When A Law Firm Considers Who It Wants To Interview And Hire, Hiring Managers Often Ask: Do We Like This Attorney?

By Harrison Barnes from Los Angeles Office Managing Director

Do we like and want to hire this attorney? The answer to this question depends on the people reviewing the resumes, doing the interviewing, and numerous other factors. Ultimately, most law firms will hire people they like. However, for a law firm to excel at hiring attorneys, it must understand its weaknesses in evaluating and hiring attorneys each step of the way. These weaknesses may undermine the hiring process in critical ways.

In most hiring discussions I have participated in, law firms hire attorneys because someone within the law firm liked the candidate. That individual became an advocate in the hiring process and convinced others that this candidate is the best choice. You are most likely to hire people when someone trusted becomes an advocate for them. A strong advocate will downplay an attorney's weaknesses, emphasize their strengths, and provide compelling reasons for hiring that candidate over another. I have seen this happen countless times. Yet likability is also not the best indicator of a candidate's future success. Law firms must recognize their hiring weaknesses and step away from candidate likeability as a barometer for success.

See also:
The Importance of Attorneys Being Well-Liked in their Jobs: Why Others Must Like You for You to Get Ahead
Someone Inside the Law Firm with Hiring Power Likes Someone Connected to the Attorney Applicant

Hiring is an intensely human business. Law firms are composed of people that have outside allegiances with others. They have friends, business acquaintances and other unique relationships with others that they value. These relationships often guide their behavior and dictate who is hired. If someone connected to the attorney recommends that they hire a particular attorney, the law firm would often go out of their way to employ that person.

From an evolutionary standpoint, humans are this way. They prefer to hire people recommended by others connected to them because they like having a personal connection to a candidate, versus a complete stranger. Before phones, formal background checks, and similar tools, employers had no way to effectively check potential candidates' backgrounds other than a recommendation from someone they trusted. While things have changed, a similar weight is given to such recommendations today. If we like and trust someone who recommends another person to us, we are more likely to be interested in that candidate.

When I was clerking for a federal judge, he interviewed multiple people for a clerkship. At the time, I had been speaking with a group of Mormon missionaries. While I did not convert to the Church and was uninterested in doing so (I was unmarried and living with my fiancé—a big no, no), I thought they were very nice people. They had done all sorts of work for me for no compensation, and I was amazed by their earnestness, work ethic, honesty, and more.

When an attorney from School sent their resume to the judge's chambers, I decided that this person would be a great addition to the judge's staff and made sure they were interviewed and hired. I lobbied for them to be interviewed ("Why would we interview someone who has never worked or lived outside of Utah?") and hired because I believed in this person's background. Despite much better academic fits for the judge, I made the juvenile and misplaced assumption that this person was "likable" and the best candidate for the job. I did whatever I could to influence the Judge and other members of the chamber to hire him. Because of my very positive experience with a group of Mormon missionaries, I thought I liked people like him.
This same "process" is playing out in law firms all over the United States each day—and often with a surprising amount of inefficiency. People are hired because someone connected with the candidate through a third party likes them.

Early in my legal placement career, I had an unusual experience I have never forgotten. I had placed an attorney at a law firm in Los Angeles, and after six months or so there, he was unhappy.

He called me on the phone and asked to meet for lunch. I met him, and he told me that he was unhappy, did not have work to do because the partner he was hired to work for moved to another firm, and wanted to know if I would help him get a new position. I told him that I could not because I had placed him at the firm he was at, was grateful for their business, and moving him to another firm would be disloyal to them. The attorney was upset and started crying. He then told the firm what had happened and that he was upset I would not help him.

I did not expect to hear anything further about this. However, a few days later, the law firm called me. They had "resurrected" a few candidates that I had sent them several months previously and said they wanted to interview them. The recruiting coordinator told me I was "their new favorite recruiter," and they wanted to do everything they could to connect with me and help me grow. In rapid succession, they hired four candidates from me. The firm's recruiting coordinator told me they were "prioritizing" applicants from me because they knew they could trust me. In two cases, they said that the same attorneys I had submitted to them had previously applied weeks earlier "on their own," but they were going to honor my submission and not the candidates. In the other cases, they hired candidates that were questionable.

