



## Episode 132: What Is It Like to Work in BigLaw?

Alison Monahan: Welcome to the Law School Toolbox Podcast. Today, we're talking about what it's actually like to work in BigLaw, with ex-BigLaw recruiter, Sadie Jones. Your Law School Toolbox host today is Alison Monahan and typically I'm here with Lee Burgess. We're here to de-mystify the law school and early legal career experience, so that you'll be the best law student and lawyer you can be.

Together we're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career-related website, [CareerDicta](#). I also run [The Girl's Guide to Law School](#). If you enjoy the show, please leave a [review](#) on your favorite listening app and if you have any questions, don't hesitate to reach out to us. You could reach us via the [contact form on lawschooltoolbox.com](#) and we would love to hear from you. With that, let's get started. Welcome back. Today, we're talking about what it's like to work in Big Law, with ex-Big Law recruiter, Sadie Jones. So, welcome Sadie, thanks for joining us.

Sadie Jones: Thanks for having me back.

Alison Monahan: My pleasure. First off, let's talk about how large law firms are structured because I think that drives a lot of the factors we're going to talk about later, regarding what it's actually like to work there. I think this is something a lot of students really actually aren't that familiar with. So, who actually makes up these firms and kind of how do they work?

Sadie Jones: Well, most large law firms are really a hierarchy. So, you start with the associates, who are just paid a salary based on their class year normally.

Alison Monahan: Right.

Sadie Jones: It just goes up every year, it's the standard structure. And then above them are going to be either counsel, of Counsel, senior counsel, there's a lot of different names for those positions, who are usually not equity members of the firm, so they are paid a salary. They're employees of the firm, but they're probably a higher-level position. They've either been around a long time, maybe they were partner and it's what they're doing after before they retire, or it's someone who's maybe not going to make partner but is very senior to be an associate. And then above them is a partner, who normally at a big law firm is an equity partner, so they are actually making money based on how the firm makes money and they're not an employee, they're an owner.

Alison Monahan: Alright. So, basically, we have the associates, who are kind of the grunts in the trenches doing the work. We have the partners that are sitting at the top of the pyramid collecting all the money and also doing a lot of work. And then, in the

middle, we have these sort of amorphous roles, which I think seem to be expanding, of essentially non-equity partners. Sometimes, we're counsel or whatever. So, how long can people be associates?

Sadie Jones: It really depends, but normally the path to, let's say, partnership would be anywhere from 7 to maybe 11 or 12 years even. But there's not a lot of people left after 6 or 7 years.

Alison Monahan: Yeah, I think the drop-off rate in terms of people leaving Big Law is something like 80% by the fifth year, so definitely you've really gotta be a survivor to stick around and have any shot of making partner these days it seems like. Let's talk about that. I'm a first-year associate and I'm gunning for partnership, how likely is that in most firms?

Sadie Jones: I would say, it's very unlikely. Now, I would say that if you start off knowing that this is the path that you want, and you continue on that path and you have a singular focus on it, I think you have a better chance than somebody who just comes in and isn't really sure.

Alison Monahan: I think that's right. I think the reality, though, is that even if you want to be a partner, at this point the odds of that happening are probably somewhere between one in 10% at best. Do you think that's reasonable?

Sadie Jones: I think that's true. I think that if what you're really looking for is to be a partner, it's always good to kind of see how many partners they are making up the firm you're at, and obviously this can change. But firms do tend to make similar percentages of partners, unless something major happens, so there are some firms that have bigger partner classes. But also keep in mind that, it's not just your office usually, if you're at a big firm, there's lots of offices. So, when they give you those numbers, it's for people all over the world sometimes.

Alison Monahan: Exactly.

Sadie Jones: So, I would say you should never expect you're going to make partner. If that's something you want to pursue, you can go that route, but you should always have a plan of really what your career path is going to be, not including that.

Alison Monahan: I think that's right. Alright, so that's kind of the basic structure. I think realistically your odds of making partner at any given firm are pretty low. That's not to say it's impossible, but it's definitely less likely than probably it was a generation ago where, if you stuck around for six or eight years, you were going to be partner. It's just not really the way it works anymore, so be aware of that. Excuse me. All right. Well, let's talk now about the basic type of work that these firms do and who their clients are. So, how does this kind of break down?

Sadie Jones: Well, obviously it depends on the firm. But usually it's split between litigation and then transactional work. And again, I think a generation ago, you could do

both if you wanted to, and a lot of the older partners did that and didn't specialize as much. These days-

Alison Monahan: That seems unfathomable to me.

Sadie Jones: Right. But I knew some of these partners who were, let's say, in their 60's or 70's, that did do work on both sides. So, I think that's the way it used to be. These days you really need to at least pick between those two areas and then within that, you usually have to specialize. I would say more on the corporate side than the litigation side.

Alison Monahan: I think that's right.

