



MISREPRESENTATION ON LEGAL RESUMES

Sara, a third-year law student, decided that she would write “Loves horseback riding” on her resume because a friend of hers who worked in the firm she was applying to tipped her off that the hiring partner was an avid horseback rider. She knew enough about horses that she felt she could carry on a brief conversation about them without giving away that she’d never ridden a horse in her life.

Sure enough, Sara got an interview. Her plan worked a little too well, though, when the hiring partner spent the majority of the interview asking her questions about horseback riding. When he began asking detailed questions—such as “What do you think is the best trail in Southern California?”—Sara began to panic, as she couldn’t come up with anything to say. At the end of the interview, the hiring partner revealed that the only reason he told people in his firm about his “interest” was to see how many applicants wrote about their similar, albeit fake, interest just to get an edge. Sara was mortified and she never heard from the firm again.

Stories like these have become almost like urban myths. We doubt that this sort of thing happens with too much frequency, but when it does, it is told to anyone and everyone as a warning against putting anything that’s not absolutely true on your resume. This is good. If there weren’t checks and balances in place, everyone applying for a job would be a valedictorian from Harvard.

Attorneys, above those in any other profession, are terrified of misrepresentation. And it’s probably the trickiest area to navigate with regard to resume preparation. That’s because a certain amount of creativity is necessary in order to present yourself in the best light, and the difference between creativity and deceitfulness is often hard to detect.

Below are two groups of questions asked fairly often pertaining to misrepresentation:

Group 1:

1. Is it okay if I leave old jobs off of my resume?
2. Is it okay if I leave dates off of my resume?
3. Is it okay if focus heavily on something that was a fairly small portion of my total responsibilities?

4. Is it okay to say I want to relocate to California when I'm also considering New Mexico and Las Vegas?
5. Is it okay to only include the school I graduated from, even if I only transferred there my last year?
6. Is it okay to leave off an A.A. degree?
7. Is it okay to say I have family in Wisconsin when only one distant relative lives there?

Group 2:

1. Is it okay to say I drafted numerous briefs when I only drafted one?
2. Is it okay to say I was laid off when I was actually fired?
3. Is it okay to say I'm fluent in Spanish when I'm only actually semi-proficient?
4. Is it okay to say I was an associate at a firm when I was actually working on a contract basis?
5. Is it okay to indicate that I'm still employed if my job ended a week ago?
6. Is it okay to say that I worked on intellectual property matters if I didn't?
7. Is it okay to fudge the dates of employment for older jobs to cover a gap?

The questions in Group 1 might not seem so different from Group 2. But the answers to the Group 1 questions are all yes, and the answers to the Group 2 questions are all no.

But wait. Isn't leaving 10 years of experience off of your resume more misleading than saying you drafted numerous briefs instead of one? While it may seem so at first glance, the first issue represents an exclusion of information, while the second issue represents an outright lie.

It is never okay to lie. It is, however, okay to leave off information. Remember, a resume is a piece (or two) of paper that shows off those qualities that will be most attractive to a potential employer. This means that it's okay not to include certain things. Just because you spent the bulk of your day sending faxes doesn't mean you need to convey that to employers. But you shouldn't pad your job description with things you haven't done.

When evaluating whether something is a misrepresentation, the simple question you need to ask yourself is "Is this true?"

After you've ascertained that everything in your resume and cover letter is true, you then need to make sure that you can talk in expanded detail about each thing you wrote.

One attorney had this listed on her resume under the heading Volunteer Work: "Tutored elementary-aged children; accompanied them to doctor visits and school functions; provided occasional meals." When I asked her what organization she did this work for, she told me that the children she was referring to were actually her younger brother and sister. She considered it "volunteer work" because she wasn't paid to help them out with homework and occasionally make sandwiches for them to help out her mother. Imagine how this would sound to employers if they were to ask her about her volunteer work in an interview situation!

Remember, your resume and cover letter are stepping stones to an interview. If you can't explain something you wrote without sounding foolish, it shouldn't be there! If, however, you feel confident that you can talk honestly about everything that appears on your materials in an interview, you can feel confident that you haven't misrepresented yourself.