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ATTORNEY SEARCH

# Transforming Your Legal Hiring: The Five Most Important Questions to Ask



# Transforming Your Legal Hiring: The Five Most Important Questions to Ask

When law firms are on the hiring trail, the process involves much more than simply evaluating a candidate's skills and qualifications. The aim is to bring on board an individual who brings expertise and proficiency, aligns with the firm's values, fits into the culture, demonstrates a commitment to the profession, and shows potential for long-term tenure. It is a task that requires the right balance of subjective judgment and objective analysis.

To guide this process, five key questions can provide valuable insights about a candidate's potential fit and future with the firm. These questions, which form the cornerstone of any successful legal hiring process, delve into a candidate's ability, manageability, longevity, motivation, and cultural fit. They are: "Can you do the job?", "Can you be managed?", "Will you do the job long term?", "Do you want the job?" and "Do we like you?"

Together, these questions offer a holistic approach to the hiring process, addressing not only the candidate's technical skills but also their behavioral tendencies, motivational drivers, and potential contribution to the firm's culture and environment. With the right application, these inquiries can yield rich dividends, resulting in successful hires that contribute positively to the firm's growth and reputation in the long run. The following discussion takes a closer look at these critical questions and why they are important.

## 1. Can You Do the Job?

Asking whether a candidate can do the job may seem overly simplistic, but it's an incredibly crucial question. This question helps assess the candidate's skill set, experience, and ability to fulfill the role's requirements. But it goes beyond having the necessary technical skills; it delves into the potential hire's problem-solving abilities, resilience under pressure, communication skills, and ability to work in a team setting.

Law is a demanding profession, and every attorney will inevitably face challenging situations. Therefore, when a law firm asks, "Can you do the job?" they're not just asking about the candidate's competence in handling legal work. They want to know if the attorney can handle the long hours, the high-stakes decisions, the constant learning, and the need to continually prove themselves. Can the candidate handle the pressure and stress that comes with the job?

Moreover, the ability to do the job also encompasses an attorney's readiness to adapt to changes. According to a study by the Center for Creative Leadership, adaptability has been identified as a crucial trait for success in the 21st-century workplace. In a dynamic and evolving legal landscape, the ability to learn new skills and the willingness to unlearn obsolete practices are essential. The 'job' is not static; it changes with market trends, client expectations, and the evolving legal landscape. Thus, it's not just about whether the candidate can do the job today but also if they can adapt to the job as it evolves. Finally, while it's important to determine whether a candidate can do the job, it's equally important to consider the quality of the job they will do. Law firms should assess whether the candidate has the

capacity and the inclination to exceed expectations, go above and beyond, and take on challenges proactively. Will they be a source of innovation and drive for the firm, or will they merely get the job done? To ensure long-term growth and success, law firms must prioritize hiring attorneys who don't just do the job but excel at it.

#### **See Related Articles:**

- [\*\*How Law Firms and Other Hiring Organizations Can Determine if an Attorney Has the Qualifications to Do the Job They Are Hiring For\*\*](#)
- [\*\*How Law Firms and Other Hiring Organizations Can Determine if an Attorney Will Do the Job Long Term\*\*](#)

## **2. Can You Be Managed?**

The second question, "Can you be managed?" is crucial because it probes into the candidate's attitude towards authority, feedback, and ability to function within the organizational hierarchy. This question isn't about passivity or meek compliance but about the potential hire's ability to work with others—particularly those in positions of authority—to achieve the firm's objectives.

Like any other organization, law firms have a structure and established processes. Attorneys need to be able to work within this framework to ensure smooth operations. The inability to accept direction or the unwillingness to conform to established processes can disrupt the firm's functioning. New hires must be able to accept constructive criticism, adhere to the firm's guidelines, and follow directives from their superiors.

In the legal world, the ability to be managed also ties into the value of mentorship. According to a study by NCBI, effective mentorship has been associated with enhanced mentee productivity, career satisfaction, and professional identity. A candidate who is open to management is also more likely to be open to mentorship opportunities, which can benefit their professional growth and the firm.

The "Can you be managed?" question also helps identify how an attorney will react in the face of disagreement or conflict. The ability to handle conflict gracefully, negotiate, compromise, and find solutions without causing friction is an important part of being manageable. This quality is especially important in law firms, where high-stakes decisions often lead to high-pressure situations.

Being able to be managed also extends to the attorney's ability to balance their ambitions with the firm's goals. An attorney must be driven and ambitious, but it's equally important for those ambitions to align with the firm's direction. A law firm functions as a collective, and an attorney who cannot align their personal objectives with the larger objectives of the firm can prove to be more disruptive than beneficial.

#### **See Related Articles:**

- [\*\*How Law Firms and Other Hiring Organizations Can Determine if an Attorney Can Be Managed\*\*](#)
- [\*\*45 of the Worst Possible Questions Attorneys and Law Students Can Ask in Interviews\*\*](#)

### 3. Will You Do the Job Long Term?

The third question, “Will you do the job long term?” taps into the potential hire’s commitment level. Employee turnover can be costly for firms, not just financially but also in terms of time and resources spent in recruiting, training, and integrating a new employee. Hence, law firms are vested in understanding whether the potential hire will likely stay with the firm for long.

Asking this question is a way of gauging the candidate’s future with the firm. It provides insight into the attorney’s career goals, their vision for their professional future, and how the firm fits into that vision. An attorney who views the role as a stepping stone to something else, or someone uncertain about their professional direction, might not be as committed to staying with the firm in the long term.

The long-term commitment of an attorney also greatly impacts client relationships. A study from the Journal of Marketing found that customer loyalty is a major driver of business profitability, and losing a customer can cost five times more than retaining one. In law firms, attorneys often build close working relationships with clients. If an attorney leaves, it disrupts this relationship, potentially affecting the firm’s standing with the client.

However, asking, “Will you do the job long term?” isn’t just about predicting an attorney’s tenure at the firm. It’s also about understanding whether the attorney is committed to the field of law itself. The legal profession demands constant learning, adaptation, and resilience. An attorney who isn’t deeply committed to their field is unlikely to persevere through the inevitable challenges of the profession.

#### See Related Articles:

- [How Law Firms and Other Hiring Organizations Can Determine if an Attorney Will Do the Job Long Term](#)
- [The Five Things Employers Really Want to Know during a Law Firm Interview](#)

### 4. Do You Want the Job?

The fourth question, “Do you want the job?” is important as it sheds light on the candidate’s motivation and passion for the role. While skills, experience, and qualifications are crucial, a successful attorney also needs to have a genuine interest in their work. This passion often drives them to go the extra mile, to constantly improve, and to contribute positively to the firm’s work environment.

When an attorney genuinely wants the job, they will likely be more engaged, productive, and invested in the firm’s success. According to a Gallup report, highly engaged teams show 21% greater profitability and engaged employees are less likely to leave their job. Passion for the job often translates into better performance, increased productivity, and lower turnover rates.

Furthermore, wanting the job often means the attorney is ready to take on the challenges that come with it. They will likely be more resilient, persistent, and willing to invest the time and effort necessary to excel in their role. This readiness to embrace challenges is especially important in the legal field, where the stakes are high, and the pressure is intense.

#### See Related Articles:

- [How Law Firms and Other Hiring Organizations Determine if a Candidate Wants the Job](#)
- [How Not to Get the Job of Your Dreams](#)

## 5. Do We Like You?

The final question, “Do we like you?” might seem unimportant compared to questions about skill sets and experience, but it is crucial for the firm’s work environment. It revolves around the potential hire’s fit with the firm’s culture, ability to work collaboratively with others, and potential impact on the workplace environment.

Cultural fit has been recognized as an important predictor of employee retention and job performance. According to a study by the Society for Human Resource Management, employees who fit well with their organization, coworkers, and supervisor had greater job satisfaction, were more likely to remain with their organization, and showed superior job performance.

Furthermore, the legal profession requires a high degree of collaboration. Attorneys often have to work together on cases, share knowledge, and support each other. A candidate who can get along well with others, communicate effectively, and contribute positively to the work environment can enhance the overall productivity and morale of the team.

While a candidate’s personality or likability should never overshadow their qualifications or skills, it is important to consider. An attorney can be highly skilled, but if they cannot work harmoniously with others could disrupt the work environment and negatively impact the firm’s performance.

#### See Related Articles:

- [The Importance of Attorneys Being Well-Liked in their Jobs: Why Others Must Like You for You to Get Ahead](#)
- [The Five Reasons Law Firms and Legal Employers Do Not Hire You After an Interview](#)

## Conclusions

These five questions offer a comprehensive framework for law firms during the hiring process. They address the candidate’s ability to perform the job, their potential for growth, their fit with the firm, and their commitment to their role and the legal profession. These key considerations can aid law firms in making informed, strategic hiring decisions.



## Can You Do the Job?

### How Law Firms and Other Hiring Organizations Can Determine if an Attorney Has the Qualifications to Do the Job They Are Hiring For

If you are hiring attorneys for your business, it's important that you ask the right questions during interviews and hire the perfect attorney. In this article, we explain how to determine if the candidate is able to do the job.