Sadie Jones: Other than IP, a lot of times is within litigation, but really a separate area, but a lot of litigators are just kind of general litigators and then they may work within that in certain groups. The corporate side, maybe there's real estate, emerging companies, M&A transactions, so usually you're specializing more.

Alison Monahan: Yeah and sometimes you'll see firms that have very specific practice areas and things like ERISA Law or some other very, very specific area but I think that's also becoming less common. I think more and more, most firms are doing litigation and corporate. I actually worked in a firm that only did litigation for various reasons. So, you do sometimes find those. I don't know of any firms that only really do corporate work.

Sadie Jones: I don't really think so. I mean, I think if you're going in that direction, you're probably going to go in-house.

Alison Monahan: Exactly. Yeah. The place I worked, the reason they didn't take any corporate clients is because they wanted to be able to sue them and not be conflicted out. I mean, no it was the reality. I mean, part of it was just an accident of history. But it turned out to be useful because when the financial crisis hit for example, people wanted to sue these big banks. But if you have the bank as a client on the other side, obviously you can't sue them. So, there really weren't a whole lot of law firms operating Big Law level that were actually available to sue a lot of these large corporate entities. So, they got a lot of business that way.

Sadie Jones: No, that makes a lot of sense. I mean, I think conflicts generally as law firms become bigger can be a bigger issue.

Alison Monahan: Yeah. So, I mean if you haven't taken professional responsibility yet, basically for obvious reasons a firm can't represent various people who might be in conflict with each other. So, every time we bring in a new client, you have to confirm that okay, we're not representing anyone essentially that has been adverse to this party or would be adverse to them because obviously, they're probably not going to want to pay you either in that situation. But yeah, it gets incredibly complicated. The bigger you get and the more offices you have all over the

world, obviously the more potential conflicts you have and that can really become almost a full-time job, just figuring out if you can even take these new clients.

Speaking of clients, I mean, I think this is kind of an interesting one because I sometimes hear people who are like, "Oh, I want to go and do environmental law and Big Law." It's like okay, you do realize who you're going to be representing? These are the people-

Sadie Jones: You're probably going to be representing the side you don't really like.

Alison Monahan: Yeah. Exactly. There's a reason these clients pay a lot of money. There's a reason you get paid a lot of money to work there. That's typically because in something like that, you're not necessarily going to be on the side that you might want to be representing. So, the reality is the clients of these firms are the people who have money to pay. And yeah, okay they do some pro bono work but again, you can't take a pro bono client, who's going to be in conflict with one of your clients that's paying you. And also, if you're representing say a big oil company, they're probably not going to want you to be doing environmental pro bono work on behalf of some tree hugging organization that they might be adverse to.

Sadie Jones: Right. I mean, I think you're working in employment law, you're probably working on the side of the big employer that fired somebody. So-

Alison Monahan: Yeah, that's another classic one.

Sadie Jones: Yeah.

Alison Monahan: What are some-

Sadie Jones: I think a lot of law students actually don't always realize that.

Alison Monahan: No, I mean I'm not joking. I think a lot of people really do think they can go into Big Law and represent the good guy, Bret large but the reality is that's often not going to be the case.

Sadie Jones: Well, but I would give an example like I said of the employment situation where I know people that do that kind of work and they feel good about the fact that they're counseling their clients not to behave in a way that might have gotten them to that point.

Alison Monahan: Yeah. Exactly.

Sadie Jones: I know that they feel like they take something from that.

Alison Monahan: Yeah. I think that's right. I mean, I think you can do good work anywhere. But the reality is you might end up ... For example, there's a big controversy for a while over whether law students were going to be doing tobacco litigation work at these big firms and a lot of the firms went on record as saying, "Well, we won't force you to work in this area," basically. You'll have to go and say, "Yes, I'm willing to represent a tobacco company."

Sadie Jones: Right.

Alison Monahan: But oftentimes, that's not the case. I mean, that's the only real example I can think of where it was such a big issue that people were refusing to work on these cases and refusing to work for firms.

Sadie Jones: I had a similar issue where one of the biggest clients was an asbestos client. I would also say that a lot of these firms, the biggest or one of the biggest clients is usually going to be in one of these kinds of categories. So, like you're saying, most likely you're going to have work probably on it at some point and they're not going to give you that kind of option. I think you have to go into it assuming that, that's going to be part of your work and then maybe you can do other work that you feel like gives you a better feeling.

Alison Monahan: Yeah. I remember doing an interview with someone who when I was interviewing for positions, he was describing to me his work defending product liability cases. That's another one where you're like oh, I'm not really sure I want to be on this side of the big company that's defending their tires blowing up and killing people. Hmm, am I okay with this? I think you do have to ask yourself that question. If you're going to work at a lot of these firms, am I okay with the type of work that I would end up doing?