This sort of thing I constantly saw when I was recruiting. The first recruiter I ever hired in my firm asked me if I could pay him a commission for attorneys hired at a particular firm (regardless of whether they came through him or not) because he had a contact there. When I asked him who the connection was, he told me matter-of-factly that it was the "hiring partner" and that the hiring partner was his significant other, and they lived together. I did not think much of this arrangement, but I started responding to job orders at the firm every time there was one and agreed to pay my recruiter small commission to refer jobs.

This ended up being an excellent business decision. The firm hired numerous candidates of mine for every job they had. I became their preferred recruiter, and they found reasons to hire my candidates instead of those applying directly or through other recruiters--for years.

What made this even more unusual was that once the firm interviewed someone, they almost always hired them. In retrospect, there were many things wrong with numerous attorneys this firm hired through me. One attorney, for example, had never worked in a law firm and did not have the skills and training to work there. Other attorneys had been out of work for years and were not committed to practicing law. Still, the law firm hired every one of these people despite being an excellent firm that could do better. This was a long time ago, and that relationship no longer exists. Still, it was exciting and taught me an important lesson: for better or worse, connections matter.

Law firms need to be aware of the converse as well. When law firms prioritize candidates who are somehow connected to the firm, they may over look better applicants this is a form of self-sabotage for any firm looking to make smart hiring decisions.

For years, I dealt with a law firm in the Midwest that would never interview or hire candidates I was sending them. After a few years of this, I called up the hiring partner and asked him why. He told me that he was "friends with" a recruiter who sent him all of his candidates. This sort of favoritism seemed quite harmful, in my opinion, to both the law firm and capable candidates who were applying through a connection. I started
asking around about this hiring attorney. I found out that he was a cocaine addict and had been slowly spiraling out of control for a few years. I was then introduced to the law firm’s head and started speaking with him about getting people hired there. Eventually one of my qualified candidates was hired by that firm.

In any event, the hiring process at this Midwestern law firm was hurting the firm. The law firm had been holding itself back from growth based on favoritism--and this was a common problem. The law firm could have hired much more qualified candidates if it had not empowered one hiring partner with a preferred connection.

The favoritism that law firms show towards individual recruiters, people connected to those inside the law firms, and others in the hiring process is well-known--but it is not as prevalent today as it was in the past. This sort of connection is viewed as beneficial for law firms when hiring people because a bond presumably increases the trust between the parties involved in making hiring decisions.

See also:
The Five Reasons Law Firms and Legal Employers Do Not Hire You After an Interview
Can You Be Trusted? Why Credibility is One of the Most Important Characteristics of the Most Successful Attorneys
You Need to Be Connected with Others at Work

The Problem With Law Firms Hiring People Due to Liking the Recommender

Often, liking the recommender penalizes people who might otherwise be outstanding applicants to the firm. While one person's opinion may carry a lot of weight, ignoring otherwise highly-qualified applicants is never a good decision because the wrong people can be hired. These "wrong" people can continue to promote a lack of diversity within the firm, as all the firm's hire derive from one self-interested source. By putting all their eggs in one basket, the law firm may be effectively weakening itself to further the ends of one person with hiring power.

For this reason, I recommend that most law firms have hiring committees rather than one person charged with hiring. They should also try and get a variety of resumes coming in and advertise their job openings widely. Not advertising job openings and placing hiring authority in one person's hands can weaken the entire hiring process.

I regularly come across significant law firms hiring candidates inferior to those they could be hiring. In most instances, I will find that there is something fishy going on when I probe beneath the surface. Favoritism and connections rather than merit control the hiring process and hold the entire institution back.

At the beginning of my career, I worked with a well-known California law firm that only had offices in Los Angeles. Over six months, I had sent them numerous candidates who they did not interview or even try to connect with. These same candidates ended up getting positions with much better law firms, which I found concerning. I did not understand it.

