

If You Knew Then What You Know Now

If there's something that you have learned or just recently learned that you wish you knew when you first open your solo practice, what would it be?

1. If you don't have significant money in hand plus a signed agreement, you don't have a client and should not do any work. I still have that issue occasionally when I make an exception, but it was a major issue early in my career.
2. Never care more about the case than the client exhibits by client actions. If the client will not do client's part, it won't end well.
3. I have never looked back on a case thinking I bailed out too early. The inverse does occur, commonly due to a failure of one or both of the first two items mentioned.

Darrell G. Stewart, Texas

You can turn off your phone after hours. You can refuse to check your e-mail after hours. You will not lose (many) clients by having a personal life, and the ones you might lose are not worth your time anyway.

Also, +1 to Darrell's response.

Corrine Bielejeski, California

If you start out paying someone too much, it's a lot harder to cut pay than to increase it. Also, if you promise (or even suggest) a raise after a certain period of time, it will be expected and hard to deny.

I firmly believe you get what you pay for (in staff), but don't go too far or you'll end up with staff making more than is left for you! It's easy to think that help will increase your productivity, and it probably will, but training takes way more time than you might anticipate, even for very experienced hires.

Cynthia Hannah-White, Hawaii

Your number 2 is a biggie. I'm not a litigator. My practice is tax oriented business and estate planning, so "case" may not be the appropriate reference for me, but it took me a long time to stop worrying about not getting timely responses from clients. For me it has less to do with whether things end well, but a lot to do with the impact on my personal life along the way, right up there with turning off the phone and not checking email after hours.

I am always reminded of my boss who was my mentor, in a large national CPA firm, when I first got out of law school. He prided himself on (and was notorious for) the fact that he answered his own phone and never let it ring more than three times. He would run down the hall to get to the phone when he heard it ring. And what did he get for his efforts and intended show of devotion to his clients? Openly angry clients when, for whatever reason, his phone was not answered by him within 3 rings. An emergency is one thing. Timing of anything else seems to be dependent on what we teach our clients to expect.

Henry R. Reckler, Colorado

One thing that I regret doing is not starting with practice management software of some kind (e.g. Clio, Mycase, etc) from day one. My thought at the time was that it was an unnecessary expense and that it'd be ages before I was busy enough to warrant the expense.

"Ages" ended up being about 6 months. It took me another year or so before I got the Accounts feature to work in Clio so that my bank balances are all correct.

Andy I. Chen, California

1. Seriously a quality problem, but I wish I would have spent an extra day or two putting systems in place for the eventual time where I couldn't remember all the cases/clients/opposing counsel/conflicts that have come thru the office or juggling more than one case at a time.
2. I wish I would have found Jay Foonberg's "How to Start and Build a Law Practice" and "How to Get and Keep Clients" books a lot sooner.
3. Just because I have a solo practice doesn't mean I have to have the answers. I can call other Esquires to bounce ideas off of.

Maximillian "Max" H. Matthies

1. Do something every day for marketing.
2. Write articles as a means of increasing your visibility.
3. Keep an emotional support animal at the office.

Roger M. Rosen, California

1. Building a practice takes time. It's not an overnight task.
2. You have to be willing to become a business person if you want to have a successful law practice.

Carnea Lemons, North Carolina

1. If they are acting like my best friend, that means they aren't going to pay. **MONEY UP FRONT.**
2. Credit card swiper, immediately!!! "I forgot my check", oh, that's ok, I take credit cards (no one leaves home without their wallet). This is critical for those two hour intakes, etc. where you aren't retained yet but must get paid.
3. **NO DISCOUNTS.** the few people I've given discounts have treated me like dirt and been miserable no matter what.

Margaret Wadsworth, South Carolina

Take the time in the beginning to clearly define the firm's idea client(s) and what that person needs. Then get really clear on what you're selling to this person and what they'd be willing to pay. Don't skip this part and just jump right in.