Sadie Jones: Well and I would say I know that as a recruiter, when we had a summer associate program we did like to highlight the different big areas that you may end up in. So, that you could decide, which practice group you want to be. We didn't leave off the areas like asbestos or maybe some of these employment clients or big oil companies, we didn't leave that off. We just tried to be honest and then also have some of the attorneys offer how they felt about it and how it made sense to them and they understand how you might feel. I think it's good to have kind of like a well-rounded explanation. If a firm's not doing that, that doesn't seem like a good sign to me.

Alison Monahan: Right. I think you have to be realistic about what you're getting into and just make sure before you accept an offer, yeah, I would be okay doing this work. If that's not the case, then you should probably go somewhere else.

Sadie Jones: Right.

Alison Monahan: All right. Well, speaking of that, let's talk a little bit about how these Big Law firms hire? I think most people are probably pretty familiar with this but how does it work?

Sadie Jones: So, most people are hired out of the summer associate program, at least in the more junior stages. So, that means that they have interviewed everyone on campus after their first year of law school and they've hired them for the following summer to come back to be a summer associate. Then hopefully everyone gets an offer and you come back following your graduation and you start as a first year or maybe you get a clerkship and you start as a second year. So, something along those lines. That's where most of the, especially first and second year classes coming from.

Alison Monahan: Yeah, so basically, you're interviewing for that firm job after your first year of law school. But you're not really going to be starting until after graduation or maybe even a year more after that if you're clerking. So, you've really got to be thinking ahead on this because you need to know where you want to work. Basically, what area you want to work in after your first year, basically.

Sadie Jones: I think that's a lot of pressure, but I think that I would put as much into the decision as possible because it's going to be hard down the road as let's say a 3L or even after you've done a year, work at a law firm to find another job. So, you want to feel like you're doing enough research and feeling comfortable enough that this is a place that you're probably going to want to spend a few years after you graduate.

Alison Monahan: Yeah. Absolutely. We have several podcasts episodes you can listen to, all about that process. All right. So, say someone doesn't get hired for whatever reason or they want to switch firms or something like that after they're working, talk to me a little bit about laterals and how that works.

Sadie Jones: So, a lateral hire really would be anyone whose had experience after law school. I guess you could hire a 3L or first year, who wasn't in your summer program but that's less likely. So, usually a lateral would be at least a second year and I would say even that's kind of hard to find. More third or fourth year starting. Most law firms do use outside recruiters to find their lateral associates. I would also say probably the second biggest source of laterals would just be inside referrals. So, most law firms offer an amount of money to an associate who's going to refer somebody else they know for a position and not pay an outside recruiter. So, that's always great. It's a good example of why networking and staying in touch with people in your law school class and who you know is great.

Alison Monahan: Yeah. Another way people can lateral is often out of something like more government-oriented work. So, say that you're someone who maybe your grades don't get you into Big Law immediately but that's really what you want to be doing, there are a lot of options coming out of different roles. Particularly, I think mostly in government, probably not so much in public interest work. But

say that you're doing tax or you're doing various other things, employment, things like that, there are ways that you can kind of leverage that experience to go then into Big Law, maybe as a fourth or fifth or sixth year, that kind of thing or even as a partner in some cases.

Sadie Jones: Yeah and I think a lot of those people also go back and forth. If you have a job at a US Attorney's office or District Attorney's office, a lot of these people want experience on both sides, on the defense side as well. If that's something you're looking at, I think Big Law, that's very popular and it would be a positive going into Big Law.

Alison Monahan: Yeah like white collar criminal defense. They love to have former prosecutors and things like that.

Sadie Jones: Absolutely. That's an example of you could come in as a partner if you play your cards right.

Alison Monahan: Exactly. So, it's not like if you don't get the summer associate position after your first year and you're dying to go into Big Law, all is not lost. You might be able to leverage your experience to get there without having to do all the grunt work.

Sadie Jones: I agree. I would just say if you pick Big Law, make a really informed decision going into it.

Alison Monahan: For sure. All right. Well, let's talk about the work. So, I'm starting out as an associate. What type of work am I likely to be doing in my first couple of years?

Sadie Jones: You know I think the work these days has definitely gotten more complicated and more interesting, starting at the beginning than it used to be. I don't think that many first years are doing doc review like they used to.

Alison Monahan: Oh, thank goodness.

Sadie Jones: Which doesn't mean that you're not doing doc review. But I know that there's a lot of outsourcing. I worked at firms that have offices in much less expensive places, where everyone's just doing all the doc review, things like that. I think it depends on the firm you're at. It's not all going to be interesting. But I think a lot of big firms are trying to give people opportunities when they can early. Some of the more interesting opportunities may be on a pro bono case or on something where a client's not directly paying for your time. So, I think there's sort of a range and it might vary between litigation and corporate as well.

