

Remote Practice

How realistic/practical is it to do the following practice areas remotely from another state/country/continent as a solo practitioner?

Transactional law for small businesses (or bigger ones?) Amicable divorce agreements (or less amicable ones?) Small motorcycle personal injury cases Freelance writing work for small law firm(s)

I am taking the bar later this month. I plan to work for myself on a solo/remote/freelance basis, but haven't committed to specific practice areas yet.

Divorce and personal injury aren't feasible remotely because you're going to have to go to court. A lot of "amicable" divorces turn out not to be.

Lesley Hoenig, Michigan

The actual work is fine to do remotely. I'm not "remote" in the sense that I live where I practice and have a physical office I can use for meetings, but I have clients I've only worked with remotely by phone and e-mail and it's fine. Sometimes I have a client that REALLY wants to meet in person and I accommodate that, but otherwise 100% of the work can and often does take place remotely.

That said, almost all of my clients are either people that I've networked with directly or that have been referred to me from someone I know locally from networking. Which is to say I couldn't have built my client base remotely. That's not to say you couldn't, and it's very possible that my online efforts have borne little fruit just because I suck at it, but I really think it's a lot harder to build a transactional business client base primarily online. When I think about how business owners or business-owners-to-be find an attorney, I think most of them are going to ask their colleagues, CPA, mentors, etc. for a referral. They're usually not going to Google for that except as a last resort or to check out a referral before getting in touch.

That said, there are probably niches with client bases who aren't in a position to know a local attorney or have one in their network, and those might be a better fit for building a client base remotely. I have a friend who was marketing investment visa immigration work to wealthy Chinese, Vietnamese, and Thai citizens living in their home countries. He did occasionally physically go to those countries but he was generally living and practicing here while most of his clients were abroad.

Noel French, Michigan

Depends on the state etc,

In Missouri you could do amicable divorces remotely because you never had to go to court (just turn in paperwork). But in Ohio you have to have a hearing.

Now you can do unbundled legal services here in Ohio (so you can draft the documents but not represent them in court for the amicable divorce etc).

But you probably shouldn't be doing documents for states you aren't licensed in because of the likelihood of malpractice. And you certainly can't draft documents will living in a state you are not licensed in (so, for example if you take the NC bar and decided to live in SC and work from home, you would be violating SC's UPL statute).

And PI cases would be difficult unless you will only represent pre-litigation (ie hand off the case before filing).

Transactional work gets easier remotely

Erin M. Schmidt, Ohio

I have been practicing remotely for 2 1/2 years now. I semi-retired to Sedona AZ. My practice and office are still in Chicago. I have been able to handle my clients' needs just fine (environmental and OSHA law). I have travelled at client's expense twice in that time. If the client doesn't want to pay for travel then I try to handle the matter by phone and email. However, the difficult part has been landing new clients. If one hires me after phone or email exchange, great. But if they want to meet face to face and learn that they can't do that practically with me, in most cases they don't hire me. For me, that will just speed my semi-retirement along. But for you it could be a crisis. Good luck with it.

Shell Bleiweiss, Illinois

To Erin's point about UPL, I shouldn't have stated unequivocally that "the actual work is fine to do remotely" with regard to a transactional business law practice. The location from which one is working remotely could be a problem - but the work is of a type that physical proximity to clients isn't needed.

Noel French

I know nothing about the other areas of law. But, for small motorcycle personal injury cases and freelance writing work for small law firm(s), those can be doable.

Part of it depends on where you are and where the client is. But, I have handled PI cases from San Diego to Humboldt (think about 1,000 miles apart), while I am in Sacramento (roughly 500 miles from each one). I have handled cases from Monterey to Tahoe (300 miles apart and about 150 miles from me). So it can be done. I will sometimes travel for depositions, if need be.

Sometimes I hire a local PI attorney to cover them for me. It depends on the case.

I have hired freelancers as far away as New York, and as close as a friend of mine in California.

You can do it, with some forethought.

Jonathan Stein, California

I can't speak towards personal injury or anything that could potentially involve the court system (although it might be a different story with e-filing), but on the transactional side it's absolutely doable.

I'm able to work from anywhere in the world in the same manner that I would back at home. I very rarely, if ever, have a need to meet with any clients or parties in person, so for the most part, my clients have no idea where I'm working from (although the awkward hours that emails are sent at while overseas likely either gives it away or otherwise makes it look like I'm slaving over the emails in the middle of the night).

I pretty much set up my practice from the start to be geared towards working remotely, which I think has made it easier on me than it otherwise would be for someone whose looking to transition from a fixed location practice.

Either way, it's certainly doable and I definitely recommend it if doing so fits within your practice areas!

