One Reason Lawyers Hate Practicing Law: Boring, Simple, Repetitive Legal Work

If you come out of school expecting that you'll always work on the kinds of cases you studied in school, you're setting yourself up for some major disappointment. Unless you break out on your own and stumble onto the next Miranda, or you go to a firm that happens to harpoon a big one and you're positioned to do a big piece of it, you're not going to be working on big cutting-edge landmark cases as a new lawyer. And at prosecutor’s offices, it’s not the new guy who gets the biggest cases—you get your feet wet on smaller stuff first.

When you start your job, your chimp work factor depends on where you go and what you do. If you're in public interest or a prosecutor’s office, there's just no such thing as chimp work. If you're at a law firm, as a general rule, the bigger the firm, the more chimp work you'll face (although every new lawyer has to handle some drudge work. At a small firm, you'll spend more time doing tasks that are delegated to support staffers at large firms). Even at large firms, the amount of chimp work dropped in your lap depends on how thickly staffed your specialty is, how many staff attorneys and paralegals your firm has, and what your specialty is. If you start your career in antitrust or mass torts or complex litigation ... pass me a banana.

If chimp work sounds like it bites—it does. Nobody denies it. But whether you call it “paying your dues” or “hazing” or “a rite of passage,” it's there. And it's important to understand why it's there. Lawyers offer a few explanations:

a. It’s gotta be done by somebody; and if it requires an attorney, a senior partner or prosecutor sure isn’t going to do it. Some lawyers put it much more elegantly: “A watch needs every gear to work.” The fact is, “If there was a more efficient way to do it, we would do that,” says one senior lawyer. “We’ve all done it ourselves.”

b. If you’re going to be a supervising attorney at some point, “Then you have to understand the nuts and bolts of everything your office does,” says one lawyer.

c. Sometimes it’s the nature of the work. Big clients plus big matters equals chimp work. While every large
firm has sexy projects as well, the big clients that pay the big bucks entail some menial work. And if you want the big paycheck, you’ve got to respect the source of the green.

Career Limiting Move

New associate at a large firm. He’s particularly interested in small clients because he wants lots of client contact (a reasonable goal!). A partner asks him to help out on a project for a big, new institutional client. The associate responds, "I don’t want to do it. I only want to work with small clients." The partner responds, "Listen. I’m not crazy about it either, but we all have to do what’s in the best interest of the firm. This client will pay big bills. You’ll get some work on small clients as well. But you need to do the blocking and tackling work. We’re all cogs in wheels."

d. Look at it from the client’s perspective. As one attorney points out, “If you were up for a capital offense, would you want a lawyer six months out of school handling your appeal? Or defending a multi-million dollar med-mal case?” “You need to work your way up so you earn respect from colleagues and clients,” says a Midwest attorney.

e. It’s in the nature of being new at anything. A lawyer at one firm points out, “The practice of law at first is 10% pure exhilaration, 10% depression, and 80% tedium. As you progress, the tedium ratio lessens significantly.”

So—chimp work is there. That’s the way it is. How do you deal with it—and minimize it? Let’s talk about that now.

1. “Why me, Lord?” Understand why you’re getting it.

Every practicing lawyer has war stories about the chimp work they had to do when they were starting out. The partner at one large firm laughs when he talks about his first six months at his firm: “I started on a big antitrust case, traveling around the country looking for documents that might be responsive to a civil demand letter regarding price fixing. I had little sticky notes, and I’d write, ‘This may impact Item #4 on their list.’ I spent six months doing that and only that—putting little stickies on documents.” A lawyer at another firm talked about a room at his firm called the ‘Insurance Box’ room. “It doesn’t have any windows. It’s full of box after box of insurance class action documents. They rotate people in and out of it because it drives people insane.” An associate at a small real estate firm said “When I started out, if I spent one more day at town hall combing through land records I thought I was going to shoot somebody.” A prosecutor reports that “I started out doing hundreds and hundreds of DMV cases. I must have heard every excuse there was for ‘why I was speeding.’ I thought I’d go crazy.”

