

How Law Firms and Other Hiring Organizations Can Determine if an Attorney Will Do the Job Long Term

By Harrison Barnes from Los Angeles Office Managing Director

When hiring attorneys, law firms have a lot of factors to consider. A crucial one is whether the attorney will be successful and stay with the firm long-term. In order to ensure this new attorney will remain at your firm, there are several factors that you should consider to help determine if he or she will do the job long-term.

Many law firms hire attorneys who are not going to be around forever.

Attorneys who do not plan on sticking around are problematic because they are never fully [committed](#). If an attorney is not fully committed, they will never be [happy](#) working for you because they will always look for better opportunities--or be interested in doing something else entirely. Attorneys with these sorts of agendas may only be after a paycheck and can fast-talk their way into getting hired, but they are hopeless hires for the most part. Hiring noncommitted attorneys who will not stick around is a consistent problem for most law firms.

Business Reasons Law Firms Should Avoid Hiring Noncommitted Attorneys

Noncommitted attorneys will leave when things become difficult in their job.

The noncommitted attorney wants a paycheck, but he is expecting the work to conform to his conditions. The attorney may not want to [work long hours](#), may not want to work on challenging matters, may be averse to criticism, maybe overly concerned with your brand and how it impacts them, or may not want to be pushed too hard. When law firms hire attorneys (or keep attorneys around) like this, it almost always backfires.

I once hired a very talented [attorney to work in a small law firm](#) running in Malibu to service my companies. Ostensibly, the attorney was seeking a new position because she did not like driving to downtown Los Angeles for work every day - which is a good reason for working locally. Despite that, she said she was on the verge of [becoming a partner](#), liked her work, but preferred to work locally. She did not seem concerned with compensation and accepted a position paying around 25% less than she was [making in a large law firm](#). Her work seemed excellent for several months, but after a particularly stressful deposition, she gave notice the next day that she was quitting. Her reasons for leaving were stress, a desire to start a family, and a general lack of interest in practicing law.

I made a mistake hiring this attorney because she ran away from hard work and responsibility, and I expected that. The moment my position became too challenging, she left. She was [not committed enough to her former job](#) to make partner. She cared less about her career and more about reducing her stress and responsibilities. There is nothing wrong with this, and I should have understood this initially, but I made this hiring mistake.

If an attorney is suited to working long term, they will endure ups and downs wherever they go.

They will not come up with [excuses to leave](#) whenever the work is not going how they want it to go. They will stick around and endure the ups and downs of the job.

One of the biggest mistakes I have made is [hiring people back after they quit](#) working for me. Many of these attorneys quit because they could not stand a particular aspect of their jobs--the workload was too much in one area or not enough in another.

I once had a human resources guy leave our company after a particularly stressful office move that was a lot of work for him. According to him, the job was too stressful, and he cited various reasons for feeling that way. Despite this, I urged him to stay, and he came back to me and said he wanted to stay. In a few months, the company grew rapidly, so his job became even more stressful, and he left. This time, I let him. He wanted a less stressful position, and [he ended up working in a quiet, easygoing job for a government office](#). He did not want to commit to a private company with serious demands.

[Every attorney has various "boiling points" that upset them and cause them to leave if they are not committed](#). When an attorney is looking for a new position, you can ask them why they are looking, and if these reasons involve issues that are likely to occur in all firms or occur with you from time to time, they are likely not going to be the best hires.

Lawyers I work with all the time want to leave their firms because they heard bad news about their firms and brands in the market. It happens this way consistently--you never know when a law firm will get bad press. These attorneys are not committed.

Others leave their law firm when they do not get the review they want.

A law firm should not feel threatened that people will leave if the hours get too demanding, if there is a piece of bad news about them, or if they give an attorney a less-than-stellar review.

Noncommitted attorneys cost your clients money when they leave because you need to hire replacements to get up to speed on the matters you are working with.

Clients do not like when various attorneys are rotating in and out of their matters. It is not suitable for your business and continuity of relationships. There can be a variation in the quality of service clients are receiving. [Clients may need to be charged extra money for the time it takes to get a new attorney up to speed on matters](#).

Check out these related articles:

[Why You Should Quit Practicing Law](#)

[The Top 15 Reasons Attorneys Should Leave Their Law Firm Jobs and Look for a New Job](#)

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

Noncommitted attorneys cost you money because they take time to replace, and work does not get done in the interim.