When you are deciding whom to hire for a legal job, you need to ask four questions about the potential hire: (1) can they do the job, (2) can they be managed, (3) **will they do the job long-term**, and (4) do they really want the job? You may also ask yourself a few other questions as well: (1) do we like this attorney, and (2) are they a good “cultural fit?”

This article covers the first of these six hiring criteria.

#### Can the Potential Attorney Hire Do the Job You Are Hiring For?

**When deciding who to interview, the legal employer needs to understand if the candidate can do the job they are hiring for.**

This is arguably one of the most challenging questions because being able to do the job differs from firm to firm. What might be useful is to review some examples of people that cannot do the job.

**The attorney's intellectual ability compared to the sophistication of the work, including the attorneys and clients the new attorney will be working with.**

Many law firms hire based on smarts. They are interested in attorneys from the best law schools with the best grades. Different types of attorneys can perform well in different environments. This is a fact and something that employers generally understand instinctively.

**Law firms can tell if an attorney can do the job by** (a) law school and their performance there, (b) quality of past employers, (c) the attorney's prior experience in a practice area, (d) length of time attorney employed by employers, i.e., resume gaps, (e) is the attorney good enough for you or not?, (f) ability to generate business now (or in the future) if this is a requirement of the job.

**a. Quality of law school attended and performance there (the attorney may be over or underqualified for the job.)**

Sometimes, **in terms of law school and performance, firms hire underqualified or overqualified attorneys.** Both are equally bad mistakes.

**Underqualified Attorneys Will Be Cast Out or Leave.**

The problem with hiring an underqualified attorney is that the smarter attorneys around them will immediately pick up on the attorney's intellectual incompatibility. The other, more qualified attorneys may run circles around the attorney in insight, may avoid working with them, will rip apart their work, and so forth. Most importantly, underqualified attorneys may fail to impress clients and, therefore, be put on nonessential assignments. The attorney without the same intellectual ability will be erased from the firm like a virus.

Here are some mistakes I have seen law firms make in the past:

- A top law firm where I once worked hired a graduate from a barely accredited California law school in the middle of his class because his father was a significant client of the firm. He could not understand what was going on and could not perform anywhere near the level the law firm needed. He could not do the job.
- A major law firm hired an LLM from a foreign country who graduated from Harvard Law School. They could not get the attorney to understand the differences between case law and civil law.
- During the "Internet boom" of 1998-2000, prominent New York law firms started hiring all sorts of attorneys who were not the top students from third-tier law schools. Most of these attorneys were gone within months.

Law firms hire people with individual pedigrees, and this is their brand. They also do this because it defines their culture, makes other attorneys there feel they are part of something special, and so forth. If this is watered down, it creates significant problems.

Attorneys without the intellectual firepower to compete will be unhappy, unproductive, not be given work. They will most likely leave on their own when they realize they do not have what it takes to compete. This does no one any good, and these sorts of attorneys should be avoided.

### **Overqualified Attorneys Will be Unhappy and Leave**

An attorney who is overqualified for a firm will almost always leave. They will be unhappy believe they believe the work is not important enough. The compensation is not enough, feel entitled, and complain about the quality of work and their responsibility level. Hiring overqualified attorneys is a mistake. These sorts of attorneys rarely stick around.

Here are some mistakes I have seen law firms make in the past:

- A midsized law firm (in any city) hires an Ivy League-educated corporate attorney from a prominent New York law firm during a national slowdown in corporate work. Most of the midsized law firm's attorneys are graduates of the top 100 law schools, and the law firm has small to midsized clients. The attorney will complain and always leave when the market gets better.
- A small law firm with attorneys from local law schools hires a top 10 law school graduate who did not get a job with on-campus interviews while in law school. The attorney will be unhappy with their compensation and the firm's prestige and almost always leave after gaining experience.

Law firms make these mistakes all the time. It does not work. The overqualified attorney will hardly ever stick around if they feel like they can do better. People with the best qualifications rarely do. They want to work with the best "tribe" they possibly can.

Almost all attorneys have natural homing devices that drive them to work at the best firms they possibly can.

### **b. The quality of the legal employer the attorney is coming from (either better or worse)**

Law firms can gauge attorneys' intellectual ability by the quality of their law school and performance there. However, this is a short-term measurement and not always meaningful. The firms, institutions, and other employers an attorney have worked at and the length of time they have been at each is a better measure, in my opinion. Law school shows motivation and smarts at one point in time. People get motivated, learn and commit at different speeds.

### **Experience with Demanding, Top Employers (the More the Better)**

If someone has significant experience with a top legal employer, this means they can do the job. This is far more important than the law school attended or performance there. People can do well in great law schools and still be bad attorneys. Practicing law is not taking law school exams.

The time component is essential because the longer the attorney has been able to stay employed with a demanding employer, the more likely they will be able to do your job. If the attorney does not stick around very long, then this is an issue. The attorney may have been asked to leave, not getting work, and not doing the job.



## Experience with Inferior Employers

If an attorney has experience with an inferior employer, the attorney may not do the job. Different employers have vastly different standards for the quality and thoroughness of the work that is required. Many smaller, less prestigious employers are under pressure to push work as cheaply as possible for clients with low budgets. Their attorneys are trained to push out the volume and work fast. Law firms in many smaller markets and practice areas have vastly different quality standards. Attorneys from law firms with poor quality standards and low expectations may never adjust to more competitive, demanding environments.

As a general rule:

- Attorneys working on sophisticated matters for significant clients are trained to work at a far higher level of detail and work quality than those doing work for consumers or small businesses.

### c. The attorney's prior experience in a practice area

**The ability of the attorney to do the job is also related to their prior experience. The more experience an attorney has connected to the practice area, the more suitable the attorney will be to the position. It is likely they will be able to do the job.**

**Law firms should try and hire people with direct experience in the practice area they are hiring for.** People trained in a given practice area, interested in it, and committed to it will almost always be better hires than those who are not. It is a mistake trying to fit people into holes they do not belong in.

- Law firms hire people trying to switch practice areas all the time. This is nuts. These attorneys will almost always leave when they discover they just do not like practicing law—regardless of the practice area. You are better off hiring someone with experience in the practice area.
- If you have a job for a specialist such as a securities attorney, an attorney working doing this will almost always do better work than those working on several specialties simultaneously (general corporate, M & M&A, litigation) from a more generalist firm.

Each practice firm's job also has specific requirements for attorneys in its practice area. For example, some firms want litigators to go to court, and others want litigators to write briefs.

- I worked with a small law firm that hired a litigator from a top law firm that had never been to court. The small law firm went to court all the time and took tough depositions with hostile opposing counsel and witnesses. While the attorney's bookishness was well-suited to the large firm, it did not work at the smaller firm. He could not do the job.

Other law firms want attorneys to run entire deals or aspects of deals.

- I worked recently with a Yale Law School graduate who had been trained at Sullivan & Cromwell. The attorney took a job with another national firm where they were asked to only run a portion of them (in M & M & M&A). The attorney was incredibly unhappy and desperate for a new position. They could not do the jobs.

Each practice area has specific requirements. A law firm needs to understand whether the attorney they are hiring has the experience it needs to do the work. If they do not, the attorney may be a bad hire.

#### **d. Length of Time the Attorney was Employed in Past Positions (Resume Gaps)**

In my two-plus decades of experience, I have found that the best way to tell if an attorney will be able to do the job is simply this test: How long have they stayed at their previous employer, and why are they looking for a new job?

Some people are mentally fit and will thrive wherever they go, and others are not. This is just how it works.

- I will never forget the first two people I hired as recruiters for BCG Attorney Search. The first one had been at her previous employer for six years and stayed eight years with me. The second one had worked for her last employer for 13 years and remained for sixteen. In the interim, other hires who had been at their previous employer's a year or two all ended up leaving and finding new positions in a similar length of time they had worked with their other employers.

#### **Will the Attorney Abide by the Requirements of Your Job?**

Every job and firm has different requirements for each job. Attorneys also leave law firms for a massive variety of reasons.

Does your firm require or ask its attorneys to:

- Work independently or in groups?
- Work with a difficult attorney or with an easygoing attorney?
- Work directly with clients or not work with clients?
- Work in one practice area, or work in multiple practice areas?
- Work extremely long hours or something less?
- Travel or not travel for work?
- Work in an office and have a lot of facetime, or work at home and not worry about facetime?
- Entertain clients and go out after work or not?
- Bring in business or not bring in business?
- Supervise attorneys or not supervise attorneys?
- Do outside projects for the firm (writing, speaking, newsletters) or not?
- Work weekends or not?
- Do their secretarial-related work, or not?
- Socialize with attorneys outside of work and at the office or not?

- Work with socially-objectionable clients or not?
- Tolerate constant negative press about the firm or not?
- Work with no expectation of ever being a partner or be expected to make partner and leave?
- Receive below-market compensation?
- Not get annual performance-related bonuses or bonuses less than the market.
- Have good benefits, or not.
- Work with harsh ongoing reviews, something in-between, or no reviews.
- Work in a branch office with few growth opportunities?
- Spend the majority of your time working only on one client or many.
- Tolerate a troubled environment with mass partner defections or a growing environment with a lot of uncertainty.
- Work in a practice area with little growth in a firm and no plans of growth or not.