2. The attitude that’ll stick you with crappy work forever. It's an easy trap to fall into!

I’m not suggesting that you should be happy about doing menial work. You don’t need to view it the way the Omega pledges viewed the spanking ritual in Animal House—11 Please Sir, can I have another?” But the fact is a lot of new lawyers have the wrong idea about how to get out of chimp work. As one attorney says, “It’s easy to fall into the trap of thinking, ‘If I show happiness doing this, it’s all I’ll get.’” No! Instead, if you show that you handle menial stuff well, you’re more likely to get better work (as long as you do what I suggest in #3, below). As a Greenberg Traurig attorney says, “When partners see that you are positive and hard-working on every assignment, they’ll want to work with you on more responsible matters.” Another attorney agrees, saying, “If you do menial tasks with panache, that makes attorneys want to assign you more responsibility. They’ll think, ‘If he did this well, he can handle more responsibility.’”

So what attitude should you have? Acknowledge to yourself and everyone else that you know menial work is part of your job. Get out of it what you can. Learn what you can. As one lawyer said, “If you’re in a warehouse for a few months on document production, look at it as learning all aspects of a case. ‘I can recognize attorney/client privileged documents at fifty paces!’” If you have to file documents at the courthouse, make friends at court. It’ll help you when you have to argue cases. View those DMV defendants as potential jurors. If nothing else, menial work—document reviews, proofreading, copying, insignificant cases—it all makes you appreciate everything else you’ll do in future even more. As Yankees’ manager Joe Torre says, “Nothing is good or bad except by comparison.”

You may have to put up with chimp work, but if you do the right things you won’t have to put up with it for long. Basically, what you want to do is “Actively seek out additional projects without bad-mouthing what you’re doing now,” says one attorney. For instance, “Help partners with articles that they’re writing for professional journals. They all want to publish. It makes them look good to people higher up on the food chain and it sometimes brings in clients. If you help out a partner with an article, they’ll say, ‘I really owe that
3. Getting the chimp work phase of your career behind you—fast

Another attorney suggests that you “Actively seek out more challenging projects. It may lead to you being stretched fairly thin—at least temporarily—but in time, if you make yourself invaluable on more important projects, your employer will probably not want to waste you on smaller things.” One law firm recruiting coordinator agrees, saying, “Excel on any meaty issues you get. Eat time if you have to. They’ll perceive that you’re ready for the ‘next step.’ That’s more important than paying dues!”

Another attorney suggests that you “Let superiors know CLE’s you want to take, articles you want to write.” In addition, he advises you to “Sit down and talk with partners about cases you find interesting, just because you’re interested! You might find yourself working for that partner.”

Another way to avoid a ton of scut work is to declare an interest, if you’re at a large firm and you’re unassigned. As one mid-level associate pointed out, “If you don’t declare an interest, you’ll get drudge work. If you say ‘I really want corporate,’ they’ll cut you in on deals right away. If you decide that you hate it, you can tactfully seek out projects from another department that interests you. You’ve got to be careful about stating a lack of affection with anything you’re doing, but there’s always a way to make a change.”

If you’ve got a mentor at work, chimp work is a good problem to discuss with them. Sit down with them and ask about goals you should set, strategies you should implement, to move your career ahead.

What happens if nothing works? As one partner said, “Some firms will rotate you out of big document reviews, give everyone a share of the load. But don’t count on that Clients don’t want to spend money on start-up costs, transition costs—firms have to eat it. And some of them won’t.” And sometimes you get mired in a certain kind of role no matter how hard you struggle out of it. Although lawyers disagree about when to pull the ripcord—I heard anywhere from nine months to a year and a half—they agree that at some point, you’ve got to vote with your feet, and quit. A partner at one large firm said bluntly, “If I were stuck coding documents for eighteen months, I’d quit. If you want to move ahead you need to get experiences you can build on to different levels. You can’t get bogged down. Getting good work in your first couple of years is critical.” A partner at another large firm agrees, adding, “Some lawyers get stuck for three to four years on one case with one client, and it’s still in the discovery phase. That’s very dangerous. There’s a lot you’re not learning. You’re not in the court-room, you’re not conducting depositions, and you’re not drafting briefs or memos or motions. After a while you can’t be put off any more. If you’ve communicated you want something else and they keep telling you ‘hang in there,’ after a while, you’ve got to leave. You aren’t helping your career.”