

# Career Not a Job: Matching Personality to Practice

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After 15+ years in the legal industry, both as a litigation partner in a law firm and as a recruiter, there is one thing that I can say for certain- attorney job satisfaction is linked directly to practice area satisfaction. As a legal professional, you understand all too well how difficult it is for an attorney to change practice area any time after the first or second year of practice. The sooner you start working with attorneys and attorneys-to-be on matching practice area to personality, the greater your likelihood of producing happy lawyers.

## *The Sunday Pit*

Monday mornings are very busy for recruiters. We receive a lot of calls from attorneys who spend their Sunday evenings with a pit in their stomachs. The thought of returning to work on Monday fills them with dread. Why is this? After all, these are high-achieving, well-educated individuals working at the best firms in the world. Shouldn't they be whistling Dixie to their six-figure jobs every day?

I recently spoke with a junior litigation associate whose story is common and sums up the origin of the Sunday Pit. Between his second and third year of law school, he was a summer associate at a prestigious firm. He worked hard and completed assignments for a variety of partners in different practice areas. Naturally, you would assume that he ultimately took a position in the litigation group because that was the work he enjoyed the most.

Unfortunately, this was not the case. Instead, his reason was firmly rooted in his love of the Chicago Cubs and a fun afternoon at Wrigley Field. As it turns out, the associate had bonded with the head of the litigation department over a good brat, several cold ones and a predictable Cubs' loss. Based on this interaction, the associate decided then and there that he wanted work for this "cool, down-to-earth" partner in the litigation group. Without realizing it, this decision sent his legal career down a potentially unchangeable path.

Now, don't get me wrong, working with people you respect and enjoy is really important, but it shouldn't define the substance of an attorney's practice. When I asked the associate about the source of his Sunday Pit dissatisfaction, he took a long pause and said, "I'm sick of fighting with people." Now it was my turn to take a long pause and break the bad news. Post-recession, the overwhelming majority of law firms are not willing to re-tool attorneys even if the attorney is willing to take a "haircut" in compensation. The moral of the story is clear- choosing an area of law that is suited to one's personality and passion is critical and should be accomplished as early on in an attorney's career as possible.

## *Know Yourself*

The recruiters at Major, Lindsey & Africa developed a unique presentation entitled *10 Questions to Ask Yourself Before Choosing a Practice Area*. We have delivered this information to thousands of law student across the country, as well as to law firms and recruiting professionals. The feedback is overwhelmingly positive and the content surprisingly novel to our audiences. It is axiomatic that attorney satisfaction leads to higher workforce retention. So, we encourage students, attorneys and law firms to start the process of self-awareness and introspection early and often.

Some of what we urge them to consider includes the following:

- **With what do you like to work - people, things, business/money or ideas?**

Some areas which might appeal to those drawn to working with people are Employment, Executive Compensation, Family and Immigration Law. For those drawn to working with things, they might consider Asset Finance, IP Prosecution, Real Estate (Transactional, Finance, Land Use) and Construction. Business/money lovers (think Gordon Gekko) should take a look at areas of law including Antitrust, Bankruptcy, Corporate, Healthcare and Securities Litigation. For those who enjoy ideas, they might consider Administrative, Appellate and Tax Law. The aspiring Academics also fall into this category.

- **Do you prefer to run the show or provide expert support?**

For those who want to be the “Quarterback,” they should take a look at Litigation, Bankruptcy, Outsourcing and White Collar Criminal. Typically, these people enjoy change, and are excited by learning something new and the challenge of handling the unexpected. On the other hand, the Special Teams people usually prefer repetition, and find safety in and enjoy being an expert in a particular area. For this group, the following areas might be a good fit: ERISA, Executive Compensation, Immigration and Tax.

- **Do you prefer black and white to gray areas?**

Litigation, Trusts & Estates, Family and Real Estate Land Use are areas that might work for those who enjoy the challenge and creativity required to navigate the gray areas. However, those who prefer concrete answers (the answer “maybe” drives them crazy), should focus on the regulatory practices which tend to have more definitive answers such as Tax, Executive Compensation, Securities (‘33, ‘34 and ‘40 Act) and many of the Corporate areas.

