has changed. Unless the attorney has a lot of portable business--or shows potential to get a lot of portable business--the law firm often starts giving the attorney a "soft push" out and giving him or her increasingly negative performance reviews. These negative performance reviews generally culminate at some point with the law firm flat out asking the attorney to leave within a specified period of time (three months to a year). The reason for this is that the attorney's billing rate is now competitive with partners and most clients would rather have the work done by a partner than a high-hourly-rate associate. Moreover, most partners also would prefer to do the work themselves rather than have it done by an associate because (1) partners would prefer to get the billable hour credit, and (2) partners are typically compensated a higher percentage of the hourly rate for work they do themselves than work they give to others.

The point of all of this is that you often cannot tell how good of an attorney you are, or whether or not you belong in a certain sized law firm, based on the quality of the performance reviews you are receiving from your law firm. Many attorneys who are positively reviewed in a law firm potentially should not be. Many attorneys who are negatively reviewed in a law firm potentially should not be. The law firm is a strange creature with rules that often do not make a lot of sense.

See the following articles for more information:

[An Associate's Guide to Law Firm Performance Reviews \(Including Getting a Bad Law Firm Performance Review\)](#)

[Law Firm Performance Reviews: Positive And Negative](#)

[How to Survive a Bad Performance Appraisal, Part 1](#)

[Tips on How to Survive a Bad Performance Appraisal, Part 2](#)

[You are always better being in a large law firm compared to a small law firm--or a smaller law firm as opposed to a larger law firm](#)

Attorneys often believe that they will be best-served working with the largest and most prestigious law firms they can get into. Other attorneys believe that they are better off working in smaller law firms because of everything negative they have heard about the largest law firms.

Each sort of law firm has its own set of advantages and disadvantages.

Larger law firms in most cases have access to more sophisticated work, have more formal processes in place, pay more money, and are more difficult to get jobs with. Notwithstanding, larger law firms also are more difficult places to advance in, and more people drop out of the practice of law in larger firms as opposed to smaller ones. In my experience, attorneys who join smaller law firms are more likely to spend their careers

practicing law in a law firm environment than similarly-situated attorneys who join larger law firms. They may actually end up being happier, earn more money, have more time with their families, raise better adjusted children, and more.

See the following articles for more information:

[25 Reasons Why Boutique Firms Are the Best Choice for Many Attorneys and Can Be Much Safer Than Larger Law Firms](#)

[20 Reasons Why There Are No Such Thing as "Lifestyle" Boutique Law Firms and Why Boutique Law Firms Can Be Much More Dangerous Than Larger Law Firms](#)

[How Important Is It to Work at a Major Law Firm?](#)

[Does \(Firm\) Size Really Matter?](#)

[Choosing the Small versus the Large Firm](#)

[How Should an Attorney Choose Law Firms](#)

[Your wife or husband will stick it out for you if you stay in a law firm](#)

I hate to bring this up, but a large number of attorneys I know from large law firms have been divorced at least once. Attorneys work very long hours, are rarely around, and have very, very stressful jobs. When an attorney gets home, the attorney often simply does not have the time or patience for family. For some reason, I also have encountered a disproportionate percentage of attorneys whose spouses ended up leaving them after having affairs. The same reason applies--the nonattorney was not getting attention because his or her spouse was always away from home accumulating as many billable hours as possible.

If you are considering working in a law firm as a career--or staying in a law firm--you need to understand that there are major tradeoffs. These tradeoffs often involve your personal life.

See the following articles for more information:

[Seven Reasons Why Practicing Law Might Be More Stressful Than Spending 18 Months in a POW Camp](#)

[25 Reasons Most Attorneys Hate the Practice of Law and Go Crazy \(and What to Do about It\)](#)

[Top 14 Ways Attorneys Can Avoid Burnout from the Stress of Practicing Law](#)

[Your drinking, eating habits, health, stress, and other issues will not become a problem for you](#)

Depending on the stress of the law firm the attorney is working in, drinking, eating, and other problems can become a major problem for the attorney. Just as I know many attorneys who have been divorced, I know an even higher proportion of attorneys who suffer from serious health problems related to drinking, eating, and stress. Lawyers are surrounded by the stress of clients and their own jobs on a daily basis. The law firm world is extremely stressful and something that slowly eats away at many attorneys until they are addicted, fat, cancer-stricken, have heart conditions (or other health issues), or are dead. This is how it works. I know many attorneys who are shadows of their former younger selves. Practicing law is a very difficult and demanding job for the average law firm attorney.