These things are why attorneys I have worked with have left their firms or told me they were leaving in just the past several months! I could elaborate on all of these reasons, but the fact is that attorneys will not be able to be managed if they are unhappy.

### **e. Is the Attorney Good-Enough for You or Not?**

The biggest thing that employers need to understand is whether the attorney is a good attorney or not and can do the job. The best way of getting this information is typically to ask the attorney the following questions:

- **How busy are you?**

This is a tried-and-true way to understand how proficient most attorneys are. While it has limitations, this is often an excellent way to understand the quality of work an attorney is doing. In almost every law firm, some partners are busy and have work to give out to people who do the best job. The best attorneys are also experts at generating work and getting others to give them work. The ability to do this as an associate with partners translates into the ability to do this later on with clients.

Suppose an attorney is complaining there is not enough work. In that case, the best ones will be writing articles for the firm, giving presentations, and generating clients if there is no work. Every attorney should always be busy. They can make themselves busy regardless of whether or not the firm has work to give them. Your best hires will always be busy.

In contrast, people who wait around for work are not good hires. Attorneys who do not know how to create work are not good hires—creating work is a requirement of being a good attorney. Attorneys who are trouble, do subpar work, and do not impress partners and clients typically are avoided. They do not have a lot of work.

- **What partners are you working with?**

In most firms, some partners are highly regarded and those who are not. Some associates may not work with partners and only be working for senior associates and counsel. By taking the time to understand who the best partners are in a firm, you can often understand how the candidate perceives work quality.

You should also ask what partners the attorney has worked with in the past? How long they worked with a given partner? The best attorneys will tell you about working for the best attorneys in their firms and say things like, "She will not share me with other attorneys!" That is a sign that the attorney is probably excellent.

Suppose an attorney is doing a series of discrete assignments for partners and working for many partners for a short period. In that case, this is often a sign that they probably do not do the best work and should be avoided.

- **What are you working on?**

The best attorneys will be working on the most sophisticated matters at the firm and will talk about them with enthusiasm. They will be working on these because they are considered the best the law firm has. The law firm will put them on its most important matters and give them the most responsibility. Suppose you are interviewing an attorney from a law firm you know has many important matters. You ask them what they are doing, and they tell you about insignificant matters compared to what the firm is doing; you know there are issues.

- An attorney from a top law firm tells you he is spending most of his time suing clients for unpaid bills. This is a bad sign.
- A senior associate from a major litigation law firm tells you they are making mainly discovery.

Conversely,

- A second-year associate at a major law firm tells you she will be going to trial and cross-examining witnesses at a major firm client trial. This is a good sign.
- A fourth-year associate tells you he is the lead associate on an IPO for a firm's major client, and 15 attorney teams are working on it. This is a good sign.

Law firms give attorneys work based on their perception of how good the attorney is. An attorney will tell you a lot about their skill level, depending on what they say.

- **What do you think you could improve on?**

Lawyers are asked what they can improve on all the time, and their answer to this question often reveals their skill level and how they are doing at the firm. Here are some really bad answers I have heard recently.

- "I need to have paralegals and legal secretaries proofread my work more. I make too many errors."

- “I should be better about asking for assignments. My hours are low.”

These are things attorneys said in interviews, and they are not acceptable. The best answers are things like:

- “I want to spend more time on business development.”
- “I want to get better deposition skills.”
- “I want to run my transactions.”

Often, the best attorneys will start talking about books they are reading, outside courses they are taking, and similar things that indicate they are likely to be good hires and take their jobs seriously. Statements made by a good attorney indicate a willingness to grow, improve, and seek greater challenges. Some people never stop growing, and others do.

- **What do you like most about what you are doing?**

Enthusiasm for the job's subject matter is essential—so does how the person talks about what they are doing. Statements, again, that indicate an interest in growth and improvement are important.

- “I love learning more about my practice area.”
- “I enjoy finding solutions that other attorneys do not see.”
- “I enjoy crafting contracts that protect my client and finding new ways to do this all the time.”

If an attorney gives bland answers that show a lack of interest in the practice area and no enthusiasm, they typically will not be the best you can do.

- **What clients are you working for?**

Most law firms have their top clients, and others have smaller, less significant clients and matters. If the attorney is working with the biggest clients and has a lot of responsibility with them, the odds are that the attorney is doing good work. If the attorney is on less significant matters, the opposite is often true.

- **Have you done any outside work in your practice area?**

Attorneys who are fired up about what they are doing take all sorts of outside courses, write articles, teach night classes in law school, teach CLE classes, and all kinds of stuff to contribute their enthusiasm to the market. If people have this level of enthusiasm, the odds are that they are getting positive feedback from their work in the firm's practice area.

- **How confident do you feel about your ability to do this job based on what you know about it?**

The level of confidence an attorney has in their work will come through in this question. Attorneys are faced with all sorts of challenges daily. The most confident attorneys will explain in a measured way they will do their best, ask for help when necessary, and explain why they see things this way.



People who do not research, gather publicly available information about your job and feel secure that they can do it may not be the best attorneys. A lack of confidence means they are running from something and may not be the best hires.,

- **What would your references say about you?**

The best attorneys always have plenty of references ready to go. When asked about what their references would say, they can offer enthusiastic appraisals of their work and engagement. **In contrast, poor to average attorneys will often not have references or cannot articulate what a reference would say about them.**

The legal employer an attorney last worked for is no different than a client: Some attorneys impress clients with their interpersonal and work skills, and others do not. If an attorney can impress their former employers and get a glowing recommendation, then the odds are good they did a good job where they were in the past.

I do not recommend checking the references at an attorney's current employer because you never know how honest this is likely to be—for example, the employer may be angry the attorney is leaving. However, you should always check references at past employers. Rather than speak with HR, it is always the best idea to talk with the attorneys the attorney worked with. Human resources can be helpful, but they will often just confirm dates of employment. If partners in your firm have worked with other partners in the attorney's past firms, speaking with them is a good idea.

- **Do you have any samples of your recent work?**

Asking for copies of redacted and nonconfidential work that an attorney has done can be very instructive. Here, especially if you are unfamiliar with the quality of work required at the attorney's previous employer, you will learn how the attorney approaches their work product.

A great deal can be gleaned when it comes to an attorney's work product. If you overemphasize this, you will disqualify many otherwise highly qualified attorneys from getting jobs in your firm. Every firm has people who love to tear apart others' work and believe that no one other than them can do good work. Consequently, they find reasons to hire no one. It becomes more an exercise in justifying their ego rather than good hiring.

- One firm on the West Coast tests potential patent attorneys with a ridiculously complicated test composed of once-in-a-lifetime opportunities to make arcane errors so far out there that it could be argued no one would know these landmines unless they had spent weeks understanding them. From what I understand, they have tested 100s of attorneys over the past ten years and have not hired a single one of them. The firm has never hired anyone in ten years, and the founders are the only people there. As far as I am concerned, this firm wastes the legal community's time to massage its ego.

Writing samples can show writing ability and training. Other documents can reveal attention to detail. Everything an attorney does and produces shows the sort of attorney they are and where they are at. However, most firm styles and ways of attacking problems are teachable. I do not think disqualifying candidates based on their work samples is always the best idea.

- **(If unemployed) Why aren't you working?**

This is one of the most critical questions. In most cases (over 50%), an unemployed attorney may be bad news and a bad hire. Attorneys are often unemployed because they:

- Were asked to leave.
- Did not have any work.
- Were fired.
- Had psychological or social issues that made them quit.
- Were unable to fit in with the people.
- Could not get repeat work from other attorneys.
- Were not committed to the practice of law.
- Had substance abuse problems.
- Had family or personal issues that took precedence over their jobs.
- Did bad work.
- Did something (or series of somethings) stupid.
- They were seen as antagonistic to the firm—were gossipers, had a bad attitude, etc.

None of these things are always true—but they merit serious consideration. In some major and highly efficient markets like New York City, if an attorney is unemployed, most prominent law firms will not even bother asking why. They know it is too risky in most cases. Why take the chance if other candidates don't come with the same potential baggage.

The correct answers most often involve things like:

- An entire practice group jumped up and went to another law firm leaving all the associates without work.
- The firm laid off an entire practice group.
- The firm closed an office.
- The attorney moved home.

Attorneys who are 100% in the game prioritize their careers and stay employed until they find other jobs. While you are welcome to hire whomever you want, your best bet is often the employed attorney when comparing two attorneys (one employed and the other unemployed). Repeated periods of unemployment are a further warning sign that something may be wrong with the attorney.

## **f. The Attorney's Ability to Generate Business Now (or in the Future) if this is a requirement of the Job**

I save this for last because this a requirement of so many jobs. Some attorneys have this ability, while others do not.

