



## Choosing to Not Choose a Law Firm

[A. Harrison Barnes]

Law firms attract the majority of top attorneys. Why? With many other choices out there for attorneys, before you make what you may have been conditioned to believe is the obvious decision to work at a law firm, ask yourself this: Can you handle it?

What seems different in yourself; that's the rare thing you possess.

The one thing that gives each of us his worth, and that's what we try to suppress.

And we claim to love life.

Andre Gide [from an unknown work]

Working in a law firm is an extremely difficult occupation. Attorneys working in law firms have unusually high rates of depression, substance abuse and a variety of other physical and mental difficulties. (W.W. Eaton, J.C. Anthony, W. Mandel & R. Garrison, *Occupations and the Prevalence of Major Depressive Disorder*, 32 Journal of Occupational Medicine 1079 (1990). It has been well documented for years that attorneys seek counseling and assistance in getting out of the practice of law. (W. Bachman, *Law V. Life: What Lawyers Are Afraid to Say About the Legal Profession* (1995)). As a general rule, a large proportion of attorneys in law firms are extremely dissatisfied with their careers. (American Bar Association, *At The Breaking Point: The Report Of A National Conference On The Emerging Crisis In The Quality Of Lawyers' Health And Lives, And Its Impact On Law Firms And Client Services* (1991).

Attorneys do not need to see any documentation or supporting evidence to be aware of the fact that working inside a law firm can be an extremely disaffecting experience. One of the largest issues dissatisfied attorneys inside a law firm have to deal with is deciding whether or not to continue in their current situation. The worst possible life move you can make is to live out your career in a job you do not like. This can only lead to unhap-

piness.

This article analyzes whether or not you should consider working outside of a law firm environment-or outside of the law completely. First, this article considers some of the pressures out there to work inside a law firm and reasons for doing so. Second, this article explores some of the negatives associated with working inside a law firm. Third, this article considers the fact that you need to make a decision sooner than later about whether working in a law firm is right for you.

For many attorneys, working inside a law firm is the best choice for them. However, for many attorneys, a career in a law firm is arguably the worst choice for them and they end up not enjoying it. By continuing life inside a law firm, they are only guaranteeing persistent personal and professional dissatisfaction in their careers.

### A. The Reasons Attorneys Feel Pressure to Work in Law Firms

Every law student and attorney has his or her own reasons for wanting to work inside a law firm. The reasons can be varied. As a legal recruiter, I speak with many attorneys and law students throughout the year and therefore have a good understanding of the reasons that attorneys and law students tend to flock towards law firms in large numbers.

First, I believe that positions at the best law firms are considered the most prestigious positions available to attorneys because of the difficulty of obtaining them. Attorneys

are a competitive species at heart. The level of competition among attorneys is generally the highest among those who have gone to the best law schools and received the best grades there. These attorneys have been quite competitive their entire lives-from the time they were in middle school, they competed for the best grades and the best test scores and so forth.

When you put people like this together, be it in a law firm environment or even in law school, they are going to be competitive with one another. The way these attorneys view their own sense of accomplishment will most often be dictated by their level of accomplishment relative to their fiercely competitive peers.

Second, law firms generally pay the most money. Because we live in a capitalist and commercial society that values individuals based on their economic achievement, many attorneys feel pressured to take the highest paid jobs and derive their sense of accomplishment based on how much money they make.

Third, because of the (1) competitive pressure of their peer group (other attorneys or law students) and (2) the values of our capitalist and commercial-oriented society, many attorneys believe that if they are anything less than law firm attorneys, they have somehow failed. The dread of failure is something that is quite extreme among high achievers and people living in a society where value is placed on having access to money.



I would like to note, however, that not all attorneys and law students share these three reasons for working in law firms. Indeed, at top law schools such as Yale, Chicago and a few other select schools, much of this thinking regarding the need to work in a law firm is largely not there. At many night schools and lower-tiered law schools, this thinking is also largely absent.

I would also endeavor to argue that this thinking is less prevalent among attorneys who come out of very well grounded families and are extremely well grounded themselves on a psychological level. Finally, I would argue that this pressure for law firm life is less prevalent among people in smaller communities as opposed to those living in large cities.

The fact of the matter is, though, that there is a tremendous amount of pressure for the majority of attorneys to work inside law firms. What is so startling to me about the three reasons most attorneys go to work inside law firms is that very few of these attorneys' motivations have to do with themselves. ***The competitive concern, desire to make money and worries about what other people think of them are all things that have to do with others and not what the attorney or law student may actually want for themselves.*** None of these reasons have anything to do with what is important to the law student or the attorney. None of these things have anything to do with what will make the attorney the most happy and fulfilled over the long term. They all have to do with how attorneys should feel about themselves, based on societal influences, if they are not practicing law in a law firm.

