

Paying the Bills While Getting off the Ground

Hi, Sezzers-

Anyone want to share what they did in the first year (or three) to pay the bills while building a solo practice?

Eating ramen for every meal is not an option.

It's been seven years since I started my solo practice. I kept my bills to a minimum. Still do now.

I'd eat ramen today but it's \$1.79 fish filets at McDonalds. So I'll splurge a little.

Steven Chung, California

I refereed a lot of soccer games (pay averaged \$35-50 per hour, but could only do about 6 games a weekend and 1-2 during the week (I'm not a spring chicken anymore and recovery takes time). I also was a substitute teacher for the local school systems. High schools let out at 2:15 and left lots of time to meet with clients. Pay sucked but it was fun.

Matthew S. Johnston, Maryland

Writing projects? Court appearances for other lawyers?

R. Gary Spencer, Georgia

To add on to what Gary said, doing court appearances for other lawyers helps. I googled you and you're in NY/NJ/CT area so your area is big enough that you should have sufficient need for special appearance lawyers. It'd be different if you lived in the middle of nowhere.

I started doing special appearances when I opened my Modesto office in 2014 because I didn't know a soul there and it was something that would get me in to court fairly regularly. I was lucky in that the agency I hooked up with had a lot of need for an attorney in the Modesto area so I ended up getting a whole bunch of work right away. I didn't have to worry about covering expenses at all. What money I could make from cases was just icing.

I still do special appearances in Modesto even though my practice there has grown to the point where I don't need to do it to pay bills.

Assuming you litigate, getting in to court is something that begets new business though. My first ever divorce case was one I did pro bono. It was a Las Vegas wedding situation where my elderly client married a much younger woman, then realized 'Hmmm... perhaps not a good idea.' I made no money on the case, but did earn my client's eternal gratitude.

In this part of California, divorce cases will often have an automatic court date 4 months or so after filing where the court just wants to know how the case is going, whether the parties are stuck on anything, etc. I went to this hearing 4 months in to my pro bono case and just happened to meet a Chinese man in court who didn't speak any English and somehow assumed that the court would have a Chinese-English translator there just milling about.

Being as helpful as I am, I took the initiative to help the clerk and the bailiff who were trying to call around to see if anyone spoke Chinese. I approached, said that I spoke Chinese, and volunteered to translate when the man's case was called. It was easy and quick and, to this day, that judge still remembers me when I'm in his court room.

That Chinese man called me a few months later and asked me to represent him. I did and won and made \$12K or so on the case.

It all started from that one pro bono case. Your results may vary. Past performance does not guarantee future results, etc.

Andy I. Chen, California

I had a work for rent office situation, offered to make appearances for other attorneys, kept overhead low, somehow made it after being let go with only a month pay. The attorney who gave me office space paid when I had done enough to earn my rent and phones. I don't know how I managed, but I was able to pay the home bills (barely). My mom was my baby sitter for a few months, but she really could not do it.

Martha Jo Patterson, California

Working for other lawyers both appearances and writing. Criminal appeals through court appointment.

Roger M. Rosen, California

How are court appearances usually compensated? Is there some standard, accepted number or does it depend on how inconvenient the location/date is for the attorney?

I've read a bit on the Attorney Pool system here in NJ. Family and criminal work, doesn't pay fantastic or anything but for a new solo, a reliable check and court time (bonus exposure) seems invaluable. I'm having a hard time finding out how many hours one can expect from this though.

I've also heard of attorneys paying another attorney to do their pro bono work?

Very interesting topic.

Evan Marx

Stopped caring about my clothes, lawn, home decor, vacations. Got great at couponing and cooking in. Contract legal work for other attorneys. Even did doc review for a few weeks (but it was a soul sucking horrible experience I do not recommend). Used free services whenever possible. Made my law office virtual (no rent, no utilities). Honestly not sure how I made it and had 2 kids in the meantime. But I did. And 3 years in, things have taken off!

Rebecca Gwilt

I relied on my wife's income!!! Didn't skip a meal. Worried a lot though.

Sterling L. DeRamus, Alabama

It may depend on geography, but when I do it, it is a flat fee per appearance. My Modesto office is close enough to the court house that I honestly spend more time walking there and back than I do in court. You should have a heads up about the appearance also. Most of the hard stuff (e.g. arguing, submitting evidence, etc.) has been done already so I'm usually just there to pick up an order, arrange a continuance, etc.

I don't have a set number of hours or dollars for court appearances. I did it originally to pay rent in Modesto since I didn't know anyone there, but given how easy it is, I've just continued doing it even though my Modesto practice has gotten off the ground.