[The work that does not get done means that your firm will lose the opportunity to bill and provide good service in the interim](#). When an attorney leaves, this costs you a great deal of money in lost opportunity costs and income.

Noncommitted attorneys undermine the morale of other attorneys around them both before and after they leave.

[These noncommitted attorneys on their way out undermine attorneys around them, mentioning other options and approaches that are easier, pay more, and so forth](#). When these attorneys leave, it will also create doubt among the existing attorneys that they are on the right track.

Undermined attorneys cost you money.

While practicing law, there were always attorneys who would stop by my office daily and [gossip about what was wrong with the firm](#). They would talk about how they would do something different, work somewhere else, and similar things. As a result, I had doubts that I had made the right choice with my career and was unhappy.

Here are some related articles:

[The #1 Weakness That Holds Attorneys Back in Their Careers and Lives](#)

Can You Be Trusted? Why Credibility is One of the Most Important Characteristics of the Most Successful Attorneys

It costs attorney time to replace noncommitted attorneys when they leave.

Interviewing new people takes up valuable attorney time. Your attorneys would better spend that time on servicing clients and adding value. Interviewing and replacing attorneys costs you money.

Some law firms will interview numerous people when replacing a departing attorney. Usually, this takes several weeks.

Noncommitted attorneys will not invest in learning to become better.

A noncommitted attorney will most often not care about becoming better at their job. It is unlikely they will want to learn more about their field, read recent developments, or challenge themselves at work to get exposure to new things. Instead, the noncommitted attorney is often content to coast. The coasting attorney hinders you from providing an outstanding level of service to your clients, which contributes to a culture of mediocrity and stagnation. It costs you money if your attorneys fail to provide the best and most current service to your clients.

Lawyers committed to their profession constantly strive to improve, eager to learn how to be better lawyers. Noncommitted attorneys tend not to be concerned since they would rather be performing other work.

They will not try to bring in clients and do other things to advance.

For law firms to succeed, their lawyers need to act as business generators, [find clients](#), and help build the firm. An attorney who is not committed will not be interested in doing this or the extra work to get clients, and this will hold back the firm's growth as long as these attorneys are on the firm's payroll. Attorneys who do not bring in business and have no intention of doing so cost you money.

Noncommitted attorneys will not try to perform at the highest level.

A competitive attitude among attorneys makes law firms more profitable and better able to provide better client service.

If attorneys are not concerned about their performance compared to other lawyers, the quality of the service supplied usually decreases, they bill fewer hours, and the service clients receive decreases. Attorneys unwilling to give a lot of themselves and try as hard as possible cost you money.

They will spend their days looking for other opportunities and investigating them.

Attorneys unwilling to commit are always looking for the next best thing. They spend time investigating and daydreaming about what else they could be doing--surfing the Internet in search of alternatives and talking to others when they have the time. These attorneys will cut corners with their work, not work as hard and not provide good service to clients or others. Attorneys who are looking for other opportunities always cost you money.

If the attorney is not committed to your firm, they will often take your clients and attorneys to another firm.

Some attorneys are just not committed to your firm. These attorneys are risky hires because they will often take your clients and other attorneys to another firm. Some partners do this all too frequently and should not be hired since they consistently take more than they give. When attorneys steal clients and do similar things, it costs you a great deal of money as well.

Uncommitted will often be looking for ways to make a quick buck at your expense--usually by making up perceived transgressions to threaten you with legal action (or even take it).

I almost hated to include this, but after a few decades of watching this play itself out in various settings, I felt it was essential to bring this up.

Throughout my career, I have seen countless attorneys and others who were not committed to the practice of law manufacture disputes with their employers so they may get out of work -- and [get high-paying salaries](#). I have seen this often enough that it is essential to mention certain people you may encounter and want to hire

who are looking for trouble, and if you hire them, you may get sued. There are people like this in the market, and if they are not concerned about practicing law firm for an extended period, they may go after you. I once knew a female attorney who became addicted to crystal meth while working at a large law firm. She had an Ivy League pedigree. Because her habit was incompatible with working full time in a law firm, she (essentially) fabricated a story about a partner making a pass on her to extract a six-figure settlement from the firm. I found out that none of this was true because one of her friends was concerned enough about this behavior that she even contacted the firm to tell them it was all made up.

