

Solo to Government Work

HI All,

I have been a relatively successful solo patent and trademark attorney for over 16 years now. Sometimes I think the grass is greener on the other side, and when I see a position open up with the Patent office, or the Federal Government, I think how nice it would be to have wonderful benefits, and a relatively easy 9-5 job, no more marketing, networking, etc.

Have any of you gone from solo to government work? How did you handle having a boss? Was it a good decision, and why? Thanks.

At this point- I would probably jump in a government job if only for the insurance.

But an added bonus would be the security of a paycheck. This situation has really opened my eyes as to how vulnerable solos are. Those with outstanding March invoices are likely to not get paid anytime soon or at all for work already completed- if you got lax in your evergreen retainers or had clients who always paid at the end of the month so you forgave that requirement in good faith- well- guess what? We have learned from this listserve that the government programs are not really going to help and our Governor has said we attorneys can work from home- which in my opinion cuts us out of any unemployment benefits for the self-employed- making us essentially essential employees but without income. The courts being closed doesn't help either.

I don't have an answer but if you have a job offer right now I would seriously think about taking it. Maybe it's the uncertainty in me talking because I love the freedom of being solo- but-

Micah G. Guilfoil Payne, Kentucky

I suggest you look at your lifestyle now and consider what you are willing to trade for steadier work and more job security. For example, in my life with

young kids to raise (and now I have to homeschool them until June) a solo practice gives me the flexibility I cannot pass up.

Do you like to be able to work the hours you choose? To take time off whenever you need it - even for a personal appointment - without having to get permission? Will you be happy with the salary and benefits offered?

I have worked in-house and solo and both have their advantages and disadvantages. Go with what works best for your lifestyle at this point in your career.

If you do apply, good luck!

Christine Kuntz, Pennsylvania

A government check isn't as reliable as it sounds. The federal government shuts down every so often, the latest of course was end of 2018 in to 2019.

I believe all the back pay was eventually sent out when the government re-opened, but you'd have to have a financial cushion to tide you over until then.

My gut feel is that federal government shutdowns are going to be more frequent due to continued division in politics, debt ceiling being reached, etc.

Andy I. Chen, California

I did criminal and juvenile defense as a solo for about 10 years; then I was offered a job as a prosecutor. Handle having a boss? I used to have about 40 bosses; now I have only 1 boss. It was a leap of faith to close down my private practice and accept a job for less money. My primary motivation was to get good health coverage for my wife so she could quit working, but it is nice to have all your expenses paid, no overhead, no tracking your time and billing, paid vacation and sick days, inexpensive Blue Cross, and 12 paid holidays. The down side is less freedom, regular hours, and the view seldom changes. It was an easy adjustment to make as defense/prosecutor are two sides of the same coin, except as a prosecutor I steer the case. Yes, I'm glad I made the choice I did, but not really a case of the grass being greener; just different.

Duke Drouillard, Nebraska

I was an attorney at FEMA for four years, based on disaster assistance nonprofit work I did beforehand. I left more than a year ago to build a cannabis practice.

Joining the agency was on the best things I did in my life to learn how government works and how to influence policy. That more than the connections have proved valuable.

I left after 4 years for the reasons Duke mentioned below. I missed the entrepreneurial spirit and freedom. I was always ok in a chain of command, and accepting that my ideas would only work their way into policy a distant fraction of the time because of the nature of so many actors sharing the same turf and inchoate cultural and agency limitations.

I miss the stability and camaraderie. At the end though, I choose not living with regrets, even If it meant uncertainty or even failure,

Benjamin Rajotte

I worked for a firm and then went to government. I went back into private practice and then migrated to my own firm before going back. The pension is nice. I work from home and have flexibility. I miss the cases though and answering only to myself and the judge.

Mitchell Goldstein, Virginia

I have had several "is that grass greener?" moments over the years. Looked at a few City attorney/local government attorney positions and almost applied a

couple of times. But for me, that was based out of temporary frustration, not a systemic unhappiness.

I think it happens to everyone in some fashion and in the end, but I wouldn't use the current situation as the metric to hold to. This is a once-a-century event and while it isn't good for solos (along with everyone else, except Bezos) you really have to think about what you are giving up in the lawn you are in. With younger kids, the flexibility of a solo was ideal, now that they are teens, I don't need all of the flexibility, but I wonder about being working under someone.

I still might move to a position of greater stability, but having been in larger firms, I would be more likely to opt for the government route because I don't want to bill 2000 a year.

Drew Winghart, California

My 2 cents though: I am retired military and thoroughly enjoyed my stints working for the federal government but as a Title 10 employee - not an attorney. However, my practice now consists of exclusively representing federal employees, including many attorneys, and as a result I see the bad side of things constantly. Poor managers, poor decisions, nonsensical orders, bureaucratic mindset and the like. I've been asked by Agency Counsel before if I would consider coming over to their side, and told them I would if they gave me license to physically assault the client on rare occasion. I mean, I've seen some really bonehead decision and obstinate senior managers who feel they have to back up their junior managers. They sympathized, but couldn't agree to such.

I suspect that's the case in any large organization. I also see some amazing folks on rare occasions though. I just helped a NASA Rocket Scientist get disability retirement - talk about some smart folks! I guess it just depends on who you are working for.

Sterling L. DeRamus, Alabama
