

Commitment Matters: How to Hire Attorneys Who Will Stick Around

By Harrison Barnes from Los Angeles Office

SUMMARY:

As law firms strive for growth and success, one critical aspect they often grapple with is the hiring process. Bringing on board new attorneys is no small task, given the significant investment of time and resources. Ensuring that the hired attorneys are committed and will remain with the firm for the long term is even more challenging. After all, law firms, like any other organizations, rely heavily on stability and continuity for sustained growth.

In this piece, I draw on my extensive experience in the legal recruitment industry to discuss some key considerations when hiring attorneys. Firstly, I discuss several reasons law firms should be wary of hiring non-committed attorneys, highlighting the potential impacts on firm productivity, morale, and financial health. I then provide signs indicating whether an attorney will likely be a long-term asset to your firm, followed by a warning signal that an attorney may not stick around for long. Through this comprehensive analysis, I hope to provide valuable insights to law firms striving to make successful, long-term hires.

A. Business Reasons Law Firms Should Avoid Hiring Non-committed Attorneys

1. Non-committed attorneys will leave when things become difficult in their job

One of the primary reasons for avoiding non-committed attorneys is their likelihood to depart when things get tough in their job. Attorney roles can be demanding, with high-stakes decisions and intense workloads. When faced with these challenges, non-committed attorneys will likely leave instead of persevering through the difficulties. This is a manifestation of the "easy path" mentality. Rather than digging in and working through problems, these individuals often seek the path of least resistance. This can mean leaving a job when it becomes difficult, which is particularly problematic in a law firm where perseverance and determination are vital.

Not only does this represent a loss of talent, but it also creates instability within the firm. The sudden departure of an attorney can lead to unfinished cases, disrupted client relationships, and a need for immediate replacement. All of these consequences can harm the reputation and productivity of the law firm. Moreover, according to a [Center for American Progress](#) study, replacing a worker can cost anywhere from 10% to 30% of the employee's annual salary. This cost can be even higher in specialized industries like law, making it financially detrimental to hire attorneys who are not committed to staying with the firm in the long run.

2. Non-committed 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

Non-committed attorneys who depart prematurely often leave unfinished work, requiring their replacements to spend substantial time getting up to speed on the cases left behind. A new attorney's recruitment, onboarding, and training is not just a firm's expense—it also translates into increased client costs. Clients are essentially paying for an attorney's learning curve, which isn't a cost they should bear.

Clients seek consistency in representation and a deep understanding of their issues. The churn of [non-committed attorneys disturbs this consistency and can lead to client dissatisfaction](#). This sentiment is backed by a study by the Legal Executive Institute, which found that 87% of clients want continuity in the teams

managing their legal matters. This suggests that a high turnover rate may cost firms not just in terms of money but also in client satisfaction and loyalty.

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

A non-committed attorney's departure doesn't just result in a one-time expense--it also leads to an ongoing cost for the law firm. The process of hiring a replacement can take weeks if not months. During this period, the work previously assigned to the departing attorney can be delayed or, in the worst case, come to a halt.

It's not just a matter of lost productivity. A 2012 Society for Human Resource Management study estimated that an average business spends 6 to 9 months of an employee's salary to replace them. This expense can be considerable in a high-stakes, high-salary industry like law. Moreover, the cost isn't just financial. The burden of an increased workload can also fall on other attorneys in the firm, leading to overwork and a potential decline in work quality.

4. Non-committed attorneys undermine the morale of other attorneys around them both before and after they leave

Non-committed attorneys can have a negative impact on the morale of the entire law firm. When an attorney shows a lack of commitment to their work, it can lead to frustration among their colleagues, who may feel they are picking up the slack. This can foster a culture of resentment, which can be damaging to the overall morale of the firm.

Moreover, when non-committed attorneys leave, they can leave behind a trail of uncertainty and insecurity among their peers. [High turnover can make other attorneys question their job security and commitment to the firm.](#) A study by the Harvard Business Review also supports this, suggesting that high employee turnover can create an "epidemic of disengagement" among remaining staff. This disengagement can decrease productivity and lower job satisfaction, affecting the firm's performance and client service.

5. It takes attorney time to replace non-committed attorneys when they leave

Replacing a non-committed attorney is not a straightforward process. It requires a significant investment of time and resources. Senior attorneys and partners often need to be involved in the hiring process--reviewing applications, conducting interviews, and making decisions--which takes them away from their primary role of serving clients.