Alison Monahan: Right. I mean the classic sort of early associate work was document review, if you were a litigator, which literally meant sitting down and going through tons and tons of emails, looking to see if somebody said something they shouldn't have said. And then due diligence on the corporate side, which was basically the same thing. Boxes and boxes of stuff you had to go through to try to find out if

your M&A client was lying or whatever it was. Frankly a lot of that wasn't work that associates needed to be doing anyway and they hated doing it. So, I do think you're right. That a lot of the firms have tried and through the client, I think through client pressure have tried to make that more cost effective. Then the problem for associates is that means there's less work to be done, which means you may be hiring fewer people.

Clients are also getting really picky about paying for first and second year associates. So, it definitely I think puts downward pressure on the associate market at the start, which can be challenging. But it means if you get one of these positions, you are likely to be doing more interesting work.

Sadie Jones: And I would say that's totally a question that I would be asking in the interview process or try to get the best gauge of it, talking to other first years and saying, first of all, what's an example of what they're working on and also do they feel busy? Do they feel busy enough? Because it's kind of a balance. I think it used to be a lot of times that people were billing crazy hours and 2,600, 3,000 hours when I started back in New York. But I think then it became oh, I want to have enough hours that I don't look like I'm slow. I think asking people how that's going is a good question to ask going into it.

Alison Monahan: For sure. I remember one year, I met my hours target to get the bonus on the last day of the year and I was so excited.

Sadie Jones: That's amazing.

Alison Monahan: I was like they did not get any extra time from me. This is great. Yeah. An example of the type of work. I know from litigation that you might be doing in your early years is helping someone prep, say, for a deposition. So, they're going to be interviewing someone on the other side, maybe I was a patent litigator. So, maybe you're interviewing an engineer or you're interviewing someone who was involved in creating this product, or you're interviewing their expert under oath and you might be the one who's really helping the partner figure out what they should ask about, compiling all the information, sometimes even writing questions and the responses. If you get this response, ask this follow up. A lot of it is stuff like that. I have no idea what corporate people do in the early years. Do you?

Sadie Jones: I can't say, I know exactly what the corporate people are doing-

Alison Monahan: It's a great mystery. There's basically no overlap between the litigators and the corporate people.

Sadie Jones: I would say was I knew more the litigators. I think they're doing similar in terms of research and trying to answer questions.

Alison Monahan: Yeah. That's another good one. So, you'd often get-

Sadie Jones: That people don't have time for.

Alison Monahan: Yeah. From a senior associate or from a partner, you might get a question about the law, we need to know the answer to this. Go out and research it. So, you might be doing a lot of legal research, compiling memos and things explaining your answers, pretty much all of the stuff you did in your legal writing class basically. So, pay attention there.

Sadie Jones: Yeah. It may not be billable time, but I think there are a lot of opportunities when you're a junior to sit in on meetings and things like that. I know I worked at firms where a certain number of hours were allocated where they knew that it couldn't be billed to the client, but it would still go towards your hours, which I think is great because it is hard to learn if clients aren't paying for your time and you want to be learning.

Alison Monahan: Oh. For sure. I mean the firm I worked at, if we were at trial, they would bring down a first or second year associate basically and make them non-billable, but they got to count the time. I mean it was great because if you were at trial, you had another person to do work for you, which was awesome. But mainly it was really, so that person could get that experience and then in a couple of years, they would be the ones who actually they're at trial, but it wouldn't be the first time they'd ever set foot in a courtroom or had a jury interaction or something like that.

Sadie Jones: Well and I think that's something that law students may not think about that when you're an associate, you're really worried about billing all of your time. I would look at those kinds of programs when you're making a decision too. Do they make it so that it's not just the billable time?

Alison Monahan: Yeah. Absolutely. I think asking about what kind of training you can get, whether it's on the job training by sitting in on meetings or sitting in as second or third chair at a deposition or trial and also formal programs. A lot of firms have sort of an intro program but then starting around the third or the fourth year, they might have a week-long program that's very involved to try to kind of move the associates who are still there to that next level and get them up to speed on the things they're going to need to have a shot at becoming a partner.

Sadie Jones: Absolutely. I think most firms these days have these benchmarks that you're supposed to hit, maybe not for every year but every few years and it's really, I think great to look back at that and associates can say, "Wait, I haven't gotten this experience yet." Hopefully, there's somebody there who's going to help you get that experience.

Alison Monahan: Yeah because I think you've got to be advocating for yourself inside of the firm to make sure you're getting that experience that you want but also that you need to be more valuable as you move up. I mean if you're a fifth year who in litigation and you've never taken a deposition, that's a little like okay, what

happened here? I mean but it easily could happen because some people are just nose to the grindstone and then you look up and it's been five years and you haven't really done anything on your own. You've never argued a motion in court. You've never first chaired a deposition. These are the experiences that you need to be sure you're getting to develop as an attorney.

Sadie Jones: Yeah and I think you have to be your own advocate like you said.

Alison Monahan: Yeah. Absolutely. Because people may mean well but they don't really care as much about your career development as you do.