Because attorneys are expected to bill as many hours as humanly possible, no one is looking out for them but themselves. They believe that if they make the best possible contribution (hours and business) that they can, that everything will be alright for them. Unfortunately, no one will often tell the attorney to slow down when the attorney's health, relationships, and so forth start to fail. The attorney needs to do this for him or herself.

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

Conclusions

The legal profession suffers from a major flaw--the attorneys who work in it by and large do not have the information they need to make the best decisions they can with their careers. Additionally, for various

reasons, even when attorneys have the information they need to make good career decisions, they choose not to. Information blindness--whether self-imposed or imposed by the structures of the legal profession--is something that has the potential to negatively impact virtually every attorney out there.

First, attorneys have spent their entire lives going along with the crowd. Large law firm attorneys, especially, are people who are motivated by climbing the ladder of success. They are socially conscious of the groups they join, they try and get into the best schools, they value associations with groups (law firms), and they want to be around the most educated people in the best law firms. This makes them prone to following others. They do not look out for their own careers. They often end up designing their careers by what appears most "impressive" to others, even if it is not the best for them.

You go with the crowd (even when the less-traveled path would be a better option) when you do things like believe you are in the right profession when you are not, when you go in-house even when it is not the best career decision for you, when you continue to work in a practice area that you are not suited to, when you try at all costs to work in the largest and most prestigious law firm even when that is not the best place for you to be, when you believe in the health of your current firm or your future in that firm when the actual reality of your firm's health or your future in it is questionable, and when you refuse to cast a wide net for your job search because you mistakenly think your "brand" demands that you only apply to a limited set of high-prestige firms or open positions.

Use the same critical eye you use when you represent your clients to evaluate your career circumstances and do not "go with the crowd" if it is leading you towards unhappiness or lack of success.

Second, attorneys are extremely competitive and reluctant to admit failure. They often are unwilling to admit failure until it is too late. They often do not adjust their strategies when things go wrong because they are too invested in the group and "groupthink" and all the work and effort they have already put into the endeavour. They are vulnerable to others' bad ideas and cling to the way they believe things should be and not the way they are. The smartest attorneys from the best law schools and law firms are often the ones who are most likely to fall victim to this sort of thinking.

You do not admit failure (when you would be wise to do so and move on) when you realize you are not in the right practice area yet you stay in it, when you realize are not suited to the practice of law yet you continue to practice law, when you act like your firm is healthy when it is not, when you believe your mentor will be able to help advance you when your mentor will not be able to do so, when you refuse to pursue alternative options when all signs from your firm are that you are on the way out, when you continue to rest on "laurels" earned years ago that are no longer getting you anywhere yet you refuse to put in the hard work of earning new ones, when you realize that your marriage or personal life is failing because of your work situation yet you continue to remain in that work situation, and when your health and wellness is deteriorating because of your work situation yet you opt not to make any changes to that situation.

Use the same critical eye you use when you represent your clients to evaluate your career circumstances and admit failure when the evidence must lead you to that conclusion and then take steps to turn things around.

Third, attorneys occupy one of the most middle class professions there is. Most attorneys look up to powerful and rich people and tend to defer to the authority of others (partners--or more powerful partners) and their firms instead of questioning authority. This makes attorneys vulnerable to following their firms, bosses, and others instead of listening to the signals around them. This sort of mindset also creates conditions where once these attorneys reach positions of power, they begin to see themselves as worthy of worship and incapable of making mistakes.

You follow rich and powerful people (often to your detriment) when you trust your mentor, trust reviews, do not see your life and health crumbling before you because you are in the wrong profession, when you think that your firm is somehow going to take care of you, when you become blinded by money and the pursuit of the highest-paying job that might be the very job that destroys you, when you become arrogant and lose sight of the big picture and the role humility plays in it, and when you refuse to use your own very capable mind to think for yourself and make the decisions that are best for you.