I once had a warehouse with no cameras in it. Before installing cameras, I had probably one person every two months sue me for made-up injuries, which happened for over a year. After the cameras were installed, this all stopped.

I once was representing a heterosexual man searching for a position who got fired for insubordination. To get back at the employer, he made up a story about doing something illegal. Then, when he got even angrier at the employer, he modified his complaint and added that his male heterosexual boss had also fired him because he refused to have sex with him. None of this was true. I stopped working with this attorney after learning this, but it was undoubtedly a warning to me about the types of people out there.

There are countless people out there looking for trouble who are not committed.

These related articles may also be of interest:

[The Top Three Qualities Warren Buffett Looks for When Hiring Attorneys, Managers, and Others-and Why This Is All You Need to Know to Hire, Get Hired, and Be a Great Employee](#)

Signs That Indicate an Attorney is Likely to Stick Around for the Long Term

The attorney has significant commitments such as a spouse, home, or children.

Lawyers with children and a mortgage need to make money to support their families and pay for their living costs. An attorney who needs to support others has a high probability of remaining in your firm. They are unlikely to leave for trivial reasons, and they take their careers seriously because they have obligations they are reminded of when returning home each night.

Considering this, law firms typically encourage attorneys to get married and settle down as this stability helps the firm. An attorney without other marketable skills is more likely to stick around, too.

Their resume indicates that all they want to do is the sort of work they do.

An attorney who has only worked in one practice area and done that type of work is more likely to stick around and commit to doing the work you require in that practice area. Attorneys interested in a particular practice area and setting will typically have a long history of being interested in that sort of work. They may have worked summers doing the work before law school, written articles, and more. This commitment suggests this is all they want to do.

This article may also be of interest to you:

[How Do Law Firms Treat "Gaps" in Your Resume?](#)

The attorney is active in getting business and doing other things to build their brand in the marketplace.

Lawyers who start their careers by writing, speaking, teaching, and promoting themselves usually want to remain attorneys and practice law for a long time. Getting business, choosing a niche, and promoting themselves is a sign the attorney is thinking long-term in their career and likely to stick around.

The attorney looks committed to your practice setting.

Some attorneys want to spend their careers working inside of law firms, and others do not. If someone is interested in working in another practice setting, it is often straightforward to tell. Most law firms will avoid attorneys that have left law firms [to go in-house](#), teach, do public interest work, and similar career choices because lawyers who perform other kinds of work have a higher chance of returning to it in the future. There are many reasons to go in-house, but a law firm career requires considerably different skill sets than a career

in-house.

It is the same with taking public interest jobs, teaching, and many types of government work. [Once an attorney switches practice settings like this, they rarely stick around if a law firm hires them again.](#)

There will also be a pattern to the types of lawyers likely to transition to in-house or other practice settings later. Their [excitement about working in a law firm](#), how they talk about it, what they are doing (are they trying to bring in new business), who they work with, and so forth, all indicate the commitment they might have in a law firm environment.

Here are some other articles you may find useful:

[How to Understand Your Personality and What Practice Area, Type Firm, or Practice Setting You Should be Working in by Using DISC Profiles](#)

[Law Firms Care More about Whether You Will Be Happy Working there Than Your Qualifications](#)

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

[Is an In-House Job Right for You? Top 10 Frequently Asked Questions About In-House Careers](#)

Your market is smaller, or you operate in a niche practice area without many similar opportunities for this sort of attorney.

In a market with few opportunities for a particular type of lawyer, the lawyer will likely stay long-term.

[I recently worked with a private equity attorney who was relocating from a significant market and law firm to Detroit.](#) His wife was from Detroit and wanted to move back there.

Due to his skills and abilities, there was only one law firm in the whole city that was a good fit for his expertise. Because the law firm that hired him was the only one doing the work he did at that level, they did not have serious concerns about leaving.

If you are the "only game in town" for your practice area, then the attorney is more likely to stick around if you hire them. Many practice areas lend themselves to only a few specialists and are not large enough to support more. Also, many firms do specialized work with very few competitors.

You may also be interested in the following articles:

[Develop a Niche](#)

[Top 6 Things Attorneys and Law Students Need to Remove from Their Resumes ASAP](#)

If the attorney is moving up to be in your firm and is unlikely to get a position in a better firm than yours.