If the future business is a requirement of staying employed, the attorney ought to be informed of this at the interview stage and see how they respond. Alternatively, you may just be seeking worker bees, and that is fine too. Then hire for worker bee qualities.

If hiring for business generation, you typically want to see an upward trajectory of bringing in business, substantial efforts in that direction, consistent success, and few excuses for not having a business. Most attorneys without business will be full of reasons, which are really just excuses. Still, the fact is that the best attorneys can figure out how to build books of business wherever they are and continue to improve their books year after year. A declining book, reliance on only a few clients, and other issues are often not worth the risk. Attorneys can find themselves in the wrong environments to generate business. Your environment may be better, but you need to be careful.

In most instances, the business that an attorney represents when they are lateralling to your firm ends up being 2x what materializes when they get there. This is not always the case, but you need to be very careful and always understand the real outcome is not always represented in interviews.

## Can You Be Managed?

### How Law Firms and Other Hiring Organizations Can Determine if an Attorney Can Be Managed

If you are part of a law firm or company looking to hire an attorney, you need to know whether the attorney can be managed. Here is how law firms and other companies can make that determination.



#### **Law firms contain soldiers and generals.**

Soldiers follow orders, support the larger cause, support each other and the general(s). Soldiers also take their roles seriously. Soldiers hope to one day be generals, but they will do what the generals tell them until they are of higher rank. When you have bad soldiers, there are all sorts of problems. They will gossip and undermine other soldiers and generals. They will be deserters and leave. They will complain about orders. They will often be out for themselves and not their (country/firm). They will not want to improve and become better at their jobs. They will always be considering defecting or leaving. Bad soldiers expect to be generals before it is time and assume and take more responsibility than they should.

Generals, in contrast, also need to be loyal. They need to be capable of taking orders and supporting their firm. They need to be able to inspire their troops. They need to keep their troops busy, occupied, and engaged. Generals need to believe in the mission of their employer. Generals should be flexible and get along with other partners. They need to disregard terrible news and continue fighting even when the going gets tough.

Regardless of whether the attorney is a partner or associate, **law firms cannot function if they cannot manage their employees**. Being managed means many different things depending on the firm; however, the most important aspects of being managed are that:

1. The attorney's long-term goal is to work for other people.
2. Want promotion and recognition from the group.
3. They respect and talk enthusiastically about the people above and around them.
4. They are ideally motivated by something besides money and prestige.
5. Will leave their politics out of the office.
6. The Manageable Attorney's Long-Term Goal Is to Work for Others

The best attorneys want to work for others. Even the top-ranking attorney at a **major law firm** is working for others. To succeed as an attorney, you need to want to work for others. The best law firm attorneys would never think of having their **own firm**. They need the support of the group. They need the brand of the firm. They do not understand business (nor do they want to). They want someone to manage attorneys, staff, and others around them and make decisions for them.

I have seen very few attorneys in my career who had experience starting and running real businesses before going to law school. Attorneys that have had their own businesses like making their own rules. They have a sense of **self-confidence** the average attorney does not have; therefore, they are almost always bad hires.

**Older attorneys that have had their firms can sometimes be hired**, of course, but that does not work most of the time. At this point in my career, I know of numerous attorneys who worked in private practice then went to work for existing law firms. They kept several clients on the side as they could make a lot more money that way. Typically, it does not work unless the attorney with their law firm is a significant player in the legal market.

I once hired an attorney with his practice to come work for me and be **in-house** counsel. He had an outstanding resume with good law schools and appeared to have solid experience. He interviewed very well, seemed quite confident, and I was very impressed with him. Nevertheless, there were warning signs. However, during the latter part of the interview, he told me that he had to get going because he left his dog in the car. I should have taken that as a warning sign but did not. I should have checked his references and prior employment experience but did not.

He told me that he had "wound down" his independent law firm and was ready to work for me full time. When he started work, he rearranged his desk in the office so no one could see his computer and



demanded multiple locking file cabinets for his office. After a few weeks on the job, he started coming into the office late, and it got later and later—often as late as 1:00 pm. He refused to give me a written weekly report on the matters he was working on. I started noticing all sorts of other problems. He brought his dog to work even though he was forbidden to and was asked to stop doing this multiple times. After a series of at least ten warnings for coming in late, he kept coming in late again and again. Eventually, I got fed up when I heard he came in at 12:30 that day. Despite hosting 50 people from around the country for a company conference 30 minutes from my office, I drove back to the office during lunch, fired him, and escorted him out of the building. When my assistant was cleaning the office later, she noticed tons of case files from his law firm—some relatively recent. He went into court to argue motions on his cases during the mornings and worked on them during the company's time.

During his time working for me, he worked on all sorts of stuff I did not ask him to. For example, he spent a full day meeting with some salespeople from a company called "LifeLock" who wanted me to sell identity theft to attorneys seeking jobs. **These sorts of activities had nothing to do with what our company does.** He was unmanageable. He did whatever he wanted to do. After I fired him, he sued me to extract a settlement because I fired him without providing a written warning. The attorney then proceeded to get a position with one of the most prestigious **private schools in the United States** as their general counsel. He then lost that job when they discovered he was running a practice on the side. Then, he did the same thing with another employer after that one. Eventually, he almost lost his bar license, was suspended, and had all sorts of issues.

The main problem with attorneys who do not want to work for others is that they will ordinarily leave when they figure out how to work independently. However, a larger problem is that these people will still be questioning the structure of the business around them. They will believe your firm is inefficient, paying people too little or too much, not assigning work properly, not giving enough freedom to attorneys, and more. They will undermine management and tell them they know better. They will be analyzing how you work and what you are doing wrong and using this information as a basis to start their own, more efficient business down the line. They will decide—most often—that they can do it better and will create new firms.

The worst part of hiring these people is that they will not be invested in your firm, growing your firm, your clients, or their future. They will give less than 100% and be inefficient with your clients, not connect with other attorneys the way they should, undermine morale, and create all sorts of other issues as well.

One of my worst hires ever was an attorney who graduated one of the top five students in his class from a top 15 law school. For reasons I did not understand, he had never worked as a summer associate or in a law firm and, instead, was doing legal work for a company owned by a friend when I met him—this is all he had ever done. He also was teaching at night in a law school. A few years out of law school, he lived close to my office, and I thought he would be an excellent hire for this reason.

The first day he started work, he turned in an assignment littered with typos and had many errors. I met with the attorney the next afternoon and explained that the work was not good and why. He seemed very upset by this. The next day he came into the office and quit. I was fine with that because his work was not high quality, and he had an attitude problem.

A few days later, he contacted me and apologized, and said he wanted his position back. He told me he would follow directions and proof stuff more carefully and do a better job. He also told me that he liked working at home a lot and in front of the television and was more productive working like this. He asked me if this would be okay for him to frequently work at home. I told him that I was not comfortable with this, but he was welcome to work in the office if he wanted to return.

Over the next few months, his work did improve, but he avoided all forms of feedback. He would settle matters for me without asking my feedback, and I got upset with him about this several times. He consistently failed to provide me weekly or daily reports of what he was working on. He avoided any circumstance where he would face **criticism**. When I hired other attorneys to work for me, he took them under his wing and tried to prevent me from communicating with them. He spent a lot of time with them outside of the office and became close with them. When one of the attorneys left, they wrote him a note and left it on his desk that said something like: "I know you will be very successful when you have your firm. I'm going to be joining you!"

### **No one could manage the attorney.**

When he left me, he ended up starting his firm doing automobile accidents. However, it did not end at that. He also created other problems even after leaving. For example, when I hired a replacement for him, he called up the replacement and tried to undermine the new attorney. He said things like: "Is Harrison still requiring a lot of facetime over there?" He spoke negatively about the experience of working for me and tried to undermine her in her new position. In addition to doing this, he also tried to get me to pay his bar dues months before they were due a few days before leaving.

He was too independent, wanted to do his own thing, did not want to follow directions, and was a liability.

Many attorneys are like this, and I have encountered and hired several of them throughout my career. Here were the warning signs with this type of attorney:

- **Quitting (or threatening to quit) very quickly when confronted with performance (or other) issues.** Attorneys who are not manageable will consistently threaten to leave if they do not get what they want. Once someone threatens to quit, they almost always will in short order. These sorts of attorneys will never be happy in your firm and will leave again.
- **They are quitting and then coming back.** If someone quits once, the attorney will almost always quit again if you rehire them. I have never rehired anyone that has come back and stayed more than a few years. They always quit again, and when they are at your firm will drag down morale, complain and be unhappy.
- **They have not worked or gotten jobs in formal, hierarchal environments despite having the qualifications to have done so.** If someone has not worked in a law firm, there are likely reasons for this. The attorney probably does not like the structure of working in a law firm or want to be accountable or criticized.
- **They are teaching in a law school at night.** Teaching is most often a career decision that is at odds with working in a law firm. Typically, people who do this are not interested in practicing law and want to be in a

position where they feel like an authority. There is nothing wrong with this, but an early career decision in this respect suggests that the person does not want to work in a law firm. They are either intellectual or interested in something else.