Every hour spent on the hiring process is not spent on billable work. Considering that an attorney's time is a law firm's most valuable asset, the replacement process can become a significant financial drain. A study from Oxford Economics found that getting a new hire up to optimum productivity levels can take up to 28 weeks, further highlighting the time and productivity costs of replacing non-committed attorneys.

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6. Non-committed attorneys do not invest in learning to become better

Learning and development are crucial aspects of a legal career. However, non-committed attorneys often do not invest time and effort to improve their skills and stay abreast of legal developments. They may view these activities as burdensome or unnecessary or simply lack the motivation to grow professionally.

An attorney's commitment to continual learning and professional growth is one of the strongest indicators of their long-term success. By failing to engage in this vital aspect of their careers, non-committed attorneys limit their potential and, by extension, the value they bring to the firm. Research supports this view, suggesting that continual learning is crucial in today's fast-changing legal landscape. A 2019 study by the International Bar Association highlighted the need for continual learning in law, particularly in the face of technological advancements.

7. Non-committed attorneys do not try to bring in clients and do other things to advance

Non-committed attorneys often show a lack of initiative when it comes to business development activities, such as bringing in new clients or networking. These activities are crucial for the growth and success of a law firm. The most successful attorneys understand the importance of these tasks and actively participate in them.

However, non-committed attorneys may view these activities outside their job description or as unnecessary burdens. This attitude can hamper a firm's growth and undermine its efforts to expand its client base. A study by the Legal Marketing Association supports this, suggesting that active participation in business development activities is strongly correlated with law firm growth and profitability.

8. Non-committed attorneys do not try to be among the higher-performing attorneys in the office

Another concern with non-committed attorneys is their lack of ambition or drive to excel in their work. These

attorneys often do the bare minimum to get by rather than striving to be top performers. This lack of motivation can affect a firm's overall performance and negatively affect its reputation.

The most successful attorneys take ownership of their work, seek out challenging tasks, and constantly strive to perform at their best. In contrast, non-committed attorneys often lack this drive, leading to mediocre performance and missed opportunities for the firm. Research also supports this view. A study by the Harvard Business Review found that high-performing individuals can significantly boost a firm's performance and client satisfaction.

9. Non-committed attorneys will spend their days looking for other opportunities and investigating them

Non-committed attorneys often lack focus and dedication toward their present job. Instead of investing their time and energy into enhancing their work at the current firm, they might be perpetually searching for other opportunities. This constant looking elsewhere diverts their energy and attention, diminishing performance and productivity.

This characteristic is especially harmful in the legal profession, where concentration, dedication, and a high focus are essential for success. If an attorney is more concerned about exploring other opportunities rather than delivering their best in their present role, it can lead to mistakes, overlooked details, and a drop in work quality. This could have significant repercussions in a client-centric profession like law, including lost cases, dissatisfied clients, and a damaged firm reputation.

Research further substantiates this view. A study published in the Journal of Vocational Behavior found that employees who spend significant time searching for outside opportunities tend to be less productive and less engaged in their current jobs.

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

One of the most damaging potential consequences of hiring non-committed attorneys is the risk of them leaving and taking clients and other attorneys with them to another firm. Loyalty is a critical component of a successful law firm; without it, there can be significant negative impacts.

The departure of an attorney who takes clients with them can have a substantial financial impact on a law firm. [Losing clients not only means losing revenue](#), but it can also damage the firm's reputation and relationships within the legal community. If other attorneys within the firm follow the departing attorney, it can substantially deplete the firm's intellectual capital and further disrupt operations.

The Legal Executive Institute conducted a study that found that over 60% of law firms have experienced a significant loss of business due to attorneys taking clients with them when they leave. This not only validates the importance of commitment but also underscores the risk involved in hiring non-committed attorneys.

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

Non-committed attorneys can pose a unique risk to law firms: the potential for legal action. An attorney not committed to the firm's mission and values may be more inclined to take advantage of perceived transgressions for their own financial gain. This could be litigation against the firm or threats of such action.

This sort of behavior is not only detrimental to a firm's finances but also to its morale and reputation. Legal action, or even the threat of it, can create a hostile work environment, sow mistrust, and potentially tarnish the firm's reputation in the legal community and with clients.

A study by the [American Bar Association](#) found that over a quarter of all legal malpractice claims come from within the law firms themselves. While not all these cases are brought by non-committed attorneys, the risk is heightened with attorneys who do not have a vested interest in the success and reputation of the firm.

