

# The dark side of law firm productivity: Why attorneys work too hard



## Dark side of law firm productivity

Why do attorneys work *so hard*?

Are they pursuing a higher purpose or some lofty goal? Some are, but they're in the minority. Are they simply more driven or ambitious than the rest of the world? Maybe, but these attorneys are the exception, not the rule.

What is it then?

Why are attorneys willing to work 50 – 100 hours per week? Are these attorneys more productive than the rest of their peers?

## The dark side of productivity: attorneys who work too hard

In my previous post, I shared research from Stanford University. Professor John Pencavel found [\*productivity per hour declines\*](#) sharply when a person works *more*

than 50 hours per week.

It's a case of diminishing returns.

Those who work 70+ hours per week get *the same amount done* as those who work 50 hours per week. It's a sharp decline in productivity attorneys continue to push themselves to do more. A few of these attorneys [work themselves to death](#).

Why do they do it?

The answer to this question is a controversial one that's bound to provoke a strong reaction.

The cause? **Fear.**

Skeptical? Let's take a look at a few of the causes so I can demonstrate what I mean.

1. If you work hard, you'll make partner.
2. If you make a mistake, we'll fire you, or you'll ruin your career.
3. If you want to keep your job, you'll outwork work your peers.
4. If you don't do a good job, you won't get more work.
5. If we overwhelm you with work, it means we like you.
6. If you've made a mistake, hard work will fix it.
7. Your peers are working harder than you.
8. If you want to pay off your student loans, a career in law is the only way you'll be able to do it.
9. Associates are expendable and replaceable.
10. Partners are expendable and replaceable.
11. You can't attract clients without us.
12. You need us; you can't make it on your own.
13. If you leave the firm, you'll lose everything.
14. If you leave your firm, your standard of living will decrease.

Taken to an extreme, these are dangerous.

Is there anything wrong with a firm promising partner or using it as a tool to motivate associates? Not at all. It **is** a problem if firms are using these items to sow [fear, uncertainty and doubt](#) in their team.

Why is this a problem?

Moral and ethical issues aside, what's the issue here? Many of the above issues have a degree of truth to them. If you're terrible at your job, yes, it's a great idea to fix the problem before giving you more client work. Many professionals don't see the problem.

It's **toil** vs. *productivity*.

Many people believe toil and productivity are the same. In reality, they're polar opposites. Let's break it down a bit.

- **Toil:** Tedious, exhausting and repetitive work that's relentless or never-ending. It's [fruitless, low-value work](#) that *erodes morale* in your firm. Repetitious tasks – document reviews, proofreading, copying performed indefinitely – these are the necessary but despair-inducing parts of practicing law. Unhealthy toil produces stress, burnout and fear.
- **Productivity:** Work that moves the needle, takes you closer to your goals, or helps you build a solid reputation in your firm or industry. It's work (big or small) that produces the kind of results you're looking for in your career. Its meaningful work you *know* will showcase your considerable talents. It's a morale booster for firms.

Give toil a purpose, create a compelling **why**, and it morphs into productivity. Remove meaning or purpose from a productivity task; take away the **why** and it becomes toil. It's all about the why behind your work.

Get the **why** right and productivity *skyrockets*. Create meaning and you'll find you're able to dramatically increase your salary, create the promotion you want, or become your firm's next all-star.

With the right **why** your...

- **Conventional results create trust.** Conventional results = doing your job exceptionally well. Being a great attorney, going above and beyond for clients and your team. Exceptional day-to-day performance increases. If you're a real estate attorney, your documents and agreements are above reproach; your work is pristine, you're fast, efficient, helpful, productive, etc.
- **Transformative results create career opportunities.** These are extras, the above and beyond results that make things better for your firm, the industry or clients as a whole. It can be as simple as sharing knowledge via a speech, interview or article or as comprehensive as personally taking on a client. It's your big break, the chance to handle a major action on behalf of your firm or take the lead on a major client's matter.

Here's why these results matter. Conventional results are boring and often insignificant. They're little things that show partners how you'll perform with big things. Transformative results are outlandish, terrifying and intense – if they go wrong, they can be career, firm or relationship enders.

Here's the thing about these.

The partners in your firm? They **want both** *conventional* and *transformative results*. But they're not interested in transformative change until they trust you to achieve the conventional. Transformative results are often risky; the trust you've accumulated acts as a buffer, giving them what they need to take a chance on you.

Think back to the items in our list above.

Can you see the problem with these items? These whys create toil. They don't create productivity. The people in these firms will only work as hard as they need to, to prevent these disasters from coming true.

They coast after that.

Performance drops once that fear is gone. How can associates and support teams in these firms continue to grow? How can their firms grow? Their **why** doesn't motivate them to improve, it restricts movement due to a [fear of loss](#)!

### **This is the dark side of productivity.**

The list I've shared above, it motivates attorneys to work very, very hard. It's effective, but only in the short term. At some point, the problems in our list will be resolved or employees will simply stop caring. It's an individual event for each employee, but the effect these decreases have on morale keeps productivity lower than it should be.

This is why most attorneys work as hard as they do.

Fear of loss.

In my next post, I'll share practical strategies and tactics your firm can use to 2x, 4x and even 10x productivity with billables while decreasing the amount of time spent on non-billables.

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