- **They want to work at home and control their environment.** While different types of attorneys can work at home, the attorneys that demand this are more concerned with their needs than those they are supposed to work with. While this is not always an issue, most law firms thrive on the in-person exchange of ideas and information between attorneys in the office.
- **Resisting training and feedback.** People that resist training and feedback are often protecting their egos. They also do not want to get better. These sorts of attorneys are bad hires for law firms. Many young attorneys have this issue and never change. Many older attorneys become settled in their ways and cannot readily adapt.
- **They are avoiding accountability.** People that avoid accountability are always going to be a problem. They will avoid reporting and want to do everything on their own. These sorts of attorneys are habitually bad hires as well. If someone does not want to give reports, they are either not working as much as they say they are or do not want to see themselves as being accountable to others and want to believe they are independent.
- **Making significant decisions on work matters affecting clients, or superiors, without asking for any feedback.** If someone makes significant decisions affecting important matters without asking for appropriate feedback, this suggests a lack of being manageable. People should want feedback before making important decisions.
- **They are interfering with your ability to manage other attorneys and employees in your firm.** If an attorney is interfering with attorneys trying to manage other attorneys, this is a serious sign that the attorney is problematic. Attorneys who undermine management are challenging. Attorneys need to make things easier for management and the people they are working for, not harder.
- **Talking seriously (with concrete, realistic plans) to other employees about doing something besides practicing law in a law firm.** Attorneys with plans will commonly leave with the time is right for them.

#### See also:

- [How Law Firms and Other Hiring Organizations Can Determine if an Attorney Can Be Managed](#)
- [How Law Firms Can Hire the Best Attorney: A Guide to Hiring Stars](#)
- [The Hidden Force of Ego: How an Unchecked Ego Damages the Lives and Careers of So Many Attorneys](#)

#### The Most Manageable Attorneys Want Promotion and Recognition from the Groups they Are in

Attorneys who are manageable depend on the recognition of others to succeed. When they talk about their current position, they get excited about things such as:

- **The quality of their reviews.** Attorneys who are manageable get excited by the quality of their reviews and always volunteer information about this. They often will even mention this on their resume. Mentioning positive reviews means that they are dependent to some extent on others' opinions and not too independent. These attorneys are manageable.

- **They were receiving the highest bonuses or compensation.** If an attorney is manageable, this recognition is something that will make them very happy as well. They will mention and brag about this in interviews and often on their resume.
- **They are working the most hours.** Often attorneys who bill the most hours do so out of a desire to impress the people above them. They also bill the most hours because they may simply need to, which is also a sign of being managed. The hardest working attorneys are quite often the most manageable ones.
- **Being put on the most significant matters.** If an attorney is excited about this, it is a sign they are manageable. If an attorney brags about this, it shows that the opinion of others is important to them.
- **Getting promoted very quickly. Quick promotions** are a sign the attorney is getting along well with other attorneys. If an attorney is excited about this, it also shows that others' opinion is important to them.
- **Working for the most influential people in the firm.** Attorneys who work for the most important and highest-regarded attorney in the firm often are in this position because they are manageable.
- **They are being chosen for various leadership roles and put on certain committees.** Most law firms choose manageable attorneys for important leadership and committee roles.

In contrast, attorneys who are not excited about promotion and recognition are often not manageable. They avoid working with the best attorneys in the firm and **may not work as many hours as the average** attorney. They may miss their hours, may not be concerned about promotion, and avoid accountability. Law firms need to hire attorneys interested in being part of the group and want others' recognition.

When interviewing attorneys who are not manageable, they will rarely talk about their achievement level with that group. Instead, they will avoid the topic and talk about other things they may have done in the past.

Recently, I was working with a partner attorney who was a candidate for one of my clients. The law firm interviewed her at least six or seven times and kept bringing her back. Finally, the law firm asked her for her hours and how much she had billed in the previous few years. She came to me panicked about this because the hours were quite low. She was dependent on work from the firm and had not been getting a lot of hours. She then started complaining about the people in her firm, the fact that they had cut her pay, removed her from various committees, and other issues. Her employer could not manage her, and the firm did not make her an offer. For whatever reason, she looked like a risk to the firm as someone who a law firm could not manage.

#### See also:

- **Billable Hours and Law Firm Economics: What Every Attorney Needs to Understand to Get Ahead**
- **How to Make Partner in a Law Firm: Top 10 Characteristics of Superstar Associates Who Make Partner**

#### **Attorneys Who Are Manageable Typically Respect and Talk Enthusiastically About the People They Have Worked With in the Past**

The most manageable attorneys take pride in the group of people they work with and their individuals.

They tend to get animated and excited when speaking about various attorneys in their firm that have worked on matters. They talk about these attorneys and the cases they have done with them; they tend to be complimentary of the sort of work that the attorney did and what they learned from them.

One of the best attorneys I ever hired came to me from a well-known labor and employment law firm. She was manageable. She was always asking what she could do to be more useful and help me. Consequently, she was continually improving and getting better at her job. When I interviewed her and started working with her, she always spoke generously about the people she worked with. She talked about what they taught her and how this was helpful. It was clear that she genuinely liked and learned from the people she worked for in the past. It was almost as if she had a great experience with every superior she had ever worked. Attorneys who are manageable look up to the people they work with and want to do good work for them. They want to be liked and thought of highly. They thrive on the positive opinions of others. They are well-balanced and tend to have positive interactions with superiors and leave others pleased with their work and performance. If people like them (and they like other people), this indicates they fit in well.

#### See also:

- [The Five Reasons Law Firms and Legal Employers Do Not Hire You After an Interview](#)
- [The Best Interview Tips For Your Law Firm Interview](#)
- [Top 10 Interview Questions During Your Law Firm Interview](#)

#### The Most Manageable Attorneys Are Ideally Motivated by Something Other Than Money and Prestige

Suppose an attorney is motivated by money and prestige. In that case, they will likely be manageable only to the extent these two elements consistently work in their favor. **These attorneys are only concerned about themselves and not affected by other legal firms or their peers.** If you cannot consistently meet their needs for money or prestige, the attorney will become challenging to manage and likely will not work well with other attorneys or stick around.

Many law firm partners, associates, and others are not manageable because they leave when they are unhappy with their compensation. I see this all the time. It is common for attorneys to start looking for positions the second their compensation is cut or stagnant if other law firms raise compensation. Compensation is something that is a big point of contention for attorneys at all levels. If an attorney does not get the compensation they want, they will often withdraw and stop reporting to meetings, cut down their hours, or be unavailable to take various firm assignments.

While there is nothing wrong with an attorney wanting good compensation, some attorneys use it as a reason to stop cooperating with superiors. Some attorneys will consistently **move firms** every few years when their firm lags in compensation. Instead of being **team players** and working within the confines of what the firm may be able to pay (or is paying) at the moment, this attorney simply stops cooperating with the firm and management. It does not matter if they are partners or associates—it happens all the time.



I regularly explain to attorneys that a career is a long-term prospect. Someone who is in their mid-20s could be practicing another 60+ years. The most manageable attorneys will not make short-term decisions about leaving due to compensation issues. They will most often be motivated by learning, supporting the group, representing the firm clients, and more. They take a long-term view of their careers and circumstances instead of a short-term one.

The same goes for how the most manageable attorneys approach bad news about their firm. All law firms go through ups and downs where there are various pieces of bad information about the firm out there. The law firm could have been established for decades and experienced countless adverse news cycles, but attorneys run for the doors anyway. Attorneys who are not manageable will often be very upset when there is negative news about the firm and make a quick exit.

**See also:**

- [Showing Up: The Difference between Those Who Get Hired and Advance in Law Firms and Those Who Do Not](#)
- [Why Money Is the Dumbest Thing Any Attorney Should Focus on When Joining a Law Firm: How Attorneys Destroy their Happiness and Legal Careers by Focusing on Money](#)
- [Are You Unhappy as a Lawyer? You May Be Buying into the Wrong Narrative](#)

**The Most Manageable Attorneys Will Leave Their Politics and Prejudices Out of the Office**

Many attorneys have political views that go one way or another. They could be extremely liberal, extremely conservative, or something in between. Attorneys are certainly welcome to have any political beliefs they choose. However, when these beliefs impact their ability to work in your law firm, work with other attorneys, or get things done, this can cause issues. Some attorneys are so indoctrinated in one or another view of the world that it can impact their ability to get things done in the firm.

I have worked with:

- Sexist men who simply could not work with women. They are not manageable by women.
- Women that refuse to work with men. They are not manageable by men.
- Attorneys that refuse to work with Republicans and have deep-seated resentment towards them and their beliefs. They are not manageable.
- **Diverse attorneys** are only interested in working with attorneys who are also diverse (and often only the same race). They are also not manageable.
- Attorneys who refused to work on matters often for trivial political reasons, i.e., one attorney refused to work on legal matters for a public company because they did not like their overtime policy for warehouse workers.

I could continue, of course, but if an attorney has very strong beliefs that prevent them from working in your firm, they will not be manageable.