Use the same critical eye you use when you represent your clients to evaluate your career circumstances and do not follow rich and powerful people when the common-sense reality of your situation tells you that these rich and powerful people are not taking you where you want or need to go.

As I have said, I have made colossal mistakes as well. Do not make a mistake with your life and career. The biggest mistakes happen when we put on blinders and allow our own prejudices to cloud our decision making. Take an active role in getting the information you need to make good decisions. Do not ignore unpleasant realities. Do not fall prey to information blindness.

For the longest time, I have been thinking about an issue that has repeatedly perplexed me. It involves one of the biggest mistakes I made in my life--a mistake that damaged me financially, emotionally, and in others ways as well. What happened to me is over five years in my rear-view mirror, but it was so devastating, so stupid, and based on so many mistakes I made that I simply cannot get over it.

Over the course of four years, I lost several million dollars investing, reinvesting, and investing again in a piece of property that I was sure was worth something even though it was not. When I finally realized that none of what I believed was true--that the property was worth so little it was not even eligible for financing--I walked away from the deal completely defeated, depressed, and not really knowing what had happened to me.

Much of what happened was the result of people using superior information to take advantage of me. But I also was to blame--even when I knew (or should have known) better--I put blinders on and refused to see the situation for what it was. I succumbed to my own information blindness and perpetuated a losing situation when I should have faced up to reality and changed course.

This investment that caused me so much grief occurred prior to, during, and after the financial crisis. I invested with some individuals who had repeatedly assured me I was making a good investment, that everything was safe, and that I was investing in something with a very high upside. That was my first mistake. The people I was up against were professional property investors, who had been doing this for most of their careers. They understood every loophole, value, and financing structure. They knew how to protect their downside, what to say and what not to say, how to document and how to not document deals, and all sorts of things that I did not understand. I am in the legal recruiting business and not the property business. *Anytime you do something outside your skill zone against people who are more skilled than you, and who have more information than you, the odds are that you will lose.*

I was repeatedly strung along by these people with various promises about things they would do in the future that they had no intention of doing--and that I also did not document.

I hired an attorney from a large prestigious large law firm, who was a partner and had gone to [Harvard Law School](https://www.harvard.edu/), to watch over the deal. I trusted him, but he had never done a deal like this before and did not understand it.

I was assured by the realtors and the people with whom I was investing that it was a good deal and I believed all of them.

For reasons I still do not understand, when evaluating this deal, I turned off the same sort of critical eye I

apply to my position of advising and placing attorneys. I wanted to trust everyone and I made huge mistakes that are so reckless and embarrassing it boggles my mind:

I never got the property appraised before investing in it.

The property lost \$5,000,000 in value in 2008 (I had invested in 2007) and yet I never got it appraised.

I kept investing in the property through 2011, after it lost \$5,000,000 in value, because I was told that "properties like this never lose value"--even in the midst of the most significant financial crisis in history (2008 and 2009).

I trusted the people with whom I was investing (the realtors and others), who assured me that it was a good investment--and I kept trusting them during the financial crisis.

Despite the fact that financing was completely unavailable (I was investing in a property worth 35% less than I thought it was), I spent hundreds of thousands of dollars fixing up the property instead of protecting myself against the downside.

All throughout this, I was afraid to admit to myself, my family, and others what a mistake I had made. I was too proud, too stubborn, and did not want to be wrong. Who is happy admitting that he or she has made a dramatic mistake that cost him or her so dearly? Who is willing to accept such a great loss and move on after making such a bad mistake?

After spending over a year talking to property appraisers, bankers, and others who told me again, again, again, and again--and then again--what a mistake I had made and was continuing to make by pouring money into the property, I made the decision to abruptly leave the property and I walked away from the deal.

I had lost \$10-million dollars at that point.