Hiring non-committed attorneys can lead to many issues for a law firm--from financial costs and productivity loss to decreased morale and reputation damage. Therefore, law firms should emphasize commitment and loyalty during recruitment to avoid these pitfalls.

B. Signs that Indicate the Attorney Will Likely Stick Around for the Long Term

1. The attorney has significant commitments such as a family, children, and home

One key indicator that an attorney may stick around for the long term is if they have significant commitments, such as a family, children, and a home in the area. These commitments often make it less likely for an individual to consider moving frequently due to the upheaval and stress it could cause their family. An attorney with such commitments is more likely to prioritize stability in their career.

These personal factors can significantly affect an attorney's career decisions. An attorney with a family and strong ties to a community is often more committed to their job and less likely to frequently switch firms. Moreover, the Journal of Vocational Behavior research supports this, indicating that family and housing commitments can significantly contribute to job stability.

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

Another sign of a potentially committed attorney is their demonstrated interest in the specific type of law your firm practices. This interest could be indicated by the attorney's previous roles, educational background, or even volunteer work and internships. If an attorney has consistently sought out opportunities in a specific field of law, it indicates that they're genuinely interested in this work and will be committed to doing it in the long term.

Attorneys who are passionate about their work tend to have higher commitment and job satisfaction. Research published in the Journal of Applied Psychology also supports this, suggesting that job satisfaction and commitment are higher when employees are engaged in work that aligns with their interests and passion.

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

An attorney who is proactive in [business development activities](#) and [building their brand in the marketplace](#) will likely be committed to their career and firm. These attorneys understand the importance of networking, bringing in new clients, and enhancing their professional reputation.

These traits indicate a strong commitment to the legal profession and the specific practice area. They are willing to invest their time and energy into developing their practice and contributing to the firm's growth. Moreover, research conducted by the Legal Marketing Association has found a positive correlation between

an attorney's involvement in business development activities and their commitment to their firm.

4. The attorney looks committed to your practice setting

If an attorney shows genuine interest and enthusiasm for your specific practice setting, they are more likely to stick around. This could be demonstrated through active engagement in firm activities, a willingness to take on challenging work, and positive interactions with colleagues and clients.

A sense of belonging and commitment to the firm's culture and values can strongly predict an attorney's longevity at a firm. Research in the Journal of Managerial Psychology corroborates this, suggesting that fitting with the organization's culture is a critical determinant of an employee's job satisfaction and commitment.

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

If your firm operates in a niche market or a smaller city with fewer competing opportunities, an attorney will likely stay for the long term. Limited opportunities elsewhere make it less likely for the attorney to consider switching firms.

[Operating in a niche market or smaller city can be an advantage regarding employee retention.](#) The limited competition makes it easier for firms to retain talent. A study published in the Journal of Business Venturing supports this view, indicating that organizations in niche markets often experience lower turnover rates due to the lack of similar opportunities elsewhere.

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

Another sign of an attorney's potential long-term commitment is if joining your firm represents a significant step up in their career. They will likely stay committed to your firm if they're unlikely to find a better position elsewhere.

Career progression is a powerful motivator for many attorneys. They are likely to be more committed and motivated if they see your firm as a valuable opportunity for growth and advancement. This is supported by a study from the Journal of Vocational Behavior, which found that perceived career opportunities significantly influence an employee's commitment to their organization.

7. The attorney has employment stability in previous positions

An attorney's past behavior often predicts their future actions. If an attorney has shown employment stability in previous roles, it's a strong indicator that they'll likely stick around for the long term. Frequent job changes on a resume might indicate a lack of commitment, while longer tenures suggest the opposite.

Past employment stability is often a good predictor of future behavior. An attorney who has remained at firms for considerable periods will likely do the same. This viewpoint is supported by a study in the Academy of Management Journal, which found a significant correlation between past job stability and future employment outcomes.

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

Enthusiasm for one's work, colleagues, and past projects is a promising sign of an attorney's commitment. Attorney who speaks passionately about their work takes pride in their accomplishments, and values their relationships with colleagues is more likely to be invested in their career and firm.

Such enthusiasm often translates into higher job satisfaction, increased motivation, and a stronger commitment to the firm. This is backed by research from the Journal of Organizational Behavior, which found that employees who express a high degree of enthusiasm for their work and their workplace tend to have higher job satisfaction and commitment. Their passion and positive attitude can also foster a more positive work environment, contributing to the overall morale and productivity of the firm.