One day I called the person in charge of hiring in that Los Angeles law firm to chat with them. I asked them how they were doing, and they told me they had just gotten back from vacation. I spoke with them for several minutes. To my astonishment, they told me that they had been taken on that vacation by a legal recruiter I knew in Los Angeles (who has long since retired). Suddenly, the whole thing made perfect sense to me. Something was going on with the other recruiter and this person in charge of hiring, and it was holding qualified candidates back from getting job offers. This internal hiring director was the only person making placements within the firm, and the law firm continued to shrink and lose prestige over the next decade. That law firm’s fatal mistake was allowing one person to control the quality of the attorneys coming to their
Nothing makes a law firm like an attorney more than believing the attorney is scarce. The firm fears it will not have the opportunity to hire another attorney like this in the future. This is a simple business rule of supply and demand. If a law firm does not see a specific type of attorney very often, they will likely respond and be interested when that certain type of candidate does come along.

Certain attorneys that are pretty rare will make law firms hire them right away (sometimes even ignoring obvious warning signs).

**It could be someone with outstanding credentials in small markets that the law firm cannot easily find.** I frequently work with attorneys from major markets and top law firms, and other credentials who are relocating to smaller markets. There is often a feeding frenzy for these attorneys because law firms in these smaller markets do not often see them.

**It could be an attorney with a lot of business--or important clients.** If an attorney has a large book of business--for the size market they are in--there is often a lot of interest in these attorneys at the lateral level. They have unusual experiences.

**It could be attorneys in niche practice areas and have niche skills rare in the market.** There are certain practice areas and types of attorneys that are simply not common in various markets. If a law firm needs someone with a niche skill, they will often hire different attorneys' sight unseen.

There have been countless times in my career when I have placed attorneys that law firms have not even met. There have been occasions when after just a brief phone conversation, the firms quickly made offers--so quickly that some of the potential hires got "spooked" and did not take the offer. Many times when law firms do this, it is because they have pressing client needs and want to fill them immediately. Other times, law firms will hire quickly because the attorney is someone they believe they need and could use right away.

Not too long ago, I had an opening for someone with IP litigation experience in a small town in the rural South. Because of the uniqueness of the location and the position, the law firm could have found countless people to move there and do the work. A few hours after starting the search, I spoke with a few of my existing candidates and sent them to the firm. The firm immediately called one and hired them on the spot over the phone. They assumed that this sort of attorney (who was coming from a major law firm) would be difficult to find because they were in the rural South. Nothing was further from the truth. Instead of waiting a few days for me to send more candidates, they hired the first person who came along. They had been trying to fill the position for months but had primarily been doing so locally and not using the proper channels.

The attorney was not scarce.

**The problem with law firms liking attorneys they believe are "scarce."**

When law firms hire based on presumed scarcity in the market, what they believe is scarce is often not scarce at all. Instead of waiting to find the right attorney, the law firm "jumps" at the first opportunity to hire someone they believe is scarce. The reason the attorney appears "scarce" is because the law firm has not looked hard enough. The law firm may not have spoken to the right recruiters, may not have advertised sufficiently, or may not have networked enough to find the right people.

When a law firm does not correctly promote its openings and positions, it tends to have recruiting issues.
They end up with attorneys they should otherwise not be hiring. There are all sorts of forces operating in the market to make law firms believe certain types of attorneys may be scarce: Recruiters may lead a law firm to believe a given attorney is scarce and hard to find. Job sites may lead the law firm to believe an attorney is difficult to find if they are not getting many applicants. The law firm may believe a given attorney is difficult to find if they are not storing all of the applicants that come into the firm in a sound applicant tracking system. The law firm may believe that a specific type of attorney is difficult to find if they do not know of similar attorneys in the market.

Many knowledge holes in the recruitment process can lead law firms to mistakenly conclude that they should chase a specific type of attorney that is, in fact, not that difficult to find in the market.

**Partners Interviewing Lateral Partners and Associates Often Prize Opposite Qualities**

Depending on the dynamics of an individual law firm, partners may like different types of candidates for different roles.

**Partners Interviewing Other Partners**

When partners are interviewing other partners, they are interested in partners who have business and will grow their firm as a general rule. They will bring in people they like and promote people they believe can advance the firm's interest in attracting people with business to grow the firm.