Sadie Jones: Yes.

Alison Monahan: All right. Well, let's talk a little bit about money and hours because those are kind of the big things in Big Law it seems like. Sometimes you hear people say, "Oh, it's eat what you kill." What does that mean and how might that impact the associate experience?

Sadie Jones: Well, what that would mean is that you actually are getting paid based on the work you're bringing in-

Alison Monahan: You being the partner?

Sadie Jones: Yes. Correct. So, right. Associates aren't going to get part of that money.

Alison Monahan: So, what's the alternative to that?

Sadie Jones: So, the alternative is just that all the money comes in and that it's allocated, which obviously not everybody is paid the same regardless because in some sense, the salaries are always going to be affected by how much business the person has. But I think in another sense, it's more equitable.

Alison Monahan: Yeah. So, I mean basically firms kind of exist I think on a continuum. I mean, at the most sort of socialist is basically, okay, well you started on this date and so you have been at the firm for 12 years and there's another partner who's been here 12 years and so you're going to get paid exactly the same thing, whether partner A has an enormous book of business and partner B doesn't have any clients, you're all going to get the same thing.

All the way up to okay if client B has no partners, they basically get paid nothing. I mean that would never happen, but you know next to nothing. And client A is going to get paid 10x or 20x what partner B is going to get. Most of them kind of exist on that continuum. I think there's often a lot of in fighting about who gets credit for what and I mean it's a fascinating world actually and who has control. There's a lot of stuff going on. There's a lot of intrigue I think at a lot of these firms.

Sadie Jones: And some of them, I find you can learn what an excellent lawyer someone is based on if you find out what their deal is with the firm because maybe somebody has a great deal where they brought in a certain client, maybe when they came over, and even if that client's not billing like they were, that person is still getting credit or they have five years or some amount of time. So, all of those things are sort of interesting how different people negotiate it.

Alison Monahan: Right.

Sadie Jones: You can kind of tell sometimes that a firm who the more important people are.

Alison Monahan: Yeah. Those are your rainmakers if you're wondering what that term means, the rainmaker is a person who basically feeds everyone else. But yeah, there's a lot of dispute often whose client it is and who should get the credit. Often this tends to be very gendered like women are less likely to get credit than men for bringing in a client. It all gets pretty messy. So, I mean in terms of how that impacts the experience, I mean there's a reputation at least the firms that are closer to the eat what you kill model tend to be more aggressive and kind of not so nice places to work. Do you think that's accurate?

Sadie Jones: I think that can be accurate. It's hard to generalize everything in that way. But I think it's true that you can kind of tell when it's a more competitive environment and it does I think, trickle down to the associates.

Alison Monahan: Right because oftentimes you have associates then almost competing for work.

Sadie Jones: Well and then also competing to get in with the right partner.

Alison Monahan: Right because if you have an in with a partner and this partner's feeding you work and that partner's a big wig and they have lots of work, you're likely to have lots of work. If you don't have that connection, maybe you're not getting enough hours or something like that. There's a lot of time spent worrying about things like this at firms.

Sadie Jones: Yes.

Alison Monahan: I mean, how many hours do you think people should expect to bill and then also how does that relate to the hours they're working?

Sadie Jones: Well, you're going to be working a lot more hours in a day than you're billing. It depends. I actually found in my experience that litigators are usually able to bill more of their time throughout the day. A lot of times because they're working on one big project and most of the corporate people that I knew were working on a lot of smaller projects and when you're switching from one thing to another, a lot of time gets lost in that process. Obviously, you have to be very careful about billing your time properly. So, I knew people that were at the office for, let's say 12 hours in a day but only billing six-

Alison Monahan: Oh my God. That would be my worst nightmare as a litigator.

Sadie Jones: And that's hard. Right. But I think corporate people, that's an average day.

Alison Monahan: Really? Wow. That's crazy.

Sadie Jones: Yeah. Yeah. So, for like the-

Alison Monahan: Yeah, I mean my average day if I was at the office say nine hours, I'd probably bill eight of those.

Sadie Jones: I think that's amazing and that's the goal is to not have too much time where you're there, not billing your time because otherwise I think it can feel like you're wasting an opportunity. So-

Alison Monahan: I mean, the best as litigator is when you were at trial because you just billed like 20 hours a day and no one said anything because they knew that you were working all the time.

Sadie Jones: Right but if in a normal day, if you're billing a crazy amount of hours, I know that some of the partners would talk to associates if they felt like they were billing too much time in day because sometimes they felt like that wasn't really possible to have really done especially a bunch of days in a row. I think you have to be careful about billing properly but generally between litigators and corporate people, I would say that's a really big difference.

Alison Monahan: Yeah, that's super interesting. I didn't realize they were so inefficient. That would drive me crazy. No wonder they were always there.

Sadie Jones: Now, I would say if you're probably a corporate associate and you're working on a big M&A transaction, they're probably having a similar experience.

