

## Six Big Mistakes When Choosing an Associate Attorney

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Although attorneys are trained in the technical aspects of the law, we haven't been taught how to run a successful business, often relying upon trial and error as costly teachers.

In the process of building my own practice, I have made each and every one of the following mistakes when hiring associate attorneys, so I am speaking to you from experience.

### **Mistake #1: Focusing mainly on the associate's law school, credentials, experience and technical expertise.**

As educated and experienced professionals ourselves, we have come to believe these are what we should be looking for. Obviously, these are important qualities worth considering when hiring a new attorney associate; however, the right personality and attitude are much more valuable qualities. Skills can be taught, but personality and attitude are very difficult to change.

First and foremost, you want someone that is teachable - - who will learn to do things *your* way and function as an integral part of your "team" for many years to come. The greater the associate's law school name recognition, advanced degrees and experience, the less likely the associate will be willing and able to adapt to your firm processes and culture.

You may be thinking, "Wait a minute, I want someone who is ready to go, because I don't have the time to train them." That's simply the wrong way to think! As I will show you ([in future articles](#)), you can train an associate with minimal downtime. And by the way, if you don't plan to train the new associate, don't plan on any great results either.



Unless you're bringing in an associate to add a new specialty area to your practice, I have found that the best associate candidate is one to two years out of a local law school (not necessarily the big name one). This associate is rooted in the community, has already gotten a taste of what the profession is really about, has suffered his or her first bumps and bruises somewhere else and hasn't yet learned a lot of bad habits (or ones you'll have to re-groove). This person will be far more willing to be a "sponge" and a team player, and therefore much more likely to become an asset to you and your firm for many years to come.

### **Mistake #2: Looking for someone just like you.**

It seems logical that if you've already reached the level of success where you have too much work and need the help of an associate, you should hire an associate with the same kind of skills, personality and attitude that's made you successful. But if your team (and you do want to develop a team) already has a great quarterback, why would you go out and use your top draft choice on another quarterback? Before you do that, you better bring in a good receiver or

running back who you can pass or hand off the ball to!

Don't look for an associate with a strong entrepreneurial spirit or management mentality. Look for a worker bee. One of my biggest mistakes has been to hire associates who had the fortitude and desire to run their own solo practice before coming to me. They're the ones that simply learned what they were missing and, much to my disappointment and frustration, left and opened up a practice that competes with me! (Using a small database of my own clients to get started!)

### **Mistake #3: Hiring an associate before you've built the right foundation with the right infrastructure.**

By "infrastructure" I am talking about non-attorney staffing. You're going to absolutely need other team players to facilitate your and your new associate's efficiency. I'm now talking about the left tackle and other linemen who you'll need to protect you and enable you to pass or hand off the ball.

First, you should have a tough, effective executive assistant to help maintain your calendar (and daily focus), triage phone calls, emails and written correspondence, and handle other office administrative details. Second, you should have a top-notch paralegal to help get work out the door. These staff members are far more trainable than an attorney - - and can thereafter wind up doing most of your new associate training and supervision!

### **Mistake #4: Hiring in time of crisis.**

If you wait to hire an associate until you are completely swamped with work and your practice is trying to function in an atmosphere of almost total chaos, what kind of chance will a new associate have to be successful? Every task will become a fire drill, no one will have time to train and supervise the associate and that new person will likely either learn some very bad habits or will just get scared or overwhelmed and quit!

My rule of thumb is that once you have one and a half times the work you can do (or associate #1 can do), that's when you hire the next attorney associate. You and the new associate will have enough spare time to train and learn properly, without undue added stress. If you already have more than one and a half times the work you can do, then close your office to new clients or new matters until you can reduce the bubble. It's okay to defer appointments or work so long as you explain to clients why - - they'll appreciate your desire to focus on getting quality work done and completed on time.

### **Mistake #5: Hiring too quickly, without going**

### **through a proper selection process.**

We've all been through (or will, if you're not careful) the backward process of hiring personnel too quickly and firing too slowly.

The right selection process does not have to mean more work for you. This is where the executive assistant or paralegal you've already put in place can take charge. That person should screen the resumes and conduct the initial interviews, with the understanding that he or she will be primarily responsible for choosing the new hire (you'll just conduct the final "veto" interview of the one or two top candidates). Make clear that the new associate will report to and be supervised by that staff person. This way, your staff person will be personally invested in the process of hiring and incorporating the new associate and will want to be sure that the associate works out (you may even want to offer a bonus to staff when the associate is up and fully functioning).

You may want to incorporate a [Kolbe](#) or [DISC profile](#) test in your selection process so that you can better gauge the kind of personality, attitudes and basic skill set you're getting. This is how you'll slot in new "players" so they properly complement you and other team members they will work with.

### **Mistake #6: Using an Employment Agency.**

Believe me, you're far better off using a simple [Craigslist](#) or [Monster](#) advertisement on your own than using a "headhunter". Yes, it will take a little more work to weed through resumes and conduct interviews, but remember, you'll delegate most of that!

Headhunter fees are exorbitant and don't rely on any "guarantee" they may give you. That usually means that they'll just find you another candidate for "free", but won't refund your fee.

My experience is that headhunters are called that for a good reason, because they're purely mercenary. They'll solicit an attorney who doesn't really fit your wants, as well as convince that attorney you have the perfect position he or she is looking for. The headhunter just wants to close the deal and move on to the next one. (I apologize in advance to any good, ethical employment agencies out there - - but, I simply haven't seen or heard of one of those!)

Also remember, as mentioned in Mistake #5, by having

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your staff directly involved in the hiring process, they will be a lot more committed to making the associate attorney work out than when they have the new hire forced upon them by an outsider.

These are just a few of the major mistakes in hiring a new associate attorney (and other practicing attorneys have made along the way). For a full discussion and training on how to successfully hire, train, compensate, motivate and keep associate attorneys, [click here](#).

The hiring process is never fool-proof. However, hopefully this article will help you avoid making the most common mistakes and find the right addition to your team!

#### ABOUT THE AUTHOR:

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