Years later, after somehow blocking all of this out and trying my best to move on, I came across some documents that showed me that the agreement I had entered into was "illegal." I filed a lawsuit to get my money back. I went through two different attorneys to help me fight the lawsuit. The same pattern occurred with each of them:

Each attorney told me what an outstanding and great case I had. Each stated that it was certain I would get my money back.

The first attorney kept this enthusiasm alive until the pressure of the case literally put this attorney in the hospital with a heart condition on the day after all summary judgment motions were filed.

Throughout the lawsuit, various people on the outside (mediators, judges ruling against my various claims, the other side) kept telling me I did not have a good case and I was likely to lose. The problem was that everyone seemed to believe I am a "sophisticated attorney" and should have known better, despite the fact that I am in the legal recruiting business and not the property business.

The arbitrator in the case barely kept the case alive after all of the summary judgement motions and scheduled a trial. The arbitrator billed me over \$150,000 for all of the expenses leading up to and for the trial. My original attorney (who had a stake in the case) told me I would get "several million dollars" and not to be bothered by the various losses of motions.

My new attorney told me I had a "slam dunk case" and proceeded to bill me for hundreds of thousands of dollars in legal fees as we got closer and closer to trial. But the closer we got to trial, the more pessimistic this attorney became.

The day of the trial, after opening statements, my attorney told me I did not have a case and had to settle and walk away from the case immediately. Otherwise, I would have to pay the other side's legal fees. My attorney believed I would not win.

The only people who made any money off the case were the several attorneys I hired, the arbitrator, and the attorneys on the other side.

The people with whom I invested made money.

The realtors made money.

I lost tons of money again and again and again.

Had I had the correct information, I never would have made the investment, never would have continued making the investment, and never would have sued for my money back. But I did not have the correct information. I also allowed myself to continue to believe in the investment--based on what I wanted, what I already had been through, and what others were telling me--even though I should have employed a more skeptical eye earlier on in the process and taken a different course. ***I suffered from information blindness, and it cost me dearly.*** Here are some of the things I believed:

That property values would continue increasing.

That if I used the same characteristics that had made me successful in other disciplines (a can-do attitude, principles of good faith and fair dealing, and optimism) I would get through this.

That because I believed the property was worth something that others must as well.

That people are fundamentally good at heart and that no one (including attorneys, mediators, and realtors) would ever try and take advantage of me.

That people wanted me to succeed.

When you lack information, and make incorrect assumptions with information, you end up losing--and losing big. Business is not always a compassionate game--and people with superior information can and do take advantage of those without it.

See [Do Not Be a Victim](#) for more information.

That is exactly what happened to me over the course of four years in the worst investment of my life--and in the subsequent lawsuit.

When confronted with negative information--whether it is that something is not working, that we have miscalculated, that we were wrong, or that we are failing or will fail--many of us put on blinders so we will not see the truth that is right in front of us. We pretend like everything is going to be just fine.

When confronted with clear evidence that we were wrong and made a mistake, we look around for external factors to blame instead of taking responsibility for our own culpability.

It is easy to look back at the past and see the flaws in my reasoning. But, trust me, *there are probably similar flaws in your own reasoning when it comes to your career right now.* I am a legal recruiter and I see parallels between what I went through with the failed property investment and what so many attorneys are going through with their careers. Just as I made assumptions with the investment that worked to my detriment, there are likely all sorts of assumptions you are making that will affect (badly) what happens to you with your career. Like the realtors, professional property investors, and others who took advantage of my own lack of information, there are people within the legal profession who are using their superior information to take advantage of you. Similarly, like me--when I refused to change course sooner--you may be wearing blinders to prevent yourself from taking hard steps to change your career circumstances.

See the following articles for more information:

[10 Biggest Career Mistakes Big Law Firm Attorneys Make \(and 10 Ways to Survive in a Big Firm\)](#)

[Top 10 Characteristics of Superstar Associates Who Make Partner](#)

[Top 10 Ways Attorneys Can Move to a Better Law Firm and Get a Better Attorney Job](#)

[On Being a Happy \(and Successful\) Lawyer](#)

[The #1 Attorney Career Killer That Attorneys Are Never Taught](#)

[Take This GIFT for Granted and Your Legal Career Will Be Dead](#)