**See also:**

- [Leave Sex, Politics, Religion, and Social Activism out of Your Job Search and Career If You Want to Work in a Large Law Firm](#)
- [Chapter 1: What is Diversity and How Can It Help Law Firms?](#)

**The Most Manageable Attorneys Will be Willing to Act, Dress and Behave Like Other Attorneys in Your Office (Both Inside and Outside of Work)**

Law firms look for all sorts of signs of manageability when they are hiring.

I once worked with an attorney from a prominent New York law firm who decided to grow his hair down to his buttocks. When his hair reached his shoulders, his firm became a bit concerned.

- This attorney was first in their class from a major law school and literally could not get a job.
- I had a male attorney show up for an interview wearing a purple suit and white loafers. They did not like this either.
- I have had attorneys not hired because the firm discovered pictures of them going wild and misbehaving on social media.
- One law firm I know of did not hire at least one attorney because the firm did not like their table manners at lunch.
- I have seen several attorneys not hired because they ordered a second or third drink at lunch with other attorneys while on interviews.
- I had one instance where a law firm did not hire a woman because she dressed too provocatively for an interview.

These are clues that the attorney may not be manageable and would be a difficult hire.

**See also:**

- [What Should I Wear to a Law Firm Interview Known for Casual Dress?](#)
- [How to Conduct Yourself During a Lunch Interview](#)
- [Do Law Firms Check Their Applicants Social Network Profiles?](#)

**The Sorts of Things Unmanageable Attorneys Give as Reasons for Looking for a New Position in Interviews**

Here are some things I have heard recently from attorneys that indicate they might be unmanageable:

- The law firm is asking me to do work that does not take my abilities into account.
- Morale is low at the firm.

- There has been bad news out there about the firm.
- I do not approve of some of the clients of the firm.
- I have to work weekends.
- There is too much travel.
- The law firm is cutting back on benefits and making us pay more for health insurance.
- There is not enough support at the firm.
- I have to work with toxic partners.
- The firm is requiring too much face time.
- I want to go somewhere with more pro bono.
- I do not like the politics of the firm.
- The firm is more concerned with hours than its clients.
- The firm is moving offices, and they are too far from my house.
- I am not getting the sort of work I want.
- Only diverse people, men, women, people from certain law schools, people with wealthy parents, people who grew up in the market get ahead there.
- The law firm will not let me do pro bono.
- The law firm will not let me work with a specific type of client.
- Salary and bonuses are not keeping pace with other firms.
- The law firm expects too much face time.
- I would like to work at home more often.
- The law firm does not have a good pro bono plan.
- I want to work in other practice areas in addition to my own.
- I need more immediate responsibility.

## Will You Do the Job Long Term?

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

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.

## A. Business Reasons Law Firms Should Avoid Hiring Noncommitted Attorneys

### 1. 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.

**2. 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'](#)

**3. 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.

**4. 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](#)

**5. 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.

**6. 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.

**7. 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.

**8. 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.

## **9. 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.

## **10. 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.

## **11. 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](#)

## **B. Signs That Indicate an Attorney is Likely to Stick Around for the Long Term**

### **1. 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.

### **2. 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?](#)

### **3. 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.

### **4. 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**

5. 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**

6. 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.

**7. 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.

**8. 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.

**9. 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.

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

**1. 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**



## 2. 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.

## 3. 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.

## 4. 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](#)

**5. 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.

**6. 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.

**7. 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.

## 8. 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](#)

## 9. 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.

## 10. 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.

## 11. 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?](#)

## 12. 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.

### 13. 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.

### 14. 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.

### 15. 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](#)

## Do You Want the Job?

### How Law Firms and Other Hiring Organizations Determine if a Candidate Wants the Job

When I was around nine years old, my mother took me to a farm outside Detroit to pick out my first dog, a Brittany Spaniel puppy. I walked into the house to a room where all the puppies were, and one puppy came up to me and kept kissing me and following me around. The other puppies seemed much less interested in me. When I picked out the puppy, my mom asked me why I picked that puppy. I told her I chose it because it was the one that seemed to like me the most.



Years later, when I was in law school, I met my first wife. She had many suitors and people who seemed interested in her. Comparatively to some of them, I did not have as much to offer. Nevertheless, when we finally got married, she told me that the reason she picked me was that I was the one that seemed to want to be with her the most—and I did. Everyone else interested in her was not ready to fully commit and would leave when she pushed them away. I never went away.

A few years ago, I had an in-house counsel opening in my company. I had hundreds of applicants for the position and so many applicants that I did not look forward to reviewing resumes. The person that I ended up hiring was not a good hire and never should have been hired. However, she walked into my office without an interview and said she wanted the job. She told me she wanted to work for me, knew who I was, and believed in my company and me. This made me hire her.

When I was in high school, my **mentor** asked me about my first-choice school. When I answered, he said he would do whatever he could for me, and I ended up getting there. The same thing happened to me in law school. I had good reasons for going to each school, and it helped me rise above others from the many resumes received.

When I was in my third year at the **University of Virginia Law School**, I walked by the admissions office. I saw a few people standing around and sitting outside of the admissions office. They looked nervous and were all dressed up. It seemed a little early for interviews, so I asked an admissions person what they were doing there. He told me they were on the waitlist for the school. Every year, people on the waitlist showed up in the lobby, notified the admissions office that they were there, and would wait until the admissions office made a final decision.

Most of the organizations and people I have become connected to in my life came to me because I wanted them. Hiring and bringing on people who want what you have is a wise business decision. They are likely to **be committed** because they have good reasons for applying.

There is a high proportion of attorneys who do not want to be at your firm, and they do not necessarily want the job you have to offer them. They are simply biding their time until something better comes along. Regrettably, they will never give up trying to find another position. The only people you should be hiring to work in your law firm are people who want the job and want it for the right reasons. It is pretty easy to find out if people do not want the job. This should be your most important priority when interviewing and evaluating attorneys.

When I was in college, I went to at least 30 or more on-campus interviews. Investment banks, consulting firms, and all sorts of other employers came onto campus to interview for entry-level jobs. I was probably the biggest walking disaster you could imagine of someone interviewing for a job. Although I eventually got hired for a job, the group that hired me made a huge mistake, and I will tell you why in a moment.

I started an asphalt business in Detroit when I was around eighteen years old. When you do asphalt work in Michigan from the spring to the early fall, you can succeed. During the three months of summer, I could make enough to support myself year-round. By the time I was a senior in college, I had earned enough to support myself and became independent. I got to build a business with recurring revenue, drive around in trucks, have employees, and learn a lifetime skill. It afforded me the capability of living somewhere warm in the winters and not work. Why would I give up my independence to work at a bank or a consulting firm? Compared to a regular job working for someone else, I simply could not reconcile myself to that role.

I went into **interviews** and talked about myself and my asphalt business. The kids in my school were all dressed up for interviews, would spend hours preparing, and I could care less. I had **great grades** and a lot to offer. However, I interviewed for jobs that paid much less and took away all my independence, so I did not dress the part. I had more **confidence** than most of my interviewers because I knew I could take care of myself. I did not have a strong interest in who or what I was interviewing for. I liked the idea of working in a big bank in New York, but it did not mean much to me. Also, I was conflicted:



- Why would I go to work in a big bank for a few years, making half the salary I could make if I went to a top law school? Most of the kids interviewing with these banks would never get a job with them anyway.
- My school had already spoken with me about attending a Ph.D. program which included a stipend of \$15,000 a year and free tuition. That amount of money and free education ended up being much more than a bank would pay me, and I would get a Ph.D. in the process!
- I had also applied and interviewed with **Harvard Business School** when I was in college (I eventually did not get in). Most of these kids were getting jobs in banks to gain experience for business school, and I was already in a position where I could bypass that. That seemed like a better option!
- I was also waiting to find out if I got into a bunch of **law schools**. That seemed like it could be a much better option as well.

Why would I give up that independence to put on a suit each day and work with a bunch of people in an office building? Why would I possibly want to work in an **entry-level position** with all of these options on the table?

Because I did not want the jobs I was interviewing for, I went into interviews **unprepared**, unmotivated, and did all wrong things:

In one interview with a trading firm in Chicago, the interviewer asked me:

"Do you know where the NASDAQ and NYSE are at today?"

"In New York?"

"Not where they are located ... Do you have any idea of the range that they are both in?"

"No."

"Do you know the difference between the two?"

"No, but I could learn!"

This sort of banter characterized every single interview I had.

In other interviews, some only thirty minutes, people would ask me early in the interview about a book I wrote regarding Detroit Race Relations. I would talk a full twenty-five minutes while their eyes glazed over. Despite the obvious body language that they were bored as hell, I would keep talking.

I went to a party and stayed out until 3:00 am before an 8:00 am callback interview with JP Morgan in downtown Chicago. I showed up in their office, probably smelling like beer, messy, and not looking like I was in a good way. I was so spaced out that I did not correct my first and subsequent interviewers when they said to me:

"Andrew Wong, it's nice to meet you. It's not every day we get to meet a Notre Dame basketball player!"