There are, however, many good reasons for practicing inside a law firm. Unfortunately, these reasons are rarely mentioned to me when I am discussing why an attorney wants to work inside a law firm.

First, a law firm often offers the best training of any legal environment (perhaps next to a judicial clerkship). The training and quality

of work expected is very high because there are competitive forces at work in the market that require law firms to produce a good work product if they are to survive. The largest law firms have tiers of associates and partners reviewing work, training associates and monitoring the work product. In terms of becoming a good attorney and staying a good attorney, a law firm is an outstanding place in which to be trained and to maintain your skills as an attorney.

Second, a law firm offers the opportunity to become very specialized. Many attorneys naturally gravitate towards certain types of work and practice areas. Working in a law firm offers these attorneys the opportunity to do the type of work they enjoy most and to continue to grow in their field.

Third, a law firm offers the opportunity for continual advancement if you do exceptionally well. At the associate level you can rise to partner as your work increases. In addition, at the partner level you can also rise if you are continually bringing in more and more business and your work product improves. As a long term career option, a law firm cannot be beat in this regard.

Fourth, a law firm offers the opportunity to get access to extremely sophisticated work. This is especially so in practice areas such as corporate, intellectual bankruptcy and others. If you have a passion for one of these practice areas and want exposure to very sophisticated work, a law firm is the best place to be.

There are many additional positive reasons for working inside a law firm that will continually assist an attorney in growing throughout his or her career. Notwithstanding, most attorneys out there seem to ignore many of the more "positive" reasons for wanting to work inside a law firm and instead gravitate towards other pressures which have less to do with them and more to do with the perception others will have of them if they choose a different career path.

## **B. The Negatives Associated With Law Firm Life**

There have been entire books dedicated to the "negatives" of working inside a law firm and so only a brief discussion here is necessary.

First, law firms are economic institutions that (in most cases) are based on the billable hour. Accordingly, the worth of many attorneys to their superiors becomes associated with how many hours they can consistently bill. While the billable hours needed from firm to firm certainly vary, for the most part the billable hours required of attorneys are exceptionally high. Unfortunately, these billable hour requirements often leave little time for a social life.

Second, there is an "up or out" mentality at many law firms. Because people are often being terminated inside law firms, there is a perception of very limited job security and a tremendous ongoing sense of insecurity among many attorneys. This is very unpleasant for many attorneys to live with and can lead to a constant state of paranoia.

Third, law firm attorneys who work in practice areas that suddenly fall out of favor may find themselves with no work. As their careers continue, they may suddenly find themselves out of work with no marketable skills if the majority of the work in their practice area goes away. This is something that has happened with many corporate attorneys in the United State recently.

Fourth, as an attorney gets more senior he or she will become accustomed to the money that his or her job pays and the corresponding lifestyle. This lifestyle will be mandated by a large mortgage and other expenses that may make an exit out of the practice of law all but impossible. This is what is known as the "golden handcuffs" syndrome.

Fifth, law firms are not often the most collegial of environments. Due to the pressure

of clients, fellow lawyers and others, law firm work can be very demanding. People practicing law often actively dislike both the attorneys they are working with and the practice of law itself.

There is no need to go into excruciating detail about why many lawyers dislike practicing law inside a law firm so much. The fact is they do. If you are practicing inside a law firm, you can probably point to many reasons you or other attorneys inside your firm do not like practicing inside a law firm. While it would seem like such rampant job dissatisfaction would cause law firms to take pause and think about making drastic changes to their operations, this will probably never happen - too many attorneys are willing to put up with the long hours, the strict requirements, and everything else that goes along with law firm life.

If you recognize that you are unhappy inside a law firm, then you need to look at this very carefully. Most attorneys who have been unhappy for more than a few years have had difficulties with their personal lives, some negative psychological symptoms as well as other problems. Like any problem in your life, you need to fix this for things to get better. If you buy a \$20-million airplane and forget to put jet fuel in it, the plane will not fly. Similarly, if something is drastically wrong with your life you will not go forward either-not to mention reach anything close to your full potential.