Andy I. Chen

I relied on my wife's income. Cut down on expenses. Put stuff on credit cards (which I don't advise, but you gotta do what you gotta do). Worked out of home for a year or so. Court appearances.

It's hard for a while. And imho, it never gets to be not stressful about money; maybe just less stressful.

Good luck!

Tom Almquist

I got clients almost from the day I opened.

I may not have gotten a LOT of clients; but looking at my files for 1997, I had 8 clients in Sept, 10 clients in October, 8 clients in November and 4 clients in December (FWIW, in my experience, it always slows down for me between Thanksgiving and New year's: 12 in January of 1998, 13 in February.

I advertised like hell, I got some work from my landlord, I took on a few cases that I regretted or underpriced (particularly family law) and decided to start handling bankruptcies, which kept me afloat for several years. I'm not saying they were 'fat' years; in fact, it wasn't till after 2000 that I realized I had a reasonably stable practice, but I had money coming in to pay bills as they came due.

Right now, if you don't have many clients, spend your time marketing; doing a website, blogging, doing meets and greets at chamber of commerce or whatever.

Ronald Jones, Florida

I am currently in my 3rd year as a solo. It has been getting better each year, but not yet at the "no money worries" spot.

I worked for many years as a high ranking administrator at a community college before I hung out my own shingle. I was also teaching online at the same time. As a result, I did have some savings that made the first year and a half not quite as scary. I'm now at the point where I can't rely on savings and really need to pull in clients (with money) to pay the bills. Here's what I do as I build my practice:

- I still teach online. I used to teach for a university that gave me classes every term, then that started dwindling as the program had problems recruiting students. The university changed its philosophy, so I resigned and was rehired at the community college I used to work at. As low person on the seniority list, classes so far are limited, but I take them when available. It goes towards my retirement in the public school system, so that is a plus. My pension in the retirement system is vested, but I'm not old enough to apply for retirement so I need to keep getting some service time in so I can retire from the system when I hit the magic age.

- I cover things for other attorneys. The money isn't great, but it gets me some new opportunities.
- I've worked with one of my mentors on a felony criminal case. He hired me to draft some briefs and motions in the case. He's been pleased with my work, so gives me whatever opportunities he can to either hire me or at least let me tag along on some issues so I meet other attorneys and judges and get experiences I can use later.
- I do some volunteer work. Myself and two other attorneys in my building do a pro se divorce clinic through the local domestic violence shelter. Sometimes the employees of the shelter will refer cases to me or the other attorneys, letting the client know before they call that they need to expect to pay for my services. I've been retained by some of those clients and it works out fairly well.
- My community college has a foundation that is involved in a program that provides educational classes for seniors. One of those classes is on estate planning. I sometimes serve as guest speaker explaining legal issues they may not have thought about. While I'm not a paid speaker for that event, I have gotten some clients from it.
- I do court appointed criminal matters at one of the district courts and am going through the process to get on the house counsel list for the very large district court in Detroit. Instead of getting assigned cases individually, which is what I get from the local district court, I would be assigned to handle all cases in a single courtroom in Detroit, either on a half or full day basis. The money isn't fabulous, but it is something and it has been giving me a lot of confidence in my ability to handle misdemeanors on the fly. It has also resulted in one of the other house counsel members volunteering to step up and help me build up my criminal law practice.

The majority of my practice has come from referrals, either people I worked with at the college hired me or referred friends/family to me, or people that were referred to me have been satisfied and referred others. The couple of calls I've gotten from my website have turned out to be busts, but the referrals almost always end up as paying clients. One of my criminal appointments may result in a retained family law case for the mother of the young lady I represented.

Liz

Elizabeth A. Ferguson, Michigan

In my neck of the woods it depends on how the courts assign appointments. If a court does appointments on an individual case basis, then there is a fee sheet that explains how much the attorney makes. For example, my most recent appointment (driving while license suspended and 3 civil

infractions) was handled with a plea agreement with sentencing on the same date. The plea agreement part has a designated fee of \$100. If sentencing happens the same day, there is an additional \$50 for a total of \$150 for that appearance. If the sentencing takes place on a later day, the sentencing fee is \$75, for a total of \$175. If the client failed to appear, then it is \$50. If the court assigns on a house counsel basis, then it is paid by the half or full day, regardless of number of cases.

Some courts try to stack the cases so you are there for more than one at a time, while others truly do only assign one at a time.

The court time really is invaluable. When people start to recognize you, it makes it much easier. I've had another attorney send referrals to me for something that wasn't really worth it for her, but that one referral generated several other paying clients for me.