*What the hell are these people talking about?* I started wondering to myself. I was too out of it to correct them and just plain confused. My first name is Andrew (I go by my middle name "Harrison"), but my last name is not "Wong." In interview after interview, people kept bringing stuff up that made no sense.

"I see here you majored in economics," one interviewer said.

"No, it was an interdisciplinary major that had economics in it, but it was not pure economics," I responded.

"Then why does it say you are majoring in economics?" the interviewer asked.

"It should not. That is odd." With puzzled looks, these interviews continued.

I was about six interviews in before I finally worked up enough courage to set the record straight when some question about my supposed **resume** came up that was just too far out there to ignore. I do not remember what it is, but I think it was something about needing to catch a plane to get to a game on Saturday.

You do not stay out until 3:00 am the night before an interview if you want a job. Your priority is getting the job and making sure you do. You want very much to get the position, and that is the primary concern. You learn everything you can about an employer before showing up to the interview and look and act your best. If you really want the job, these are your best options.

I never got a job with an employer on campus. Because of my grades, I was interviewed by the Justice Department in Washington, D.C., for what was essentially a two-year fellowship and ended up getting a job there. After they made me an offer and I accepted, I ended up contacting them and telling them I was going to law school instead. They should never have offered me the job. They flew me out to Washington, D.C., and spent only a few hours interviewing me and based everything on recommendations and grades. It was a big mistake ever offering me the job because I did not want it and stiffed them after being offered the job.

When an attorney does not want the job you are offering, they will almost always leave. Attorneys who waste your time training and getting them up to speed are terrible hiring decisions because they take away positions from people who want the job, undermine morale when they leave, are never fully committed to the job, are always looking for something else, and more. Here are some signs that someone does not want the position for which you are advertising and interviewing them.

#### **See also:**

- [Interview Preparation Techniques](#)
- [Top 10 Interview Questions During Your Law Firm Interview](#)
- [Your Life Is Controlled by Your Decisions and Your Commitment to Them](#)

## 1. The Person's Resume Shows that they Are Interested in Something Else, or a Different Type of Employer than You.

The resume of an attorney (or law student) who is not interested in working for you, or doing the sort of job you have, will most often have stuff on it that looks like they do not belong with you. The attorney's interest will be incompatible with the position that you have, what they have done in the past, or where it looks like they want to be going.

Here are some recent examples that come to mind.

- An attorney who worked in a prominent New York law firm as a litigator for three years is currently unemployed applying to major law firms and whose resume emphasizes their interest in pro bono.** He went to a top college and law school where he was interested in all sorts of social-justice-related organizations and so forth. His resume lists all of his **pro bono** activities under the "experience" section of his **law firm experience**. It then lists his experience for paid clients in short, almost abbreviated tones. This attorney does not want the job. This attorney believes pro bono and helping others are more important than working in a law firm with paying clients. He should not be interviewed and hired.
- An attorney who participated in the entertainment law society in law school; was on an entertainment journal, worked in entertainment before law school and after college, worked for an entertainment company in their first and second summers in law school.** This attorney then went to a large law firm and is doing mass tort litigation and have been doing so for just over a year. They are now moving to Los Angeles from Chicago. They have told their recruiter they are interested in general litigation and **entertainment-related law** firm jobs. This attorney should likely never have been hired for a mass tort **litigation job**. They do not want this job, and it should have been clear they would not stay—they want to do entertainment. The attorney also will not remain in a non-entertainment position in Los Angeles. It should have been clear from their resume that they moved to Los Angeles to get an entertainment law job. They will take a position doing something else if it is all they can get, but this is not what they want to do, and it is evident from their resume.
- An attorney went to a top ten law school and got a job with a major law firm. After a year in the major law firm, he decided to work in-house at a company in Washington, D.C. After six months, he was laid off from his in-house position and ended up getting hired as a staff attorney for a major law firm in the Midwest.** He is now looking for a law firm job, an **in-house** job, and anything other than his current position. He should never have been hired by the law firm in the Midwest. He did not want the job, and there was nothing on his resume, or experience, to indicate he would be likely to stay in a staff attorney position, much less work at one in the Midwest (where he had no connections). This attorney is only a few years out of law school, went to a top law school, and their objective will be to get a position with another major law firm (or in-house). They are a risk for any law firm, though, because the odds are, they want to be in-house. After all, they left to do this. This attorney most likely does not want a law firm job and certainly not one in the Midwest, or that does not pay well.
- An attorney who has had several different jobs in a short period.** An attorney has worked in three other law firms in five years. This attorney will not stay with you either and will find a reason to leave after a year or two again. This attorney is finding themselves and interested in something else—which is not your problem.

- **An attorney who has spent their entire career working in Texas and has applied to positions nationwide. You are interviewing them for a position in Pittsburgh.** You question the attorney and discover that they are interested in a job you have; however, their family and everyone they know is in Texas. The odds are that even if you hire them for the position, they will return to Texas in the future. You will be much better off hiring someone locally unless the candidate is an excellent fit for the job and your position is top scale for them."

I could list countless examples of this, but if you see stuff on the person's resume that indicates they are likely to want something different, they will not be a good hire.

When I was interviewing for college positions, I wanted something different—I did not even know what I wanted. My resume was littered with references to research papers I had done to help people in Detroit get jobs, teach classes, run an asphalt company, and do other stuff that was utterly incompatible with crunching numbers in a bank or consulting firm. Moreover, no position could have given me the independence, or income, that I wanted, and my resume bragged about the stuff I had done independently. It was all clear from my resume.

**Tip:** Look for specialists committed to (1) the practice area, (2) location, and (3) practice setting of your job. Make sure the attorney also is committed to working at a firm of your size, pay, and prestige level and has reasons for doing so. If the attorney can get closer to what they want, they will.

When I started practicing law a few decades ago, the salaries were much different than they are now. The top firms in Los Angeles were third-year associates, around \$90,000 a year. A few New York-based firms, **Skadden Arps, Dewey Ballantyne, Sullivan & Cromwell**, and **Milbank** in Los Angeles, were paying their attorneys \$155,000 a year and giving them bonuses on top of that if they made certain hours. For me, this was a no-brainer to take a position at one of these New York-based firms paying people on a different salary scale. When I was unhappy at the New York-based firm, I was enthusiastic when I interviewed with Los Angeles-based firms that were paying almost half the salaries. None of them should have hired me without concrete explanations for why I would be willing to make so much less money.

**See also:**

- **Be Committed to What You Do**
- **The Only Thing That Matters Is Commitment**
- **Your Life Is Controlled by Your Decisions and Your Commitment to Them**

## 2. The Person Who Wants the Job Typically is Never Unemployed Very Long.

I speak with unemployed attorneys all the time—and many attorneys who have been unemployed for quite a long time. There are many commonalities with unemployed attorneys that I have noticed. While there are always reasons beyond someone's control for them **being unemployed**, the jobless attorney is often in that role for the most obvious, Freudian-type explanation: They want to be unemployed.

When I was not getting positions in college, it was, essentially, because I wanted to be unemployed:

- I did not go to interview workshops at the school.
- I did not go to resume workshops and fix my resume.
- I did not take feedback (or go to meet) with the career services offices when they realized I was doing poorly in interviews and wanted to intervene.
- I did not **research employers** before interviewing with them.
- I did not talk to other students who were doing well in interviews to determine what they were doing.
- I showed up **late to some interviews** and missed others.
- I did not write **thank you notes**.
- I did not appear **eager in interviews**—it was more about what the employer could do for me.
- I did not have a lot of respect for the interviewers because I did not want to do the work.
- I often talked a big game but was using the wrong jargon and other information.

Deep down, I was more than conflicted about whether I wanted a job—and everything about how I approached the process reflected that. This is what attorneys who are conflicted do. They are uncertain about whether they want to work for you.

People who want jobs prioritize getting jobs, do whatever they can to get a job, and are quickly hired because they look and act like someone who wants the job.

Here are some examples of attorneys I came across recently who did not want the job:

- **One attorney had worked in a prominent New York law firm for a year in their corporate department before being let go and had been looking for a position for over a year.** When I asked him why he lost his job, he said that the firm required him to be in the office at 8:00 am when the managing partner (in another office) gave out assignments each week. He was "there to work and not beg" for work. This attorney did not want his last job and had now been looking for over a year. If he wanted a position, he would have figured out how to get one in a year.
- **Another attorney I was working with not too long ago had worked for a major law firm in Boston and then got an in-house position in Colorado and looked for a job for over a year.** After a few months (mainly because he said "he did not go in-house to work big firm hours"), he lost his position. This attorney simply was not interested in working. When I tried to get him to apply to firms outside of the city he was working in Colorado, he refused. He was ten years out of law school, saved money, and was not interested in working again. He is not a reasonable risk for firms.
- **I interviewed a girl who graduated from law school nine months prior for a job with my company, and she had never been offered a position after graduating from law school.** When I interviewed her, she sounded unenthusiastic and not interested in making a connection. When we asked her to take a personality test, she responded that she already knew what the test would say about her and emailed us her personality type. She did not want the job and kept sabotaging herself repeatedly, which was why she was still unemployed.