Some partners are often so eager to grow their firms that they will interview partners without business whom they believe may generate business in the future. They will interview people laterally that show no history of business generation.

However, this is not always the case; there are several apparent exceptions to these rules. Some partners are attempting to create fiefdom where they are the ones in power and often resist hiring who they believe are threats— in so doing, they undermine the best people who come along. Other partners may be in specific administrative roles and view lateral hires as competitive to them. Many branch offices of national law firms do not grow or experience consistent growing pains because there are partners there that undermine growth.

**Partners Interviewing Associates**

Partners interviewing associates often seek different qualities than when interviewing partners. The typical partner interviewing an associate wants to hire someone they believe will work hard, follow directions, respect them and get the work done. They want to hire hard workers who are more concerned with doing work for the partner's clients than getting ahead and bringing in business (especially at the largest law firms). Partners who need work done will hire associates and like people who seem hard-working, committed, and capable of following directions.

In contrast, partners trying to grow the firm and its revenues (and not just get their work done) are often more partial to hiring attorneys who are likely to bring in business in the future. They will be looking for a different type of attorney to interview and hire. They may be less concerned about the person's ability to be a worker bee and more concerned with their ability to bring potential business to the firm.

**The Problem with Many Types of Partner Interviews and the Types of Partners Other Partners Like**

When partners are interviewing partners, there is always tension between certain partners who want to take shortcuts out of desperation (i.e., hiring attorneys with minimal business but the "prospect" of it.) On the other hand, some partners undermine good hires who have business because they are protecting their "turf" or
bureaucratic position in the firm. Some partners consistently over-hire, while other partners stall their hiring, and both situations often undermine the hiring process.

Another thing that often happens is law firms are so eager for business and work that they hire partners with business who are unlikely to stick around if hired. There are attorneys like this all over the country who move firms every few years and create all sorts of issues after employed because they fight about compensation and habitually move firms. Hiring them is a problem that undermines the fabric of many firms that are not careful.

See also:
How Does the Law Firm Recruiting Process Work for Partners?
Choosing a Recruiter for Your Lateral Partner Search
Associates Interviewing Associates Often Like Different Types of People

Most associates interviewing associates will like people that they feel they can identify with on some level. They want to hire and bring in people who have similar qualifications to themselves and are not threatening them. For an associate to want to hire another associate, the associate being interviewed should not come across as threatening or as someone who might ultimately take power away from that associate—in terms of getting work or advancement.

This is one of the most challenging issues related to the lateral hiring of associates because most interviewing associates will support the candidates they are most comfortable with and who they feel will not undermine them in any way. This means that there is often a bias toward hiring lateral associates that appear weaker or less assertive.

I regularly saw “gung-ho” and very hungry-to-get-ahead attorneys given poor recommendations by other associates when interviewing with law firms. When senior associates are interviewing other senior associates, they may feel threatened because they know these are potential competitors for partner roles.

When a specific associate does not have enough work, they may feel threatened when they interview another associate because they believe this person will compete with them for work.

Other associates may expect the people they work with to have the same pedigrees in schools and law firm backgrounds. In short, they will want those attorneys to be like them. They will automatically disqualify candidates if they do not like their pedigrees or cannot identify with them.

The problem with associates only recommending and supporting the hiring of associates they like

The bias of associates in favor of lower-performing, less-threatening peers should be self-evident. Also, associates may undermine otherwise good hires that the law firm needs because they do not have the pedigree or background the associate thinks they should have. Associates may prevent attorneys from being hired when there is not enough work or if they believe the candidate will challenge them somehow. Therefore, the associate may create a situation where the attorneys who get hired are not the most suitable for the position. I have seen cases where law firms are trying to hire for various practice areas for months or years. When I get to the bottom of it, I see that associates have been blocking the hiring because they are given too much input in the process.

Most Law Firms Like and Hire Like Soldiers and Not Generals

Many law firms will hire candidates who do not come across as too confident and, instead, have some vulnerability associated with them. They hire attorneys who are likable and seem able to follow orders (soldiers). Most law firms want to believe that the people they are hiring are ultimately controllable and easy...
to manage. For this reason, law firms want to see weakness and vulnerability in their lateral hires. When an attorney looks vulnerable or like they can be controlled, law firms tend to like them more.

