



What is the best way to turn down an offer?

[By A. Harrison Barnes]

Not too long ago, I was forwarded the following email, which probably circulated among tens of thousands of attorneys. I will quote it in full below, since it is so instructive:

From: ###
Sent: Friday, February 03, 2006 9:23 p.m.
To: @@@
Subject: Thank you

Dear Attorney ###,

At this time, I am writing to inform you that I will not be accepting your offer.

After careful consideration, I have come to the conclusion that the pay you are offering would neither fulfill me nor support the lifestyle I am living in light of the work I would be doing for you. I have decided instead to work for myself, and reap 100% of the benefits that I sow.

Thank you for the interviews.

###, Esq.

-----Original Message-----

From: ###
To: ###
Sent: Monday, February 06, 2006 12:15 p.m.
Subject: RE: Thank you

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Given that you had two interviews, were offered and accepted the job (indeed, you had a definite start date), I am surprised that you chose an e-mail and a 9:30 p.m. voicemail message to convey this information to me. It smacks of immaturity and is quite unprofessional. Indeed, I did rely upon your acceptance by ordering stationary and business cards with your name, reformatting a computer and setting up both internal and external e-mails for you here at the office.

While I do not quarrel with your reasoning, I am extremely disappointed in the way this played out. I sincerely wish you the best of luck in your future endeavors.

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-----Original Message-----

From: ###
Sent: Monday, February 06, 2006 4:01 p.m.
To: ###
Subject: Re: Thank you

A real lawyer would have put the contract into writing and not exercised any such reliance until he did so.

Again, thank you.

-----Original Message-----

From: ###
To: ###
Sent: Monday, February 06, 2006 4:18 p.m.
Subject: RE: Thank you

Thank you for the refresher course on contracts. This is not a bar exam question. You need to realize that this is a very small legal community, especially the criminal defense bar. Do you really want to start pissing off more experienced lawyers at this early stage of your career?

-----Original Message-----

From: ##
To: ###
Sent: Monday, February 06, 2006 4:28 p.m.
Subject: Re: Thank you

bla bla bla

I have thought about this email numerous times since I received it and believe it is very useful for framing any discussion regarding how to turn down an offer. Invariably, most attorneys and law students eventually find themselves in positions where they receive offers from employers and decide—for a variety of reasons—to turn down those offers. When you receive an offer you are going to turn down, there are several things you need to remember.

First, regardless of what city you are in, the legal community is small. Even in a city as large as New York, you are likely to come across attorneys in your practice area again and again throughout your career. You will run into them at bar events. You will encounter them in the course of your practice. Some of these attorneys may join firms or companies you are with in the future. Numerous encounters will happen. You always want to have good public relations on your side.

If you burn bridges or anger people when turning down an offer, they will resent this, and they will most likely get back at you in some way. You need to be very careful. No one is omnipotent.

Second, if you received an offer, there was most likely some sort of connection between you and the employer—something clicked. You received an offer because someone liked you and believed that you could do a good job with his or her firm. You need to embrace people who believe in you and treat them well. Not doing this is a huge mistake. The most important people to you in your career are the people who believe in you. Do not forget this.



I remember hearing a very famous and successful lawyer address a group of people. I would estimate that this particular attorney had a book of business in excess of \$10,000,000, and he was very impressive, personally and professionally, on numerous levels. This attorney stated that the biggest mistakes he made in his career were not being better friends with people in law school and not getting closer to attorneys he met when he was younger. I thought a lot about this and realized that one of the biggest mistakes people make is not having better relationships with people. You never know who can help you along the way to success in your career.

Third, in the future you may need a job at the firm whose offer you turned down. The marketability of an attorney in a given practice area or firm can change at the speed of light. One day corporate is the hottest practice area; the next it is the worst

practice area, and attorneys are forced to change careers because it is so slow. You simply never know, and you need to be very careful. Do not overestimate yourself.

Throughout my career as a legal recruiter, I have seen many an attorney receive an offer and turn it down for a job at a larger firm, a higher-paying job—you name it—and then several months later lose the job or decide that the job is not what he or she wants. You need to understand that where you are today in terms of your marketability may not be where you are tomorrow. Regardless of where you went to law school or what firm you are currently at, everything can change in an instant. Do not forget this.

Fourth, if you conduct yourself well, the employer may come back with a counteroffer. I have seen associates offered partner positions after turning down less desirable offers from the same firms. I have

seen salaries increased and all sorts of other great things happen. You do not need to give specific reasons for turning down an offer—but you need to remember that, if you conduct yourself with class, you do not know what sorts of good things may happen. Be very alert that something that seems like a negative could turn out to be a real positive if handled well. You just never know.

This brings me to my answer to the question. When you turn down an offer, you need to make the party whose offer you are turning down think it is the hardest decision you have ever made. You want that person on your side. You want turning down the offer to be a positive experience for both of you. You want that person to be your advocate in the future—you want him or her by your side, regardless of what you may believe at this moment. You need to create a positive aura around you and your career; use the offer as an opportunity to do this.