Tanya Nebo, Georgia

Here's a few things I've learned (and still learning):

- 1) Your state bar Law Practice Management Services are golden (Don't reinvent the wheel. They have seen it all already)

- 2) Strategic Planning first, last, and always (Business Plan, Marketing Plan, and Budget that should be updated quarterly, biannually or annually)
- 3) Don't base your firm's success on how you 'perceive' your peers are doing (it always seems like they are doing everything right but they are stressing just like you).
- 4) Don't be on an island unto yourself (TALK to family, friends, colleagues)
- 5) Always remember, be proud that you made the splash. Whether you believe it or not, no matter how tough, frustrating and difficult it may be, there are quite a few of your peers who wish they were brave enough to open their doors like you.

Anthony Reeves, Florida

- 1) Your state bar Law Practice Management Services are golden (Don't reinvent the wheel. They have seen it all already)

Yeah. Though I figured that from the outset; I contacted state bar LOMAS and spent a week in university law library reading ABA and other LPM manuals, journals, materials.

- 3) Don't base your firm's success on how you 'perceive' your peers are doing (it always seems like they are doing everything right but they are stressing just like you).

Not only are they stressing but they don't necessarily know what they are doing. Look. Lawyers have definite "herd" mentality; oh, gee, everybody is doing this and I should too. Best example, location; I can virtually guarantee you that in your county, any county, the majority of lawyers are located downtown near the courthouse; that's where lawyers like to locate because, well, that's where the lawyers are, right? But that isn't necessarily convenient for the clients; you may be better off locating office in population center where it is convenient for clients.

Ronald Jones, Florida

Well, looking back over the last 42 years of practice, there's one thing that I learned - or admitted - after I had been in practice a few years, and one thing that I learned early on:

1. I hope I'm not going to burst any bubbles here, but: Some of us solos will achieve a substantial amount of notoriety and / or financial success and will enjoy what the journals call "a rewarding and satisfying career". But for most of us, especially for

those of us in small town or rural practices in economically depressed areas, while we will be able to do well enough, we won't get wealthy, and after awhile, the practice of law will become a job. If you know, learn and accept that from the beginning, you will set limits on just how much of your time and yourself you will give to your practice and learn not to let your practice dominate you. And please do it for your and your clients' sakes before you come to build resentment over having had to miss some important family events or had your holidays busted up by someone's perceived - and often self-inflicted - "emergency".

2. From my father, who was not an attorney, but a small contractor, who I like to say taught me everything I needed to know about the business side of law practice: Allowing for the time that it will take to get yourself established, buy a house, bring children into the world, etc, as soon as your circumstances permit, start making the largest contributions that you can afford into a retirement account - because all of us only have so much of this in us, and there will come a day when you will realize that you have used yours up and will want to retire. Make sure that you make that possible for yourself and the family that has sacrificed right along with you as you built and maintained your practice.

Rod Klafehn, New York

Anthony, please elaborate on your second point if you don't mind.

Matthew Rosenthal, California

Very well said and all that applies to anyone who begins a small business, be it legal or otherwise. Thx, Rod.

Lyza L. Sandgren (not a lawyer), Georgia

I was hoping no one would ask that, Matthew, ha, ha.

I am sure I'm not the only one but when I went out on my own, it was out of necessity and I did it on a 'wing and a prayer'. I went out in pure survival mode (what do i need to do to keep the lights on). I didn't create a business plan or marketing plan or a budget.

I will admit that I flew rudderless for a couple of years due to all sorts of reason. Until I finally stopped and realized that I didn't have any definitive goals, plans or objectives. As one of my banking friends told me, there are two types of business owners:

- 1) Those who work for themselves (where the BUSINESS runs them)
- 2) Those who run a business (where the OWNER runs the business)

Unfortunately, I was in the first category. To switch to the 2nd, I started doing things differently (And for some of you, this was obvious but I am a bit slow on the uptake)

- 1) Switched from quarterly to monthly accounting with my CPA to review how my firm performs
 - 2) Prepared Budget based on past years performance and prediction of future income with my CPA (that's what they do for a living so it truly helped)
 - 3) Created a Business plan (The state bar gave me a BUNCH of great examples and tools). It forced to take a hard and critical look at what I had been doing, what worked, what didn't work and most importantly, WHERE did I want to go in the future.
 - 4) Creating a marketing plan (It made me look at actually worked.
- Sometimes, it's easy to overlook where we get qualified leads when we focus on other areas)

I can tell you that I am truly a "Work in Progress" and I tend to post questions like these because everyone has GREAT feedback and ideas and perspective.