I often see attorneys who have a difficult time getting a position because they come across as overconfident, protect their weaknesses too much, and are not likable to the people interviewing them.

Not too long ago, I was working with an attorney in a very marketable practice area. His resume declared him a Super Lawyer at his previous law firm (where he worked less than two years). He also referred to himself as a "Rainmaker," although he had no business and had never been a partner anywhere. Furthermore, he complained that he did not like his previous position (where he was let go--ostensibly because they ran out of work) because they made him create PowerPoint's and do other things he felt were beneath him.

This attorney has also been unemployed for two years and will likely stay unemployed.

The reason this attorney will stay unemployed is that he is not willing to be a soldier. He thinks too highly of himself and his skills. When confronted with any vulnerability, his instinct is to attack his "accuser." When evaluating lateral opportunities, he is quick to eliminate those he believes are beneath him. Meanwhile, he has been unemployed for over a year. Law firms do not like him because they pick up on his arrogance, feelings of entitlement, and belief that he is better than them. In reality, this attorney is frightened. He does not think he is better than the firms he is speaking with--he is trying to defend a shallow ego.

The best attorneys are likable and able to transmit a sense of vulnerability to clients, juries, and other attorneys. These attorneys can look like the salt of the earth and do not feel the need to act superior and look better than other attorneys. These attorneys want others to like them. They often drive unassuming cars and live in modest homes. They blend in and look normal to others. Law firms hire attorneys like this and often avoid attorneys who need to prove something to others.

The Problem With Only Hiring Candidates Who Seem "Manageable"

There are countless law firms with no real "generals" and "alpha dogs" in them. If a law firm hopes to expand, grow, and take risks, having generals leading it and part of the firm is critical. Nevertheless, most law firms are conservative and reject standouts and leaders.

See also:
The Hidden Force of Ego: How an Unchecked Ego Damages the Lives and Careers of So Many Attorneys
Do Not Be Controlled By Your Need to Feel Significant
When Hiring, Many People in Charge of Hiring Prefer the First People Who Apply

Hiring is a lot of work. Hiring takes a lot of effort and human resources time for reviewing resumes, scheduling interviews, and bringing people in for meetings. It can be a nightmare--especially where there are multiple positions to fill. When jobs are not being filled, the law firm is losing money; clients may be unhappy, partners needing help may be unhappy, and more. It is challenging for all concerned.

Consequently, there is a lot of pressure to fill positions as quickly as possible. The hiring personnel may try and bond with the first applicants to fill a position. Subsequent applicants may be rejected in order to speed up the hiring process. From a human resources perspective, there is a great hope that everything will work out so more positions can be filled as quickly as possible.

In our company, for example, we currently have several openings. However, I know it is a lot of work to go through resumes. It can take hours to review the resumes, schedule interviews, and hope the right person applies. Then you need to make and negotiate offers. All the while, all sorts of new people are likely applying
for the same position, and you need to keep the entire process going. I hate hiring for my jobs.

For example, I am currently hiring an assistant and a chief operating officer. I have over 500 applications for an assistant and 300 applications for a chief operating officer that I received in less than a week. It will take me at least an hour or two to review the assistant applications and another hour or two to review the Chief Operating Officer applications. This is a lot of work. Because this is so much work, what I am likely to do is the following:

I will review the first batch of resumes that come in and schedule a few interviews (two or three) with each person from each opening.

I will then interview these people and hope there is someone I like.

All the while, I will be losing money because work will not be getting done, and I will be frustrated.

I will try and justify hiring someone who may not be perfect after I have interviewed several people.

I will likely not pay as much attention (or any attention at all) to the resumes that come after the first batch I review (too much work).

I may hire someone I should not so I can fill the position immediately.

My human resources assistant will be relieved when I hire someone because they can then move on to other jobs.

Law firms are no different. They will often hire people they should not because they want to take the pressure off. They will like the first applicants who come in the door because they want to get back to work.

Law firms like people they believe will help them fix problems immediately and get back to work.