Alison Monahan: Right. Yeah, it just depends on the nature of the work and I think that's something worth looking into when you're considering these firms is just sort of how does it typically work? Another question worth considering is how is work assigned at different firms? Is it assigned differently and I think that can drastically impact people's experiences. Do you have to go out and find work or does it sort of come to you? But if it comes to you and they just assign it to you, do you get any say? Because obviously the exact people that you end up working with are going to have a huge impact on your happiness at the firm.

Sadie Jones: I would say most firms I've been at, there's been specific partners in a group that were in charge of assigning work. It's not always the case but that has been my experience as kind of the norm. Sometimes it might be two partners in a big litigation department where they're just assigning lots of different things out. Sometimes it might be a smaller group that has their own assignment partners. But usually even if you're directly working with a partner a lot of the time, there

is somebody who's sort of supposed to oversee the whole process. And I would say that it's probably a mix of you finding stuff versus you being assigned stuff. I think it's always good like we were saying before to really take ownership of your career and from early on, try to seek out people you want to work with. I even tell summer associates that.

Alison Monahan: Oh, for sure because if you can find somebody that you click with and you like their working style and they appreciate your work, your life is going to be so much easier.

Sadie Jones: Yeah and they're going to ask for you and you're not going to get assigned to those things that you don't want to do with someone really difficult. That being said, you probably will get those kinds of things sometimes and I would say unless it's really a bigger continual problem or there's specific issue with someone, I mean sometimes you're just going to have to suck it up and do some stuff you don't want to do and probably not complain.

Alison Monahan: Yeah. Absolutely. I think figuring out how to get off those types of assignments is a fine art and it can be done but it is going to be a little bit risky, so you have to be sure if you're going to try to pull the, "I don't have time to be doing this work for this terrible person, I should be working on your case instead." You have to make sure the person you're going to is going to be like, "Absolutely. You are correct. I'm going to call that partner and tell them that." Which I've done. It does work but it's a little risky.

Sadie Jones: Well, I've also seen people sort of pull that and not be busy with other things. The thing you can't do is try to pull the wool over the person's eyes who's doing the assignments because they can look at your hours.

Alison Monahan: No, I mean you basically have to be sure that you're so in demand with the person that you want to work for that they are willing to go to bat for you to get you off the other case and you've got to be pretty sure.

Sadie Jones: And I would say you have to use that sort of sparingly. So, you better know if it's something really bad that you want to get off. But yeah, I think it's kind of a mix. I think these are all good things to sort of explore how the assignment process is done. I found that most of the assignment partners are sort of the more junior partners and usually easier to talk to and more approachable. I think they give people those types of roles. I would say it's also good to have a good relationship with that person.

Alison Monahan: Yeah and I've worked at firms that do this all kinds of different ways. So, I think just understanding how it does work and then how you can leverage that to try to get the experience you're looking for is a good thing to understand as soon as you can.

Sadie Jones: But there's something you want to do, I don't think there's any firm where it's not a good thing to just reach out and try to get it.

Alison Monahan: Yeah, if nothing else a person's going to be flattered if you go to them and say, "Hey, I'm really interested on working on this esoteric thing that you're interested in. If there's ever an opportunity, I would love to be considered." Nobody's going to be offended by that.

Sadie Jones: Absolutely and maybe they don't have it now, but they'll have it later.

Alison Monahan: Yeah and the stars may have to align, that you have spare time and also, they have the availability and the need but sometimes it does and if it's something you're serious about trying out, then you should make sure that you keep asking.

Sadie Jones: Yes.

Alison Monahan: All right. So, we've talked a little bit about this, so associates are basically paid a salary, go look it up online what the salary scale is, it's a lot. Then firms pay bonuses at the end of the year. Most of those are based on hours. Again, you can go above the law, look up exactly what each firm pays when those start coming out. It's the most exciting week. Everybody's wondering what they're going to get paid. Do they make as much as the guy next to them? Do they make as much as their friend across the street? And then the partners, I mean this is kind of an interesting one. Is it true that they really have to pay to join the firm?

Sadie Jones: They do have to pay in because you're basically buying a piece of the company.

Alison Monahan: Yeah, it's interesting. This also varies a lot by firms. Some do, some don't.

Sadie Jones: Yeah and in my experience at the big firms I've been at.

Alison Monahan: Yeah, it's interesting. I was shocked when I learned this as a second-year associate or something I was like, wait you have to buy into partnership? But yeah, I mean it is often a pretty substantial amount of money like a 100 plus thousand dollars. You pay to become an equity partner. If you're thinking about is this for me, that's also another thing to keep in mind? Is this a business I would be comfortable investing in? Because that's essentially, you're not just investing your time at that point, you're also investing your money.

