



## The Benefits of Avoiding the Large Law Firm

[By A. Harrison Barnes]

As I started contemplating this topic, a small smile broke across my face. I thought to myself, "This article will fall on deaf ears."

Capitalism is powerful, and it pervades virtually everything we do. Nowhere is this more evident than on the streets of New York City. On every block, there is a vendor, and commerce spills out into the intersections. Vendors selling hot dogs or coffee can be found on seemingly every corner. In addition, unlicensed vendors of all kinds dot every street, as well. On Canal Street, vendors line the sidewalks selling fake designer purses, cologne, and other goods. Billboards are everywhere. People stand around pushing flyers in your face as you walk by them. In addition, block after block, you will come across shops and restaurants that have lost their leases or are going out of business. This is a very expensive city in which to do business, and not many people are able to make it. The people who live in this city give up many of the things many Americans take for granted, such as yards, multiple bedrooms, and kitchens with room to sit down and eat.

This kind of raw competition reflects the drive of capitalism, and it has captured the hearts and minds of most attorneys in the United States. Nowhere has this been more evident to me than in the field of legal recruiting. Out of the hundreds of candidates I have represented over the course of my career, I cannot think of a single instance in which a candidate chose a position in a smaller or less prestigious firm over a position in a larger, higher-paying, and more prestigious law firm. Most attorneys seem to value the lure of money and prestige above all else.

This article will take a hard look at what life often means in a large law firm and at what it often means in a small law firm. A well-picked smaller law firm often offers the following benefits that a larger law firm does not: 1) more opportunities, 2) more interesting work, 3) more responsibility, and 4) more room to build self-confidence.

I doubt many people will change their careers in response to this article. Most people are too motivated by prestige, making the most money, and ensuring that other people think highly of them. You can move beyond this, however. There is another sort of life out there, and there is another way to practice law.

### Take Inventory of Yourself. Who Are You?

Before I became an attorney, I worked as an asphalt contractor. I would spend my time driving around in trucks, speaking with other contractors and suppliers, and overseeing the construction of parking lots, driveways, and the occasional road. Since I owned the asphalt company, I ended up in a lot of chaotic situations. I dealt with workers who had developed drug and alcohol problems, got burned numerous times by flaming tar and chemicals, was robbed, and had my equipment lit on fire by competitors. I had industrial accidents (including losing a tanker trailer that plowed through the window of a Banana Republic store in Grosse Pointe, MI). Contracting is hard work, and it is dangerous. Three days before I left for law school, I was approached by representatives of a mafia-like

organization in Detroit who demanded that I pay the organization 2,500 dollars per week for the privilege of doing business in various neighborhoods. I was threatened with physical harm if I failed to comply.

Until I started practicing law, I did not think there was any work harder than asphalt contracting, nor did I think there could be. However, I have never met a group of people more generally unhappy with their work than attorneys are. I have also never met a group of people who seemed more stressed out, more status-conscious, or more concerned with achievement. As I met more and more attorneys, I got the sense that the majority of them lived more for visible achievements than for what was important to them.

During my second summer of law school, I did several weeks of asphalt work, both before and after working as a summer associate. I also did this type of work on the weekends while I was clerking with a federal judge. I remember thinking on almost a daily basis how stark the differences were between the people I was meeting and working with while doing asphalt work and the people I was meeting and working with while practicing law. I also remember thinking that virtually every single person I was meeting in connection with my asphalt work was much happier than most of the lawyers I was meeting. There seemed to be a fundamental imbalance between two separate species, recognizable by specific traits:



Asphalt Contractor	Attorney/Law Student
Pure	Impure
Trusting	Paranoid
Straightforward	Complex
Able to relax	Unable to relax
Excited	Apathetic
Interested in others	Less interested in others
Able to stop work daily	Never able to stop work
Building things	Tearing down and critiquing
Not status- or class-conscious	Status- and class-conscious
Generally physically fit	Generally physically unfit
Fulfilled	Unfulfilled
Has a sense of identity	Wants to be something else

I could continue with these observations for several pages. The point of this is that there is a certain mindset that I noticed very quickly among attorneys and law students that differed from the mindset I observed among asphalt contractors. Maybe you could call this a difference between blue- and white-collar attitudes. I don't know. What I do know, however, is that one group of people seemed quite happy, and the other did not.