I have made quick and rash hiring decisions in the past because I wanted to fill specific positions quickly. I quickly decided that I liked the first people who walked in the door--instead of waiting for more qualified candidates. These were often disastrous hires that led to firings, lawsuits, lost productivity, and other issues. I made some incredibly dumb mistakes. Law firms must do whatever they can to avoid rushing to make offers to the first people who apply.

The Problem With Hiring and Jumping at the First People Who Apply

When law firms act quickly, they end up harming themselves in the long run because their rushed hires are problematic and cannot do the work. These bad hires will create far more trouble than they are worth and end up harming the law firm in the long run. Law firms need to avoid bonding with early applicants when they are not, in fact, perfect fits. There are usually plenty of suitable applicants that come later.

Most Law Firms and the People in them Hire People Like them.

Attorneys in law firms hire people that are most like them. They tend to avoid hiring people who are different from them. This is one reason why diversity may be hard to find inside of many law firms. There is a self-reinforcing system that creates a cycle that strengthens itself repeatedly.

In terms of hiring people like themselves, law firms do this because they are simply following a script laid down by our human ancestors generations ago. We hire people like ourselves to feel safe. When we see ourselves in others, we like them more. When we see our strengths and weaknesses reflected in others, we want to hire them. This is something that all law firms do, and they tend to hire the same personalities and types repeatedly.

When I meet certain attorneys, I can often tell quite quickly that particular firms would like them. Law firms just seem to like certain types of attorneys more than others. Some law firms gravitate towards attorneys without a lot of personality, others with more personality. Law firms hire around class, race, attractiveness, and other features. Some law firms hire attorneys that are not afraid to cut corners and bend the truth, and others only
employ straight shooters. Some law firms hire attorneys who look and act very conservative. Other firms frequently hire attorneys to reflect the overall culture of law firms more than others.

I have had countless instances throughout my legal placement career where law firms have hired people that have something in common with their interviewers. People are hired because they share the same hobbies, went to the same schools, have the same friends—you name it. These sorts of hiring decisions are unbelievably common and occur all the time.

The Problem With Law Firms Hiring People Like them

The biggest problem with law firms hiring people like them is that it often prevents them from hiring the attorneys who may be the best fit for the job. Instead of hiring the most qualified people, they hire people who they feel most comfortable with. When a law firm is experiencing difficulties, this can create a self-reinforcing system of issues where the law firm hires the wrong people repeatedly. Because law firms hire people like them regularly, it reinforces certain ways of doing business or relating to clients, and this may ultimately hold their firms back.

Most Law Firms Hire People they Believe they Should Like

Nothing is more common than a law firm that believes it can only hire people with specific backgrounds and pedigrees. I know of numerous mid sized law firms in Los Angeles that always try to hire people from the same big firms with the same sorts of law school pedigrees. They hire the same kinds of people again and again, and these people never work out. This pattern has played itself out with these firms longer than I can remember. They believe they should be impressed with certain types of people, so they hire them regardless of the warning signs.

There are plenty of attorneys out there that are not good fits for your law firm and should not be hired. These attorneys may have moved too much, not have good reasons for being interested in your firm, and countless other warning signs. They should be avoided even if you think you should like them. The most considerable risk for firms is when they have a bias toward certain pedigrees and believe they should automatically like these attorneys. This mistaken bias has cost law firms untold sums of money by following a script that does not work.

The Problem with Law Firms Hiring People They Believe They Should Like

Having a bias towards certain backgrounds is fine, but being blind can create a self-reinforcing loop where the wrong people are hired again and again. Attorneys should be hired not just for their qualifications but also for indicators that they are likely to stick around and remain at the firm.

Conclusions

Law firms should hire the sorts of people they would want representing them if they have legal issues—and not just follow a blind script when hiring. To know the correct people they should be hiring, law firms should recognize that the people they are immediately attracted to are not always the best prospects; making easy and quick decisions can be dangerous. The candidates law firms initially like when interviewing are not always the best hires.

See also:
How Do I Get a Job in a City Where I Have No Local Connections?
Why You Should Never Miss a Company Holiday Party or Invitation to Your Boss's Home
Law Firm Hiring Relatively Stagnant and Very Selective