Sadie Jones: Well and I think something to think about which might not seem like a big thing but you're an owner of the company then so you're not an employee. So, you're responsible in a different way. Just for example, you pay for your own health insurance and your benefits. You're not just getting it from the firm.

Alison Monahan: Interesting.

Sadie Jones: It may be small in the scale of how much money you're making but it's still probably a significant amount of money. So, things like that you have to think all of these partners, they actually have a lot of responsibility.

Alison Monahan: Right. You have a lot of people who are depending on you for their income. I mean, the reality is these firms do sometimes go away. They implode.

Sadie Jones: Yeah and then they've lost their investment. Yeah.

Alison Monahan: They've lost their investment. They probably feel pretty bad about these hundreds of other people. Everyone from the secretary all the way down. Yeah, it's definitely a lot of responsibility. So, I think there's something to be said in some ways for being a non-equity partner, a counselor, something like that where you just keep doing your job and maybe you're not making the big bucks but you're also not taking on as much risk. I mean a lot of this just depends on personality.

Sadie Jones: I was going to say I know during the crash in 2008, 2009, I worked somewhere a bunch of partners were in kind of in a sense demoted down to counsel positions or given the option counsel or lead and whatnot. I spoke to somebody and she told me that it was a big blow to her ego but once she got into the position, she liked it so much more than being a partner. She felt that a lot of people hadn't taken the option because again it's an ego issue. But I actually think the job of aspiring to be a counsel at a law firm is a great way to go.

Alison Monahan: Yeah and I think people who are interested in doing that, one way to do that is really to be a specialist in a very specific area that is very in demand but maybe not something that clients are willing to pay a ton of money for. But the firm needs that skill set. So, at that point, you've created more job security for yourself without having a lot of the hassle basically of trying to compete to be a full partner.

Sadie Jones: Right. I completely agree. I was going to say yeah, to be indispensable in some specific role where you've sort of outgrown also being an associate, you have some leverage and especially if you still have client relationships, even though you're not going to be a partner, I think that's great.

Alison Monahan: Yeah. So, let's talk about this a little bit. I mean, say I'm an associate. I'm getting up there. My fourth or fifth year, will people tell me if I'm on track to become a partner? What do I need to be doing? Should I even worry about it? How am I going to be evaluated?

Sadie Jones: So, in theory you should know. In actual practice, I think law firms tend to not be great at giving the proper feedback and the message. So, most firms do evaluate everybody at least once a year in sort of a formal way. Having read a lot of the stuff, I mean a lot of the things are redacted and what they actually get is usually not very substantive a lot of times. I think it can be hard to tell but

if it's a path you want, I think you have to be on top of talking to especially the partners you work with about if they think this is a possibility realistically. I mean you know if you're not doing well and you've been given a message that you're not going to last at the firm much later. But I think it's a different message to say, "We think you have a future here."

On the other hand, I think firms give that message to a lot of people that they're never going to make partner to. So, you have to sort of use your own skills to see they're not making a lot of partners. They're making a lot of partners in my practice group-

Alison Monahan: Or at this office.

Sadie Jones: My partner mentor doesn't seem to be doing very well. I mean, all those sorts of things.

Alison Monahan: Yeah.

Sadie Jones: I think it's something you should be talking to people about.

Alison Monahan: Yeah. I think you've got to think strategically about it too. You really have to take a solid look around. How many of the people who've been made partners recently were laterals? How many of those came up through the ranks? Which pattern do I match here? Are they making people in certain practice groups or certain areas, certain offices? I mean, if you're in a satellite office, oftentimes it's perceived at least to be harder just because you're not in front of the people ... So, basically reminder standing, most firms when they decide on new partners, is they have an all partner meeting and then they basically argue about it and people go to bat for their favorite candidates. You need to make sure that you've got someone in that room who's basically willing to stand up and say, "You know, I really need Alison, or I can't do my work." Basically, is what it really comes down to.

Sadie Jones: And that, that person's an influential person in the room.

Alison Monahan: Right. Yeah and they actually have the clout for someone to be like, "Well, if this guy can't do his work unless he has his person working for him and he's bringing in a bazillion dollars a business, then we basically have to keep this person whatever that takes."

Sadie Jones: Absolutely. I think that a myth that I've noticed a lot of junior people and then even going up to people who are on the path to partnership think is that I've gotten great reviews. Everyone seems to like me. Why wouldn't I make partner?

Alison Monahan: Right. Like that's enough. It's not enough.

Sadie Jones: I know eight peers that think that and that's just not enough.

Alison Monahan: No and I think it used to be enough.

Sadie Jones: That's not the answer.

Alison Monahan: But it's not.

Sadie Jones: Certain firms, I would say there are smaller sort of Big Law type firms where a lot of the people who are still around who are doing well can make partner. But generally, that's not going to be the case and there's so many different factors and I think it can be hard for people when someone who isn't super popular in this sort of associate class makes partner because I think they feel like, oh why was it that person? And a lot of times it is what you said. It's a partner who is insisting. It's a lot of factors. It's that they have gone out maybe and found a client.