You need to take inventory of yourself and who you want to be. You also need to decide what types of people you want to spend your time with. Large law firms can be great places for many people. Perhaps a demanding lifestyle in a pressure-cooker environment is for you. You need to understand, though, that there is a different world out there and that you may find an environment that will make you happier.

You have one opportunity on this earth to make the most of your life. You can choose to have a life that is fulfilling and relaxed and provides you with what you are seeking...or you can choose to have a life that is stress-filled and does not bring you the satisfaction you believe

you are entitled to. This is all up to you; the decision is yours.

I feel passionate about this subject matter because I have seen too many legal careers get destroyed and fall off the face of the earth when attorneys made the absolute wrong decisions about what to do with themselves. Some attorneys are much better suited for small law firm life but refuse to recognize this.

Several years ago, I worked with an attorney from a Top 10 law school who had graduated Order of the Coif and joined a large law firm based on a promise that he would have opportunities to do white-collar litigation. When he got to the firm and the firm tried to give him general litigation assignments, he turned this work away and told the firm that he joined it because he was promised white-collar work. The firm responded by explaining that it did not have any at the time but that, when it did, it would turn that work over to him. The attorney still refused to do other sorts of work aside from white-collar litigation, and the firm subsequently fired him.

The attorney explained his predicament to me, and I told him I would find him the best possible job. I found him a perfect job in a West Coast market working for a firm that handled nothing but white-collar litigation. Moreover, this candidate had been very active in a certain political party in law school, and the law firm was entirely composed of people from this political party. There was a real connection between this attorney and the firm. The firm loved him, and he loved the firm.

However, this candidate had a friend at a major Wall Street law firm who talked him into applying there, as well. When he compared the salaries offered by the two firms and when he talked to his friends and when he spoke to others, it was clear that the large law firm was absolutely where he wanted to go. "How can I pass up this money and prestige?" he asked me. I did my best to discourage this decision but to no avail.

I do not doubt this candidate would have had an outstanding career at the smaller law firm, had he decided to work there. Six months later, he left the large law firm, complaining about the long hours, boring work, rude partners, ultra-competitive associates, etc. He is now pursuing an alternative career. Although leaving the practice of law is the right decision for some, this candidate was an excellent attorney and someone I believe should have been practicing law. Now he is doing something completely different.

I have seen people make mistakes like the one this attorney made far too many times. I would urge you to avoid making the same mistake with your career if you have any reservations about working in a large law firm. In the example above, the associate involved ignored his desire to work in a certain practice area. He allowed himself to be seduced by the allure of a high salary in New York, and he made his choice based on "externalities," such as the prestigious pedigrees of the people in the New York firm, rather than on significant "internalities," such as the fact that the people in the smaller law firm genuinely liked him.

You need to play defense as well as offense when it comes to your legal career. Do not make the mistake of playing in the wrong court or on the wrong team.

**There Are Often More Opportunities in Small Law Firms Than There Are in Large Law Firms.**

Associates and law students often view smaller firms as places where there are fewer opportunities. They are often under the impression that there are many more opportunities to be found at large law firms.

In many smaller law firms, once you have worked a required number of years, your chances of making partner are exceptionally good. Large law firms typically go through growth cycles early on during which several partners are made; however, as large law firms get older, fewer partners are made. This generally reaches a point where it becomes



so difficult to make partner that the firm actually prefers for associates to leave after five to seven years so it does not have to think about making them partners-and also so they will refer business to the firm. There are numerous law firms with more than 500 attorneys that make fewer than five partners per year. Some firms will wait longer than a year before making any new partners.

In addition, your chances of getting clients and developing a significant book of business are often much better in a small law firm than they would be in a large law firm. Larger law firms have more clients, and this circumstance presents more opportunities for conflicts. It is highly likely that the largest law firms will have previously represented or be currently representing many of the companies in their areas. Therefore, you will not be able to make these clients your own. Large law firms also typically have much higher billing rates than smaller law firms do. Many clients do not want to pay the billing rates of larger law firms, which makes it much easier for smaller law firms to get clients.

In smaller firms it is also much easier to get to know decision makers who are likely to make you partner. A guy I know made partner at a very large law firm a couple of years ago, and I was sort of incredulous because I had seen his legal work, and it was not particularly outstanding. He also did not have any business to speak of.

