

A Checklist for Those Newly in Practice

I had lunch with a young lawyer today. After having practice criminal law both as a public defender and as a prosecutor, he has decided to open his own criminal defense practice.

He asked: what do I have to do to get started?

We started to make a list: 1. lease office space, 2. bank accounts, 3.

Business cards, etc.

Then, I thought, maybe we could create a list here on Solosez.

Thanks.

Roger M. Rosen, California

I think there is a book or two from the ABA (Jay Foonberg) that does exactly that . . .

Walter D. James III, Texas

Roger,

So thankful for mentors like you, taking time to help lawyers entering private practice.

Val Loumber, California

Actually, Jay F. Is offering free pdf copy of his 6th edition of How to start and build a law practice, send email to

htsab6thed@gmail.com

and he will send you a copy.

Ronald Jones, Florida

Thanks for the Foonberg tips. Good ideas.

Roger M. Rosen

I bought and read the foonberg book back in 2003 when I started my firm.

Great tips many I still use.

Anthony Minchella, Connecticut

Bought and read the Foonberg book also. A good investment. One piece of advice - sometimes hard to follow - that still rings in my ears is: "better to not do the work and not get paid than to do the work and not get paid."

Watch those red flags.

John Leonard

Jay Foonberg is currently offering his book for free on LinkedIn and Facebook. I follow him on both platforms.

Ryan Young

Yes, and I mentioned this last Friday, late so a bunch of people may have missed it;

Simply send email to

htsab6thed@gmail.com

With your name and he'll send you a free PDF copy of his latest edition.

I know Foonberg has been criticized as a bit dated but I really think it is very good basic book on opening and running a law practice; you can take his advice or leave it but it will help you from having to reinvent the wheel.

Ronald Jones

I agree that *some* of the info in Foonberg's book is a bit dated. I remember thinking the same when I read it 10 years ago. He seems like a pretty nice guy. I offered constructive criticism to him on Facebook and he responded promptly. Overall, the book is solid and has great advice.

Readers can choose what they want to disregard, tweak, or follow.

Ryan Young

On #1 above (Office Space), I'd say sublease from an established attorney who can advise, through your business from time to time, and possibly share admin resources (printing, copying, etc.).

Other: Monthly (weekly/daily) analytics on your business performance comparable to your goals.

Bob Arnold

I forget what edition I read, it would have been in 1997; I did ask for and receive most current copy (for Free!) and I have to say, it has been greatly expanded, it had been IIRC about 300 pages and is now about 750 or so.

He discusses a bunch of things that come up again and again amongst newbie (and even more experienced) lawyers on this list; getting paid, managing client expectations, managing files, setting fees, how to present settlement offers, whether you should work for someone else first, office location.

His bit on websites is to be honest a bit thin, really thin; on the other hand he does suggest "ABA book The Lawyer's Guide to Marketing on the Internet, Second Edition, by Gregory H. Siskind, Deborah McMurray, and Richard P. Klau".

If you have never looked at the book it's worth getting a copy. You can take some of the advice with a grain of salt but there's lots of stuff in there that is potentially useful.

Ronald Jones

The Foonberg book is mandatory, absolutely great. As others have said, there's no reason to reinvent the wheel, and 90%+ of the advice in there is still applicable.

The best piece of advice I ever received as a new lawyer was that the cases you don't take matter just as much as the ones you do. In the early days when you're really hustling/scrambling for work the temptation will be to take anything that comes your way. Listen to your gut and avoid problem clients that will surely lead to malpractice suits or bar complaints.

Probably the number one red flag in this area is if you're lawyer #3, #4, or #5. I once had a PC leave me a voicemail stating they wanted me to take over their case and then sue their current attorney. Haha, off to the Florida Bar Referral Network you go.

Another good thing is to find a mentor or at least a sounding board (SoloSez is a fantastic start in this direction). The hardest thing about solo practice in my opinion is if I hit something new I can't stick my head out the door and yell down to a more experienced attorney to come take a look at this. And even if the person you're talking to is equally inexperienced, it's still helpful to be able to just bounce ideas off someone. My experience as a solo ended up with me kind of beginning to turtle in on myself and neglect building relationships with other lawyers a few years in (and I had pretty good reasons for this...first kid being born, general life stuff). I've just recently started putting my time and effort into networking again locally and the payoff has been tremendous.

You've absolutely got to get out there and get your face and name out.

Bryce Davis

MyShingle.com has a bunch of resources on starting a firm, including a free online course with checklist built in - <https://www.udemy.com/course/launching-a-successful-21st-century-law-practice/learn/lecture/558606#overview>.

Other resources are here as well as 152 free tools for starting a firm
<https://myshingle.com/148-free-tools-to-start-and-grow-a-law-firm/>

<https://myshingle.com/resources/startalawfirm/>

Carolyn Elefant, District of Columbia

I had a great one, but it's outdated. Should I find it and send it to anyone who wants it?

Andrea Goldman, Massachusetts