



## Jeff Geiger Counters

### The Travails of a Law Firm Associate?

By: Jeff Geiger. *Friday, August 19th, 2011*

A former first year law associate filed a [fourteen count complaint](#) against his former firm seeking \$77 million. Some thoughts.

In the law suit, the associate claims that: “[The firm] had told [him] it eschews artificial hierarchical structure, then refused [him] an assignment because it would be ‘unfair to the other associates.’ It told [him] it valued intelligence and creativity, then reprimanded and ultimately fired him for exhibiting those traits. It claimed that the amount of responsibility an associate shoulders is dependent only on his willingness and ability, then reprimanded and ultimately fired him for demonstrating that willingness and ability to shoulder more responsibility.”

The complaint then goes on to detail an e-mail sent by the associate to various firm members stating:

“I am writing to see if you have any small cases I could manage for you. It has become clear that the only limiting factor on how much value I am to a case is how much responsibility I am given: the more responsibility I am given, the better the outcome. I am in kind of an uncomfortable position at the firm because although I am a ‘first year,’ I have 15 years business and real world experience, as much as many senior associates. When I first got here I did not know what to expect, but after working here for several months now it has become clear that I have as much experience and ability as an associate many years my senior, as much skill writing, and a superior legal mind to most I have met. There is a natural skepticism that someone without a lot of formal legal apprenticeship can do the job of a senior associate, but the truth is much of the learning and experience an associate acquires is parallel to any business experience—negotiating contracts, negotiating settlements, writing, analysis. If you will allow me to manage some cases for you I can guarantee without reservation that you will get a better result than you get now with many of the official resources you have available to you.”

**First**, I know little about the case having only read the *fifty* page complaint, which is obviously to be read in a light favorable to the drafter, i.e. the associate and his attorneys. That said, there is clearly another side to the story and I think the e-mail helps to display it. Ambition is great but I can see why

<http://www.jeffgeigercounters.com/>

[Richmond](#) • [Christiansburg](#) • [Fredericksburg](#) • [Research Triangle](#) • [McLean](#)

Copyright Sands Anderson PC

THE INFORMATION CONTAINED IN OUR WEB SITE DESCRIBES LEGAL MATTERS HANDLED IN THE PAST BY OUR ATTORNEYS. OF COURSE, THE RESULTS WE HAVE ACHIEVED DEPEND UPON A VARIETY OF FACTORS UNIQUE TO EACH MATTER. BECAUSE EACH MATTER IS DIFFERENT, OUR PAST RESULTS CANNOT PREDICT OR GUARANTEE A SIMILAR RESULT IN THE FUTURE.

an e-mail from a green attorney, who has worked for a grand total of “several months,” may have ruffled some feathers for right or wrong.

**Second**, I get the associate’s claim that it would be difficult to get a law job in this economic climate, especially after being let go in the first year. But suing your former law firm may raise just a tiny red flag to a perspective law firm employer. And suing for \$77 million? Really?

**Finally**, and irrespective of this case, it behooves no one, let alone lawyers to sue idly. One of my favorite passages on “lawyerdom” is from [Abraham Lincoln’s notes for an 1850 law lecture](#), stating:

*Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser—in fees, expenses and waste of time. As a peacemaker, the lawyer has a superior opportunity of being a good man.*

<http://www.jeffgeigercounters.com/>

[Richmond](#) • [Christiansburg](#) • [Fredericksburg](#) • [Research Triangle](#) • [McLean](#)

Copyright Sands Anderson PC

THE INFORMATION CONTAINED IN OUR WEB SITE DESCRIBES LEGAL MATTERS HANDLED IN THE PAST BY OUR ATTORNEYS. OF COURSE, THE RESULTS WE HAVE ACHIEVED DEPEND UPON A VARIETY OF FACTORS UNIQUE TO EACH MATTER. BECAUSE EACH MATTER IS DIFFERENT, OUR PAST RESULTS CANNOT PREDICT OR GUARANTEE A SIMILAR RESULT IN THE FUTURE.