Alison Monahan: Right. Exactly. If you're bringing in business-

Sadie Jones: They've shown themselves in a lot of ways. Yeah. So, I think the work horse people are not necessarily the people that are going to make it. They might.

Alison Monahan: Right and I think people just need to particularly as you start getting up in the higher associate ranks, is this something you really need to understand because the reality is if you don't make partner after say seven, eight, nine, 10, whatever it is years, maybe you can go back up the next year. Maybe the year after that. But at some point, that's not realistic and you have to find something else to do.

Sadie Jones: Correct. I think what you want to do is have an out option before you get to senior and then you start losing options.

Alison Monahan: Right. There's a narrow window basically, where you're most employable as a lateral and so, it's a hard decision to make whether you think you should go for partner, whether you should maximize your lateral options. But these are things to be thinking about. I mean, I wouldn't say from day one but almost from day one about what options you're creating for yourself in terms of what type of work are you taking in the areas you're specializing in. Are there options afterwards? It's a problem for a lot of litigators is you don't really have skills that translate. So, it's much harder to go in house or something like that if you decide that the firm is not a place you want to be long term. It's a difficult position because you really don't necessarily have transferable skills to places other than law firms.

Sadie Jones: Correct. I mean, unless like we were saying before you want to move into government work and you're been a litigator, you've been in courtroom. But there's even litigators who don't really have those skills.

Alison Monahan: Oh, a lot of them never see the inside of a courtroom these days.

Sadie Jones: Yeah. So, I think that can be really hard. But I think that's actually another example of why it's really important to focus I think on the relationships you're making at the law firm early on also because the other thing I've seen is that people do get to that point and maybe a partner knows that their associate probably isn't going to make partner. But they're going to help them find something else.

Alison Monahan: Yeah. Also, other associates. I have friends who went different places that are now very highly in demand as people to like oh, can you pass my resume along? Of course, they remember the people who were mean to them as a first year.

Sadie Jones: Yep.

Alison Monahan: They're like no, I'm not passing your resume along. You were not very nice to me.

Sadie Jones: I think that what we were saying about some of these really competitive kind of cutthroat environments is even if you're in that situation, I feel like you have to really check yourself sometimes about being true to yourself and being a good person and being someone that people like.

Alison Monahan: Yeah you don't want to be that person that everyone remembers from their early associate days as just being a total jerk. It's probably not going to pay off for you in the end because the reality is almost everyone leaves the law firm at some point and you have to find something else to do.

Sadie Jones: Yeah. I mean, even if you're a partner.

Alison Monahan: Exactly. So, yeah, it's a small world and it's always about relationships. So, basically you don't have to be a pushover, but you probably want to be at least reasonably pleasant whenever possible and not throw someone under the bus or step on them because obviously people remember.

Sadie Jones: Most of that kind of stuff gets found out. So, you're not getting away with anything.

Alison Monahan: Yeah. Exactly. Just don't be a total jerk. All right. Well, I think we're totally out of time. But a couple of really quick last questions. Number one, is it really true that I'm going to get my own office when I start working as an associate and am I going to have to share?

Sadie Jones: It really depends on the market I would say, so, which area you're in. In a place like New York, you're definitely going to have to share with somebody in my experience.

Alison Monahan: Yeah, sometimes even with two people.

Sadie Jones: Yeah. It's not going to be as glamorous as you expected. I would say on the West Coast, at least places I've seen and been, most even first years do have their own office. I'm not saying it's super glamorous and huge but-

Alison Monahan: But you'll probably have a window at least.

Sadie Jones: You'll probably have a window-

Alison Monahan: And there's so much jockeying. Oh my God, the amount of jockeying that goes over who gets what office is unbelievable in most places.

Sadie Jones: And I would say, also don't be a jerk about that.

Alison Monahan: Oh yeah because when someone leaves, it's like huge free-for-all and you might have the chance to take some else's office and whatever but really are you going to make them move? Come on.

Sadie Jones: Exactly because I can tell you I remember those people.

Alison Monahan: Yeah. Everyone does. I'm still like, oh I remember when that person left, and this other person kicked somebody out and it was this huge to do. I mean, don't be that person.

Sadie Jones: Yeah.

Alison Monahan: It's not worth the slightly better view. You might be sinking your career prospects.

Sadie Jones: So, I think in certain cities, just based on office space and how much room there is, you are going to have to share and eventually you'll outgrow that but be a good office mate.

Alison Monahan: Exactly and sometimes people end up being really good friends. It can be a great support system, particularly in your early years. Sometimes, they'll put say a new first year in with a third year or something and that person can be really valuable.

Sadie Jones: Right. I agree.

Alison Monahan: Well, with that important question. We are out of time. Thank you, Sadie, for joining us.

Sadie Jones: Thank you for having me.

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