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

Another good indicator of an attorney's long-term commitment is the presence of detailed transaction sheets or other documents demonstrating the type of work they have done in previous roles. These documents reflect not only the attorney's experience and skills but also their dedication to their work and attention to detail.

These documents can serve as evidence of the attorney's commitment to their profession and their work. They indicate that the attorney takes their role seriously, is organized, and is committed to demonstrating their value to potential employers. A study from the Journal of Occupational and Organizational Psychology supports this, suggesting that employees who take the time to meticulously document their work often show a higher commitment to their roles.

Hiring attorneys likely to be committed to the firm for the long term is essential for the [stability and growth of a law firm](#). Identifying signs of commitment, such as significant personal commitments, consistent career focus, active business development efforts, enthusiasm for the work, past employment stability, and detailed work documentation, can help law firms make hiring decisions. Understanding these signs and incorporating them into the recruitment process can ensure a more committed, dedicated, and stable workforce for the law firm.

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

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

If an attorney's resume reveals a pattern of frequent job changes, with no position lasting very long, this is a strong sign that they may not stay in a position for the long term. Job hopping might indicate a lack of commitment, dissatisfaction with previous roles, or difficulty adjusting to different work environments.

Past behavior is a good predictor of future performance. If an attorney consistently leaves jobs after short periods, they will likely do the same in future roles. This view is supported by a study from the Journal of Applied Psychology, which found that past job instability strongly predicts future turnover.

2. The attorney does not look committed to their practice area

If an attorney doesn't appear genuinely interested or committed to their practice area, they're less likely to stay with your firm long-term. This lack of commitment might manifest in a disinterest in ongoing learning in their field, a lack of participation in relevant professional organizations, or a lack of enthusiasm when discussing their work.

Genuine interest and passion for a specific area of law are key to an attorney's long-term commitment and success. A study in the Journal of Vocational Behavior supports this, finding that job satisfaction and commitment are higher when employees are engaged in work they're passionate about.

3. The attorney does not look committed to your practice setting

If an attorney shows a lack of engagement or interest in your specific practice setting, likely, they may not stick around for the long term. They might not participate in firm activities, avoid taking on challenging work,

or have negative interactions with colleagues and clients.

An attorney's fit with a firm's culture and values can strongly predict their longevity at the firm. A study in the Journal of Managerial Psychology found that an employee's fit with their organization's culture is a critical determinant of job satisfaction and commitment.

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

An attorney without a strong tie to your firm's geographical location may be more likely to leave. They may be more open to opportunities in other locations, especially if they have no family or property ties to your area.

Geographic stability is an important factor in an attorney's career decisions. The Journal of Vocational Behavior's research supports this, indicating that family and housing commitments in a specific geographical area can contribute significantly to job stability.

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 supported

An attorney who is independently wealthy or has significant financial support from a spouse or family may be less likely to stick around. They may have less motivation to put up with the high-stress and long hours often associated with law firm work if they don't need the income.

Financial necessity can be a powerful motivator for attorneys to stay in demanding jobs. Those without such necessities may have a lower tolerance for job stress, which can lead to higher turnover. This is supported by a study in the Journal of Organizational Behavior, which found a correlation between financial necessity and job commitment.

6. The attorney has an entrepreneurial background

Attorneys with a history of entrepreneurship might have a higher risk of leaving to pursue their own ventures. While entrepreneurial skills can benefit, they might also indicate a desire for independence and control that may not be satisfied in a traditional law firm setting.

Barnes often notes that while entrepreneurial attorneys can be innovative and driven, they may also struggle with the structure of law firms. A study in the Journal of Business Venturing supports this, suggesting that entrepreneurs often prefer to work independently and may find employment in structured organizations stifling.

7. The attorney seems to lack any obligations whatsoever (family, home, and other expenses)

Like independently wealthy attorneys, those without significant personal or financial obligations may be less motivated to endure the challenges of law firm work. The absence of financial obligations or family commitments might lead to a lack of commitment to stay long-term.

Personal and financial obligations can significantly influence an attorney's career decisions and commitment to their job. This view is corroborated by a study in the Journal of Vocational Behavior, which found that such commitments can contribute to job stability.

8. The attorney has run a solo practice

If an attorney has previously run a solo practice, they may have difficulty adjusting to the dynamics of a law

firm environment. They might be used to having more control and independence, making it harder to fit into a more structured and hierarchical firm setting.