Lawyers who want to work for specific law firms are usually drawn to them because that firm represents a [step up to do more sophisticated work or a more prestigious brand](#) than working with their current law firm. If your firm is a significant move up, the attorney is likely to stay. However, if your attorney is likely to have skills that make them valuable to another law firm after becoming experienced in your firm, they may not decide to stay and instead go to one of the better firms.

The attorney has employment stability in previous positions.

An attorney who worked for previous employers for a long time is more likely to stick with you and work with you for a long time. The best indicator of future employment stability is what the attorney has done in the past. In my experience, the best hires are nearly always attorneys who have worked for the same employer for a long time.

The attorney speaks enthusiastically about their work and the people they are working with, and matters they have worked on.

An enthusiastic attorney typically has a lot of passion for what she or he is doing. Talking about their work gets them excited. Their face gets visibly excited when talking about it. People who fall into this category are

likely to remain with their firms because they find work fulfilling and life-enhancing.

Attorneys who are particularly good at their jobs and likely to stick around also admire various people they work with. Working with the best attorneys in their practice area is what they look for, and they are excited to work on essential matters.

The attorney likely to stick around often has transaction and other sheets demonstrating the work they did in prior positions.

Attorneys who are the most committed often keep meticulous records of transactions and other matters they have worked on in the past, and these details are addendums to their resumes.

Signs that Indicate Attorney Will Not Stick Around for the Long Term

The attorney has had several jobs, none lasting too long.

[Having had several jobs](#) suggests that the person is "finding their footing," has not done well in past positions, has not committed, or does not know their goals. These types of attorneys are not good hires and will almost always leave you. Without getting too much into it, realize that very few law firms will make these attorneys happy--it has nothing to do with you, and you should move on.

Check out these other articles:

[Is Changing Firms Twice in Four Years Considered Job Hopping?](#)

[Practicing Entertainment Law: Exposing the Truth Behind the Glamour Myth](#)

The attorney does not look committed to their practice area.

If an attorney is not committed to their practice area and wants to try different work types, the odds are good that they are just not happy practicing law. These attorneys should be doing something else and are most often not the best fits for your firm. They may or may not find something they like in the future, but they are usually not the best fits. These sorts of attorneys are in an experimental stage of their career and will use your firm as a platform for experimentation, which you do not need.

One of the most visible indicators that an attorney is not likely to stick around is when you see many items on their resume that show they are likely interested in doing something else.

For example, in Los Angeles, I see resumes all the time where attorneys have done things like:

Been on entertainment law journals in law school.

Been in entertainment law clubs in law school.

Done internships in law school with entertainment-related companies.

Now doing general commercial litigation with a large law firm.

These attorneys rarely give up on their dream of doing [entertainment law](#) and almost always go back to trying to do this eventually. They will keep applying to entertainment law-related positions until they get one. For whatever reason, they must do this. These are typically not good hires and will almost always leave eventually.

The attorney does not look committed to your practice setting.

As stated above, if an attorney is not committed to your practice setting, they will leave in the future. Some attorneys are made for law firms, and others are not. If an attorney has worked in multiple practice settings, the odds are they will not stick with a law firm for long either.

The attorney does not have a geographic commitment to where you are.

Most attorneys seeking positions all over the country will not stick around once they get hired. It depends on whether these lawyers are concerned about establishing a career. An uncommitted attorney is dangerous because they can leave for various reasons if they do not establish roots in the new location, and many never do.

The likelihood of leaving is high for lawyers [relocating](#) to smaller markets, where they may have fewer connections. These lawyers might find their area lacking culturally, in terms of dating opportunities, sports

teams, restaurants, client size, and more. It is very risky for law firms to hire attorneys without many connections in smaller markets.

Smaller markets tend to limit attorneys with [diverse backgrounds](#) because it is hard to meet attorneys with similar backgrounds. A persistent complaint in the market is that there is little diversity, leading many African American lawyers to seek out and work around fellow black professionals. In many cases, they prefer markets with more diversity, like Atlanta, Washington, DC, and others. Attorneys want to work around people whom they feel comfortable with and who may have shared their struggles and other commonalities.

Furthermore, lawyers who have long-standing connections in smaller markets seldom stay in larger ones. If an attorney has a large, extended family in a market like Salt Lake City, they might return after a few years of working in a large market--and often do. Attorneys want to be near family, support networks, and people who will look out for them. When an attorney has a family, such a desire is often more potent.

A good hire will be a native of the area where your firm is located and has family members living there. They stay longer, are more committed, and rarely leave.