There are countless law firms and other places attorneys can get jobs. It is not that the attorney has had "bad luck" because they have not tried hard enough to get a job. They have not applied to enough places, networked enough, worked on themselves enough, and more. People that are not getting jobs are most often in that position because they want to be.

The other example is the person that **takes time off**—a lot of time—and then wants to come back to a law firm. While there are people who have children, get sick, and have other experiences that make perfect sense and should not disqualify them—most people who take extended time off do not want to work for you. These sorts of people are interested in something else. You should not spend a lot of time with them because most will come back and leave again. They do not want the job.

My father and mother got divorced almost 50 years ago! Each had a few short second marriages of a year or two, but other than that, never remarried. If someone wants to be married and find a mate, they will quickly do so and go to any means necessary. If someone does not want to be married, they will do the opposite.

I had a plumber working on my house about five years ago, and he told me that his wife had died of cancer a few months previously. The plumber was probably in his 70s and looked very unhealthy. I felt quite sorry for him and that it would be difficult for him to meet someone new.

"Oh no! I'm happier than I have been in a long time!" he said. "I went over to the Philippines and picked up a wife!" I could not believe it. I had never heard anything like this, but I guess this is what many people do. He told me many of his friends had done the same thing!

In contrast, my parents, who are now approaching their 80s and, in my father's case, 90s, have never been able to settle down. They find all manner of excuses to disqualify potential mates and have done this between the two of them with more people than I can count. They want to be single. They would be a bad risk to marry because they would sabotage the marriage and try to be single again. This is what attorneys do who do not want to work for law firms.

**See also:**

- [Thank-you Notes - Handwritten or By Email?](#)
- [The Best Interview Tips For Your Law Firm Interview](#)
- [The Five Reasons Law Firms and Legal Employers Do Not Hire You After an Interview](#)

### **3. The Person Who Wants the Job Does the Things to Look and Act the Part to Get the Job**

When an attorney wants the job, they do and say what they need to get the job. They go into interviews trying to convince you that they are a good fit for the position and not the other way around. Many people will apply to jobs they do not want; most attorneys and law students do.

Here are simple things that the best people do that show they want the job.



- **People that want the job will tailor their resume and cover letter to you and your job.** If someone wants the job, they will have reasons for applying to you. You should read cover letters and get a sense of the person who wants the job. People that have good reasons for working for you, in your position specifically, want the job. Their resume and cover letter should act the part.
- **People who want the job will go out of their way to find people they know, learn about your firm, and find ways to get your attention before applying.** If someone wants your job, they will often talk to others in your firm, people who have worked there and more, before applying and include this information in cover letters. They do their homework and want to connect to people in your firm if possible.
- **People who want the job will learn and read everything they can about you after getting an interview and show up prepared.** If someone wants the job, they will show up to interviews prepared. **They will know everything they can about you,** ask good questions and understand who they are speaking with.
- **People that want the job come across as animated, interested, and say and do the right things in interviews to show they want the job.** If **someone wants the job,** they will be selling you on why they are a good fit. They will come across as animated and enthusiastic about working for you. They will want to get the job and not say and do things that are likely to make you not like them (asking about lousy news related to your firm, for example). They will try to connect with each interviewer and make them like them.
- **People that want the job will show up on time.** If someone wants the interview, they will show up on time and make sure that no matter what happens, they are not late. Most people who are late to interviews are sabotaging themselves on purpose because they do not want the job—they do not always do this, but many do.

When I became newly single, I started noticing that many people out there could quickly pick up if I were interested in them or not and vice versa.

One woman I met told me to call her the next day to plan something, and I did not. When I finally reached out to her, she did not pick up and then sent me a text saying that she was not interested in games. If I were interested in her, I would have found a way to call her the previous day. I made one excuse or another, but she was right. I stopped the pursuit because I knew it would go nowhere for me.

Not too long ago, another woman was calling me, spending time with me, texting me, and was someone I was pretty interested in—she was someone who seemed to check all the right boxes for me. Despite that fact, when I would make arrangements to see her, she was often late and a few times canceled at the last minute. I broke it off because I realized that she had too much going on, and I was not the priority I could and should have been.

When one of my relationships ended years ago, we decided to go to therapy after being separated for months. My ex showed up to therapy dressed poorly, without combed hair, and not looking her best. She had ostensibly wanted to go to therapy, but you could tell that she did not want to be there because she was not dressing the part. She always looked her best when she tried to look suitable for people and impress, and here she was unconcerned. I knew at that point that the therapy was not going to work.

If someone is interested in you, they will do what they can to put their best foot forward.

**See also:**

- **Showing Up: The Difference between Those Who Get Hired and Advance in Law Firms and Those Who Do Not**
- **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**

#### 4. The Biggest Things to Look for to See if the Attorney Wants the Job

There are a ton of things you should be looking for to see if an attorney wants the job for which they are interviewing. Here are some of the most major ones I think are most important:

- **Your firm represents a move up for the attorney and looks like the natural choice for this person.** Your firm should represent a move up. It should look like it represents the natural evolution of the attorney's career and self-realization. They are finally arriving at the place where everything has been pointing them to. Ideally, your firm should offer the attorney a unique combination of benefits—work, location, people, cultural fit, and other matches that they would never be able to find elsewhere.
- **The attorney has all sorts of things in their background that indicate a commitment to working in their practice area and improving.** Attorneys who are being hired in a particular practice area are likely to be the **best fit when they are committed to a specific work type**. Having other interests is never great. Suppose someone has a historical interest in a particular type of work. If the candidate does something specific, works with certain people, gives presentations, brings in business, and does other similar things. The odds are they are committed and more likely to want the matching job. In contrast, someone who just wants a job will do whatever they need to do to get the position.
- **The attorney who wants the job will try and make their resume and cover letter fit your position.** If someone wants a position, they will not send you a "form letter" but will tailor it to you specifically. Their resume will look the part for the job they are applying for and edit it for each job.
- **The attorney learns everything they can about you, your job, and the people they will be interviewing with before interviewing.** People who want the job will be prepared. They use their preparation time to "psych themselves up" and not down for working for you. They are ready to ask good questions, know their interviewers, and know all about your firm.
- **The attorney has only worked in law firm practice settings.** If someone has worked in other practice settings, they are likely not to be good fits and be interested in your firm—but they may be. Most attorneys who go in-house and take other sorts of positions outside of law firms or not working full time in law firms as attorneys will not be interested in your job.
- **The attorney is committed to your geographic location and has reasons for being there. Attorneys who are relocating to an area where they are from or have family nearby are good choices.** The attorney who is from a given site (or currently working there) is likely to stay. Someone with strong connections somewhere else is not expected to remain.

- **The attorney is consistently employed without long periods of unemployment.** Attorneys who want (and need) to work are always working. Attorneys who do not want or need to work are frequently unemployed for long periods.
- **The attorney tries very hard to bond with your attorneys, human resources, and other people before the interviews.** If an attorney wants the job, they will be eager and impress you to make you like them. If the attorney is not sure about the job, they will do the opposite. Most attorneys should be convincing you to hire them and not the other way around.
- **The attorney is on time and responds quickly to you in the interview and offer stage.** Attorneys that want the job respond quickly and are eager to hear from you. These attorneys also accept offers rapidly. If an attorney sits on an offer for a long time, the odds are they will not stay very long and will leave when something they want more comes along.

#### See also:

- [How Law Firms and Other Hiring Organizations Can Determine if an Attorney Will Do the Job Long Term](#)
- [How Law Firms and Other Hiring Organizations Can Determine if an Attorney Can Be Managed](#)
- [How Do Law Firms Treat “Gaps” in Your Resume?](#)

#### Conclusions

You should not hire someone who does not want the job. You need to figure this out early on. The resume should show it and usually does. If the resume does not show it, how the person acts and behaves in interviews will clarify. If you sense the attorney is not really interested or does not care if you hire them or not, it is best to pass on them. You will be better off hiring an attorney who presents themselves well and is eager about the job.

## Do We Like You?

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

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](#)

## 1. 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.



ATTORNEY SEARCH

# HOW LAW FIRMS MAKE A DECISION TOWARDS HIRING AN ATTORNEY

Someone with hiring power likes someone connected to the attorney applicant.

Most law firms like and hire people willing to follow orders and be managed.

Partners interviewing lateral partners like different types of people.

Most law firms hire people they believe they should like.

Associates interviewing associates like different types of people.

The presumed scarcity of the attorney and need for them.

When hiring, many people in charge like the first people who apply and come in the door the best.

Most law firms and the people in them hire people like them.



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 overlook 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 attention.

**See also:**

- [Why You Should Never Use a Legal Recruiter: Do Not Use a Legal Recruiter Until You Read This](#)
- [8 of the Most Common Questions Attorneys Have About Legal Recruiters Answered](#)

## 2. The Presumed Scarcity of the Attorney and Need for Them

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.

## 3. 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](#)

## 4. 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.

## **5. 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](#)**

## **6. 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.

## **7. 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.

## **8. 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](#)