Attorneys who have run solo practices often struggle with transitioning to a law firm setting. A study in the Academy of Management Journal corroborates this view, suggesting that individuals who have worked independently may struggle with conformity and hierarchy in larger organizations.

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9. The attorney has several periods of unemployment on their resume

Multiple periods of unemployment on an attorney's resume might indicate instability or lack of commitment. It might suggest that they've struggled to hold down jobs, left positions without securing new ones, or taken breaks from the workforce.

Significant periods of unemployment could be a red flag, potentially indicating an attorney's lack of stability or commitment. This is supported by a study in the Journal of Applied Psychology, which found that a history of unemployment can predict future job instability.

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

If an attorney appears overly focused on [salary or other short-term benefits](#), they may be less likely to stick around for the long term. This focus on immediate rewards might indicate a lack of long-term commitment or a mercenary attitude.

While compensation is certainly important, overemphasizing it can indicate a lack of intrinsic motivation or commitment to the work. A study in the Journal of Organizational Behavior supports this, suggesting that overemphasizing extrinsic rewards can undermine intrinsic motivation and long-term commitment.

11. The attorney may be trying to switch practice areas

An attorney attempting to switch practice areas might be less likely to stay in your firm long-term. They may view your firm as a stepping stone to gain experience in a new area before moving on to a more desired position elsewhere.

[Attorneys trying to switch practice areas can be a risk](#), as their commitment to their new practice area, and hence to your firm, may be untested. A study in the Journal of Vocational Behavior backs this up, suggesting that career changes can lead to periods of instability and increased likelihood of future job changes.

12. The attorney is inflexible with their time

If an attorney is inflexible with their time, they may be less likely to adapt to the demanding schedule often required in a law firm environment. This could lead to conflicts with workloads, client demands, and firm expectations, potentially resulting in a shorter tenure at your firm.

Flexibility is key in a law firm setting, where workloads fluctuate, and client needs require significant time commitments. This is supported by a study in the Journal of Organizational Behavior, which found that inflexibility can lead to higher job stress and lower job satisfaction, potentially leading to higher turnover.

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

An attorney moving to a lesser firm or position may be less likely to stay for the long term. They might view the position as a temporary solution or stepping stone, leading to a lack of commitment to the firm and its success.

Attorneys moving down might be doing so out of necessity rather than choice, indicating a possible lack of commitment to the new position. Research in the Journal of Vocational Behavior supports this view, finding that downward career moves can lead to lower job satisfaction and higher turnover.

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

If an attorney seeks to gain experience outside their main practice area while at your firm, it could indicate a lack of commitment to your firm's specific area of expertise. This could lead to them leaving once they've acquired the desired experience.

Attorneys should be dedicated to mastering their chosen practice area rather than spreading themselves thin across multiple areas. A study in the Journal of Vocational Behavior agrees that job satisfaction and commitment are often higher when employees focus on a specific area of expertise.

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

If an attorney is seeking a position at your firm due to recent negative experiences or situations, they may be more likely to leave once those issues have been resolved or forgotten. Their motivation to join might be based more on escaping a bad situation than genuine interest in your firm.

I advise caution when considering candidates who appear to be running from negative situations, as their commitment to the new role might be suspect. A study in the Journal of Applied Psychology supports this. It found that employees who leave jobs due to negative experiences often are less committed to their new positions.

Recognizing these potential red flags can help law firms avoid costly hiring mistakes. By being attentive to signs of non-commitment such as frequent job changes, lack of engagement, overemphasis on financial rewards, and attempts to switch practice areas, law firms can make more informed hiring decisions that contribute to long-term stability and success.

Conclusion

In conclusion, the process of hiring attorneys is a complex one, requiring careful analysis and deliberate decision-making. Understanding the potential impacts of non-committed attorneys and being aware of the signs that might indicate long-term commitment or the lack thereof, are critical aspects of this process. As I've shared in this article, paying close attention to these considerations can help mitigate unnecessary financial burdens, prevent disruptions to the firm's productivity and morale, and ultimately contribute to the firm's long-term success.

However, it's essential to remember that each attorney is unique, and these signs are not definitive. They should serve as guiding principles but not replace individual assessments and gut instincts developed through years of professional experience. In a profession as diverse and dynamic as law, a flexible, balanced approach to hiring will always be key. Stay focused, be discerning, and strive to make hiring decisions that will foster stability and growth in your firm for years to come.