Here are some additional related articles:

[Why Relocating to Another Area of the Country is a Good Career Strategy for Attorneys](#)

[Benefits of Diversity and Inclusion for Law Firms](#)

If the attorney is independently wealthy or has a spouse (or other family members) capable of supporting them at the level they want to be kept.

When returning to the workforce, many attorneys tell me they would like to work reduced hours or quit the law practice because someone else is paying their bills. Having a benefactor who pays your way ultimately reduces the motivation of some--not all--attorneys to work extremely hard and be committed to the ups and downs of working in a law firm. Each person is different, of course, but faced with the prospect of not working (versus working), many attorneys choose not to.

The attorney has an entrepreneurial background.

Lawyers with [entrepreneurial backgrounds](#) are always eager to return to entrepreneurship in the future--and they do. It is rare for an attorney who has started and run a business of any significance to rejoin a law firm and stay there. If they succeeded at a venture, they are hungry to try and succeed at something again. If they failed, they want to prove to themselves (and possibly others) that they can succeed. It is almost a "genetic" bent that drives entrepreneurs to do entrepreneurial-related work and pursue this sort of work their whole lives.

The attorney seems to not have any obligations whatsoever (family, home, and other expenses).

Although there is nothing wrong with an attorney not having obligations, [a consistent absence of them means that the attorney could walk away from the practice of law](#) (or your firm) at a moment's notice. In my career, I have seen this practice repeatedly by attorneys, so I believe it is worth paying attention to when hiring them. My experience is that countless attorneys want to travel the world for many years after practicing law for a few. Of course, there is nothing wrong with this, but lawyers like this will not last long.

The attorney has run a solo practice.

Many attorneys who have run [solo practices](#) prefer working on their own, without oversight or accountability. These attorneys can transition into law firms but not always--and it most often does not work.

You may also enjoy this article:

[Why You Should \(and Should Not\) Open a Solo Law Practice](#)

The attorney has several periods of unemployment on their resume.

Repeated [periods of unemployment](#) are often signs that the attorney has lost jobs, does not want to work, or does not take their career as seriously as you would expect them to. If there are many periods of unemployment on an attorney's resume, they will probably not stick around long with you either.

The attorney seems very focused on money and other short-term rewards.

If an attorney seems overly concerned with [money](#) early in the interview (or post-offer stage), they will be concerned with money after they are hired and will most likely leave when they believe they can get more money elsewhere. These sorts of attorneys are risky hires unless you are confident that your firm will always be paying higher than market salaries.

The attorney may be trying to switch practice areas.

If an attorney is trying [to switch practice areas](#), they will likely not be committed to their new practice area. You are almost always better off hiring a proven commodity than someone without a long-term interest in a given practice area.

See also:

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

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

[Is It Possible to Change Practice Areas in Big Law Firms?](#)

The attorney is inflexible with their time.

Attorneys that are not available certain days of the week or are inflexible working certain hours, or days, can be good hires. However, if you cannot meet these attorneys' needs and expect them to [work extra hours](#) and time, they will leave when you do not give them what they want.

The attorney is moving down and not up in terms of the firm.

If an attorney is [moving to a less prestigious law firm](#), doing less prestigious work, this can be a warning sign. This attorney may resent not working at as good of a firm as they worked for in the past, or they may be taking this sort of job because nothing better is available at the moment, or they are running away from something, or have other problems. While you should never discount an attorney interested in working in a less prestigious firm, it is important to be aware that there may be hidden issues.

The attorney is trying to get experience outside of their primary practice area.

Many attorneys try a new practice area when they make career mistakes and face other matters that result in them losing their jobs in their law firms. Most of the time, small, less prestigious firms hire these attorneys. Even though there is nothing wrong with this, these lawyers tend to leave their new firms after re-establishing themselves, which leads to problems.

The attorney is coming to you because they are running from something, or something bad happened in the attorney's recent past.

Law firms often avoid lawyers who have been fired, laid off, or lost their jobs in the recent past. Anyone can indeed lose a job and make mistakes, but I have noticed that attorneys hired after being fired don't stick around as long at their next firm. Most often, they fire the law firm before being fired themselves. They are less likely to commit to the law firm because they are worried about being fired. Law firms should be careful when hiring attorneys that have had issues with past employers.

See also:

[How Law Firms Can Hire the Best Attorney: A Guide to Hiring Stars](#)