I could expound more but don't want to bore anyone.

Anthony Reeves

My advice to people is a lot simpler: stop. Just stop listening to everyone else. Stop reading everything ever written. Stop paying for crap advice. Stop paying for crap.

Look, we have 3,000 folks on this list. Some people will swear by Foonberg. Some people, like me, will tell you his book is average, at best. Some people tell you that you MUST have an office. Some people will say you don't. The list goes on and on.

It is interesting to read, but for the most part 90% of this is think for yourself, use your brains (which you obviously have since you graduated from law school AND passed the bar), and figure out what works for you.

I probably have broken every "rule" about running law firm. That's fine. It works for me. I know other people who have to follow every rule or they will end up miserable. And that is fine too.

But don't think there is some magic bullet or someone has all of the answers. No one does.

Jonathan Stein, California

Johnathan,

If I was on YOUR side of the world, i would come to your office, hand you the microphone, and take a step back because that was truly a "Mic Drop Moment"!!!
PREACH!

Anthony Reeves

So true! So much depends on your personal preference and what works best for your client base as well.

I thought as I grew I had to have onsite staff. But I hated the interruptions and having to manage someone. I find it enough work to manage my clients! So I use a virtual paralegal and an answering service, and use the extra office in my suite as a workroom. I find the admin work a nice change of pace from legal work (for the most part!). I love answering my own phone whenever I can, and my clients love it too.

I'm at an ideal location but nowhere near a courthouse or other neighborhoods where many lawyers have offices. I chose it to be near my home and also because it is such a beautiful office and rent is reasonable.

There is no cookie cutter, one size fits all for any of us. But it sure is invaluable to benefit from each other's experience.

Margaret Wadsworth

Bar association membership and activity are essential. There are some bar associations you just belong to, because you have to, because they offer discounts, services or access that you need, or because you want to support whatever the association does. And there are those you belong to, because you're active in the association.

There are bar activities and programs you participate in for continuing education, and there are those whose primary importance is networking. And then there's the matter of combatting professional isolation, getting out of your comfort zone, and just hanging with other interesting lawyers. It's not all just a lawyer-level of student council.

And the flavors of bar associations and the lawyers who populate them change. What may be a tedious bunch in charge one year may yield to leaders whom you really can identify with and like in two or three years. You can be the change agent, or you can sit back and wait for things to change. Or you can treat a bar association like a giant buffet, picking and choosing what appeals to you.

A seasoned lawyer once told me that membership in bar entities which had a serious, professional focus in a substantive area was essential to her professional development, but she never saw that as a fount of referrals. She told me that her referrals came from activity in bar activities which had absolutely nothing to do with her practice area. She practiced family law, and when she went to family law bar activities, she was just another of hundreds of family lawyers, but when she participated in bar activities which weren't populated by family lawyers, she was unique, because she was the only family lawyer from Maryland in the room.

During an ABA annual meeting one year in Chicago, I went off in search of the annual Iowa lawyers cocktail party on a floor of a private club filled with rooms of lawyers having their cocktail parties. I found myself in the wrong room, amid a bunch of lawyers I'd never seen before, but they were so friendly and outgoing that I just decided to stay and party with them. They turned out to be oil and gas lawyers. They were so much more interesting than lawyers from Iowa who I already knew. Now, I wouldn't know oil and gas law from my left shoe, but I did get a call from one of them a few months later, referring an Iowa divorce to me. That wouldn't have happened had I been at the cocktail party I'd been invited to.

Get out of your comfort zone, and hang with lawyers whom you have nothing in common with!

And, since the ABA Solo, Small Firm and General Practice Division sponsors this list, be sure to keep your membership current.

jennifer j. rose, Mexico