### **C. You Need to Make a Decision Sooner (Rather Than Later) if Law Firm Life Is for You**

After my first month of law school, the Professor that was the head of our section got up before our contracts class of 30 students and started lecturing about something that had nothing to do with contracts at all. The substance of the lecture was how many people had gone to law school in order to make money and how they should not be in the law for that reason. In addition, he spoke for some time about how unpleasant the law was as a profession: the long hours, the fact that lawyers serve the people that actually do the

important things, and more. After about a 15-minute tirade, he concluded by stating:

"If any of you do not want any part of this, you should get up and leave right now."

There was silence in the room for a few seconds. Then, in the silence of the room, I heard the sound of a book close and one of the students got up and walked out of the class.

None of us ever saw him again.

For weeks various people in my section spoke in tones bordering on awe that someone could just drop out of law school like that. The idea that someone would work so hard to get into law school and then just throw it all away was something that was shocking.

When I started practicing law three years later, I noticed that a lot of lawyers often thought of leaving law firm life. In retrospect, I believe the action of that law student who walked away from the practice of law (and a law firm) that day was one of the bravest things I have ever seen. How many lives of lawyers working in law firms everywhere would be improved if they simply walked away from something they did not enjoy?

If you want to work at a law firm because you enjoy the work, the people, the challenge and it all makes you happy (for the most part) then that is where you should be. There are lawyers inside law firms who love their jobs. These sorts of lawyers think about work in such a way that they would be happy getting out of bed and rushing in at 5:00 am to get started on one project or another.

If you dread work, and it does not make you happy on a consistent basis, something is wrong. If you have changed firms and found the same thing at your new firm then something is wrong. If you are unhappy with your job and remain unhappy then no good will come to you in the long term.

In Marsh Sinetar's book, *Do What You Love, The Money Will Follow* (1987, p. 19), she quotes a middle-aged executive working for a large multinational corporation:

It's too late. I've spent too many years doing exactly what's expected of me: being a good son, a good husband, a good father. In my company I'm known as a "good soldier." When I ask myself what I am about, I'd have to say I don't know anymore. I've tried for so long to fit in, I've held back for so long, I don't know what or who I am.

Inside each of us there is something unique that drives us and is part of who we are. What drives us the strongest is also what makes us the happiest. What makes us happiest is not going to have very much to do with other people's perceptions. It will be all about us. Some of the happiest people I have known in my life were the people who, like the law student who walked out of class, simply did what they liked-unmotivated by others' concerns for how they act.

Many who are afraid to leave the practice of law will never do so because they are worried about what their spouses, parents, friends or others will think of them. If you leave a law firm and people do not like you for it, the (and I hate to say this) they never liked you for the right reasons to begin with. Do not allow your life and motivations to be controlled by what others think of you.

I have seen probably more than 75% of the lawyers I know pondering and investigating alternative careers, whether it is owning a 7-11, a trucking company, producing soap-you name it. If these are the sorts of things that get you excited (and there has to be something that gets you excited) then you should most certainly pursue it. If practicing law inside a corporation or for a nonprofit organization gets you excited, then you should consider that, as well.

I have a short message for you if you are considering doing something that has nothing to do with the practice of law. Most attorneys are



tremendously accomplished and disciplined to a far greater degree than most people in society. If your dream is to start a company that does something like washing windows because you like to be outdoors, you should. If you do something you like, you will put more passion and discipline into that than you ever did into the practice of law. In addition, lawyers are smarter and more hardworking than most people. They also have very highly developed social skills. If you put these traits into a setting outside of the law, you will be astonished by your level of success.

In closing, I have a short story for you about one of the more impressive men I have ever met. I grew up in a very wealthy suburb outside of Detroit called Grosse Pointe. In my town, there was a man who spent his weekends cruising around town in one of several Ferraris he owned. I often saw him out to eat with his family and having a very nice time. I knew one of his children, and he was very happy and well-adjusted. This man also lived in one of the largest and most extravagant homes in our town.

One day I went over to this man's house trying to sell him some work on his driveway. I got to speaking to the man and discovered that he had once been an attorney. This man left the practice of law because he decided that he did not like it. Instead, he decided he would wash the windows of the homes in Grosse Pointe. And that is exactly what he did for a living. He had people helping him; however, his little operation was grossing several thousands of dollars per day and he was in a line of work you would never think would pay those sorts of financial rewards.

What this man said to me, though, really stuck in my mind. He said he did what he did because he liked being outdoors, liked meeting new people at every house and liked driving a pick-up truck during the day. This man had never liked sitting behind a desk and he said he loved going home to see his wife for lunch everyday and spending time with his family. I

have often thought about this man because he made me realize that it does not matter what you do. This man was obviously extremely intelligent, but just decided he would put his motivation in another field-one that he enjoyed.

In life and in work, you need to do something you enjoy.