Joshua M. Biletsky, California

Divorce is not conducive to a strictly remote practice. Emotions are involved and amicable always has problems that must be dealt with... most likely re time in an actual courtroom or appearance. I would not chance it Without backup counsel to appear.

Micah G. Guilfoil Payne, Kentucky

Think about it from a client's perspective. It may be one thing to hire an established lawyer with good track record to work remotely. But would you hire a freshly minted lawyer, a solo with no track record, no experience, to represent you for just about any purpose, especially in a divorce or even in the tiniest personal injury action, who is working remotely, maybe from another continent? I'd think twice, even if that lawyer agreed to work for free.

My \$02. Resist the lure of working remotely until you've got some experience under your belt. As in at least five years. Maybe even more.

jennifer j. rose, Mexico

I agree with Jonathan. Personal injury can be done remotely if you (1) are willing to travel at times and/or (2) find a local attorney to cover hearings or depositions for you. In my remote PI cases, I stack travel so I'm in Phoenix or Denver for several days and fit in hearings, depositions, etc. I live in Albuquerque, NM. I also am admitted pro hac vice and am working with someone admitted in the jurisdiction. I do the same sort of thing for my cases in remote parts of the state, where I'll try to schedule meetings or depositions over a period of two days so I can get the most out of my travel time. We also have "Court Call," which allows me to attend hearings by phone - note, there are many, many occasions where this does not serve your client well and I try to be there in person if there is any chance that my physical presence could affect anything.

Working as a writer for an experienced attorney can also work really well.

You don't necessarily need to be admitted to practice in the jurisdiction (check local rules) if you are really working as a law clerk and your work product is reviewed and finalized by an admitted attorney. You can't sign pleadings or give legal advice, however. It is a wonderful way to see how these cases work and learn the elements and standards that apply to different matters while getting paid for the time.

Good luck to you, whatever you decide.

Deena L. Buchanan, New Mexico

You need a good reason someone would hire you versus someone they could meet in person. Brand new lawyer starting out, you may struggle to find a good reason.

Darrell G. Stewart, Texas

And I find that potential clients who look for lawyers online only are bottom-feeding, at least in my field.

Good clients want to trust their lawyer. That happens either through a trustworthy referral, or they have met you in person.

Flann Lippincott, New Jersey

Nearly all of my client base is located outside of my metro area. But with over 38 years of practice and 25+ in my area of practice, my opinions are in line with the group. I still get on a plane or in the car from time to time to close an engagement with a client. Obviously, the size of the potential matter drives whether I will travel to close a representation. While I do get some clients from my website, the website is more often a step in the PC's due diligence on me. Even in this internet driven era, a face to face visit is often the difference between a new client and a miss.

I also wonder whether Google or other search engines would become a hurdle in attracting clients located at some distance from potential counsel. We have a small niche, which helps us to overcome what I perceive to be geographical limitations imposed by search engine queries. There are not many PACA lawyers out there so we can usually appear on the first page of most searches. I doubt that this would be the case if our practice were more general.

As Frances notes, the P's drawn by my website who contact me without a reference on me from someone else, i.e. industry contact or other counsel, tend to be tire kickers who want to shop price. Harry Beckwith wrote a book on selling services about 15 years ago, "Selling the Invisible." One of his key points is that "The client who will hire you on price will abandon you based on a lower price."

Craig A. Stokes, Texas

"I find that potential clients who look for lawyers online only are bottom-feeding, at least in my field."

Definitely varies by practice area. I do DWI and misdemeanor defense. I have built my entire firm with my online presence. Certainly we get cases many other ways (and lots of referrals after doing this for 11 years), but most consumers Google their problems.

I also routinely meet new colleagues at court who say, "Oh, Andrew! I've seen your videos and looked stuff up on your website!" :)

I couldn't do my practice remotely simply because it requires court appearances every day. But I **never** meet 95% of my clients. I just need to be here for court, not to reel in clients or do the other work.

Andrew Flusche, Virginia

I have been doing freelance writing work for solos and small firms exclusively for the last 23 years. I have a home office that my clients (i.e., other lawyers) never visit, even if they're located in the same county - or even the same town - as I am. I've worked for lawyers nationwide, from New York (where I'm admitted) to California and various states in between. I think your lack of experience will hurt you when it comes to getting a decent rate for your work, though.

Lisa Solomon, New York

Thanks for all the comments.

I agree that getting experience with an employer first would be ideal, but I am only available part-time because I run a consulting business I started about 10 years ago. It's not realistic to find an employer for a part-time remote position with decent pay and meaningful work training/experience.

It'll be tough, but I'll learn on my own through Fort Knox university, starting with smaller stuff and lower rates, then working my way up over the years/decades. I figure I'll also do lots of CLEs and pro-bono projects to ramp-up.

-David, law student