- **Do you mind dealing with emotionally charged situations?**

Another way of asking this question is, “Do you enjoy channeling your inner therapist?” Some practice areas require a greater emotional contribution than others. People who are comfortable hand holding and engaging on the emotional side might enjoy Family, Criminal, Employment, Trusts & Estates and Insurance Defense. For those who prefer a more emotionally neutral practice, they should consider Corporate, Securities, Tax and Commercial Real Estate.

- **How do you handle adversarial situations?**

The associate I referenced earlier would have benefitted from answering this one! This question is not as straightforward as you might expect. Stereotypically, people think of Litigation as being adversarial and this is usually the case. However, Corporate can also be contentious in the negotiation stage. The difference is that opposing parties on a corporate deal have a Union of Purpose. Both sides have the incentive to get the deal done. Whether you are a litigator (adversarial majority of the time) or a deal-maker (adversarial part of the time), the most satisfied attorneys in both of these areas have the ability to leave the “fight” at the office. They advocate vigorously for their clients, but are able to separate themselves from their profession, take a step back and enjoy their families and their lives outside of work.

- **When and how do you work best?**

The “when” of this question does not concern how hard an attorney works. The great majority of attorneys dedicate incredibly long hours to their vocation. Instead, the question goes to predictability of schedule. For those who prefer a more predictable schedule, the following areas might be a good fit: ‘40 Act, Appellate, ERISA, Executive Compensation, IP Prosecution, Land Use, Tax and Trusts & Estates. Where predictability is less important, the following areas might be appealing: Bankruptcy, Corporate (especially M&A), Cross Border Transactional, Litigation and Criminal (including White Collar). The bottom line is that attorneys spend the majority of their waking hours working. Why not do the necessary self-introspection early on in their careers to maximize their chances of job satisfaction?

The “how” of this question turns on the type of relationship that an attorney has with his/her clients. Do they want to be the guard dog chained up outside protecting the house, or do they want to be inside curled up on their owner’s lap? Litigators are the guard dogs. Their satisfaction comes from problem solving and helping to resolve issues, not from client praise or appreciation. Most trial attorneys will tell you that even when they prevail in a case, their clients are still not happy. After all, no one wants to pay to fight in court, and the attorneys are viewed as a necessary expense. On the other hand, deal lawyers are the lap dogs. They team up with their clients to facilitate the client’s goals/objectives. When their deals close, they celebrate together and the attorneys get “deal trophies.”

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## *Profiles in Counselor Contentment*

- **Things** - The attorney who slows down every time he passes a construction site in his car. He cannot help but launch into an excited discussion about the intricacies of the site, the materials, the equipment- you name it, he can tell you about it. Follow him home, and his passion is evidenced in tubs full of Legos in the basement. And, no, he does not have kids. The Legos belong to him. You won't be surprised to learn that he is happily employed as in-house counsel at a construction company.
- **Change** - The attorney who thrives on every day being different. She has a legal ADD and gets excited with tackling a case about a new area of law or subject matter. In spite of being a French major in college, she knows more about aerial cranes than most construction site foremen. One day she is defending a truck driver in a case involving a fatal accident, and the next day she is representing a well-known boy-band. This satisfied attorney is a commercial litigator in a boutique law firm.
- **Emotion** - The attorney who was a social worker in her previous life. She can't help but find the wounded birds. She is able to listen to her client cry for an hour about his wife who left him for the tennis pro, commiserate and then deliver to him the cold realities of his divorce case. She wins a big case and instead of getting thanked by her client, he asks what she will do now that she won't be billing on his case. She receives a call on Thanksgiving from a battered wife and leaves her turkey dinner and family to go to court to obtain an emergency restraining order against her client's husband. As an associate in a high-end family law boutique, she has found the perfect job which marries her counseling and legal backgrounds (no pun intended)!
- **Predictability** - The attorney who counsels multi-billion dollar corporations on their transfer pricing issues. He is technically superb and serves as a trusted counselor to his clients' in-house counsel. He bills over 2,400 hours/year and works even more than that. His long days are filled with back-to-back client calls, but he has never missed a vacation, a birthday or anniversary celebration or pull an all-nighter. He is superstar tax partner at one of the top firms in the world.

## *Conclusion*

After years of giving the *10 Questions* presentation, the students' reaction still surprises us. Many of the attendees stare back at us like deer in the headlights. However, we are heartened by the ones who are clearly thrilled as a light bulb goes off in their heads. These are the successful attorneys that we hear from years later who are excited and engaged in their legal careers. Take the time to match your personality to your practice area- you will not be sorry!