When I spoke with his associates in the law firm about how he came to be one of two people in this massive organization who made partner that particular year, they all told me the same thing: "He worked closely with the most powerful partner in the firm for three months on a massive out-of-state case." In smaller firms, you will typically be working quite closely with decision makers on a daily basis.

The small law firm, therefore, often provides many more opportunities for expanding your career than the large law firm does. This contradicts what many attorneys and law students believe, but it is something you need to take seriously.

**Smaller Law Firms Often Have Much More Interesting Work.**

Large law firms are a lot like factories. Because they are like factories, they generally make the best use possible of the concept of "division of labor." Each component of legal work is broken down into smaller and smaller components so that the attorneys doing the work can be as efficient and proficient as possible at performing their parts.

From a client's point of view, this is a good thing. The client is able to get very specialized work done, and the work is likely to be performed very efficiently, with a high degree of quality. The service is, in many cases, often better.

From the point of view of the attorney doing the work, however, specialization is not necessarily always the best thing. Performing ultra-specialized work will often become very routine and (dare I say) extremely boring over time. Smaller firms have fewer attorneys, which means the work done in smaller law firms is likely to involve the attorneys at all stages and engage them in a variety of activities, from contacting clients to writing briefs to arguing motions in court. When you work in a smaller law firm, you are likely to be involved in almost every aspect of each case. This typically makes your job much, much more interesting.

The tendency of the large law firm to specialize is further compounded by the fact that the work the large law firm does will generally be for larger companies that can afford its rates. Consequently, the work is likely to involve large actors that are quite impersonal and for whom your legal work will not have a particularly significant long-term effect. It is not unusual for an attorney to practice in a large law firm for five to six years without ever meeting a single client.

The smaller the firm, the more likely it is that your work will involve contact with clients. The work that a smaller law firm does is also more likely to have a significant impact on its clients. Smaller

companies that can only afford to go to smaller law firms may only seek legal counsel when the futures of their companies are on the line.

**You Will Often Enjoy More Responsibility When Working in a Smaller Firm.**

Smaller firms often provide more opportunities for taking on responsibility because they are more leanly staffed. Larger law firms typically have well-defined hierarchies governing who is allowed to work on what. Smaller law firms are likely to be more concerned about simply getting work done.

In terms of responsibility, the differences between what happens in large and small law firms can be staggering. In a large law firm's litigation department, it is quite common for partners to have never handled trials. In a large law firm, a fifth-year associate may never have taken a deposition. In some smaller law firms, it would be unheard of for a first-year associate to have never taken a deposition or even handled a trial. Smaller law firms generally give their attorneys more responsibilities.

**You Will Often Develop Greater Self-Confidence When Working in a Smaller Law Firm.**

The turnover in large law firms is nothing short of amazing. The reviews that large law firms give their associates and other staff members are often incredibly and unnecessarily harsh. The large law firm that can afford to pay its attorneys a lot of money does not need its associates as much as they need it. The lures of large paychecks and benefits make it quite easy for the large law firm to attract numerous applications for each spot it has available. Moreover, because large law firms make so few partners, their associates (and even partners) are often very nervous about whether they have futures at the organization. While this might be acceptable if it goes on for one year, many people spend their entire careers in states of uncertainty and anxious paralysis.



You are much more likely to know where you stand in a smaller law firm, which affords you a better sense of what is going to happen to you. This, in turn, builds greater self-confidence. Associates in smaller law firms tend to be much more balanced and grounded than their counterparts in larger law firms are.

### Conclusions

At the heart of the differences between large and small law firms is an Aristotelian-like debate about the meaning of happiness and the

role of capitalism in shaping self-actualization. This topic is so broad that a good book could probably be written about it.

I like large law firms and believe there are many strong arguments to be made in favor of them. However, for many people, deciding to work in a large law firm is the worst possible choice to make in terms of personal fulfillment and career development.

In virtually every instance I can think of, the attorneys and law students I have known have

chosen large law firms over small ones. I believe that taking this sort of knee-jerk approach to one's career is unwarranted and insane. If you choose to work in a large law firm and are not suited for it, you may destroy your legal career and never get it back. If you choose to work in a smaller law firm, you may be playing defense, saving your legal career and ensuring that it advances and develops long into the future.