Liz

Elizabeth A. Ferguson

I am in my first year of going solo practicing immigration law. It is extremely stressful, but listening to you all have given me some hope. I was working for 15 years as contracts manager (not practice of law) for major defense companies), but told myself that if I ever got married, I would start law practice in Las Vegas, NV (having gone through two lay-offs in the aerospace industry). Two years ago I got married and we moved to Las Vegas from Southern CA last year. It has been hard getting immigration clients, so I am praying that the Nevada bar results in May would allow me to practice the business contracts law here in Nevada as I have strong experience managing billions of dollars of defense contracts. My out of state law licenses allow me to practice federal law only until this result comes out. A lot of transition. I have a blog, website, and I volunteer regularly in U.S. citizenship drives and I am a member of AILA.

This is therapeutic. Thanks for sharing!

John Kang

Ronald Jones hits it out of the park! The last sentence to me, is the most important.

My contribution would be keep all overhead low low low, until your income increases to allow you to raise your overhead. So, if your solo firm is making zero dollars, it is probably not a good time to sign a 10 year office lease, buy a new house, buy a new BMW--you should keep working out of your cheap apartment, and ride your bike!

Michael A. Blake, Connecticut

Look, I screw up I'll admit it; and I screwed up, badly, in one area. By and large I kept overhead down, and still do. But I signed up for a LOT of secondary legal research service; Nichols on disk, Fla Jur legal forms on disc. big lexis library; bought a bunch of practice manuals in areas that I 'speculated' I would be doing (criminal, for instance) and got in over my head to lexis and west for a couple of years. They're nice, but did I really need multi volume Norton Bankruptcy law treatise to do consumer chapter 7's? No. Likewise multivolume Florida Criminal Practice Series? Particularly since I only had 1 criminal case in my practice in 20 years? No. It was complete waste of money. I will say it was a GREAT resource if you do criminal work; a couple of my criminal defense type friends have looked at it and say "holy smoke that's great". And If I did that, it'd be great but it was a waste of money for me.

I quickly wised up and then waited till I got hired to do something to get practice manuals on it; i.e, my first probate to get practice under Florida probate code and Florida Bar Probate System.

Nowadays, it's a bit cheaper to get basic stuff; I've got basic Lexis package, statutory and case law, no secondary sources for Florida, I can't technically reveal what I pay, but I will say it is in the 2 figure per month range.

Ronald Jones

Work. Many hours even if it is 10.00 per hour. Any case is good as long as it's not pro bono.

Rinky S. Parwani, Florida

I disagree. A case that pays \$10 per hour is not a good case. A case that is a contingency fee case where your effective rate is \$10 per hour is not a good case. If you are only making \$10 per hour, you should be spending time on a website, marketing, development, CLE, pretty much anything else.

Working at \$10 per hour is not cost effective.

Jonathan G. Stein, California

Min. wage in Seattle is and in CA and NY will be \$15 per hour. College + law school means you should work for \$10 an hour? We should demand that legal services still hold value instead of racing to the bottom on fees, which is what many attorneys have been doing for years. It helps no one.

Jason Komninos

Well, \$10 an hour may be a bit low, but I get it. Particularly when you are starting out it is going to take you longer to do stuff; you're 'effective rate' may not be very much; the first time I did a divorce it took me two 8 hour days to get the paperwork right; and I wasn't being paid much. But I learned.

Likewise, the first probate, the first foreclosure, the first will, the first bankruptcy took me very long times. But I was being compensated for them, albeit at a rather low effective rate; but I learned how to do it.

Point is, IF you are going to be handling an area of law, you are going to be spinning you wheels while you learn it; and you really can't bill the client for all the time it took you to learn it. But you're working and learning.

Ronald Jones

Half measures. Government should mandate all wages, should be at a minimum \$50 dollars an hour, giving everyone who works 40 hours a week a \$100,000 per year salary. All problems would be solved.

Michael Blake

I did some court appointed work, and a decent amount of contract work for other attorneys (which is the subject of Make Money Mondays today at MyShingle - <http://myshingle.com/2016/04/articles/make-money-mondays/make-money-mondays-let-colleagues-know-youll-accept-work-contract-basis/>).

Also taught at a paralegal studies program. But that was a long time ago and the scene is different today. There's much more competition for doing contract work, and many more options available. Less competition for court appointed work too. If I were looking for extra cash today, I would probably do some freelance blogging or "content creation."

Carolyn Elefant, District of Columbia

Check out the Jay Foonberg books about going into practice without missing a meal! Lots of good ideas!

Good luck!

Jerrold E. Slutzky, Florida

While I do like the Foonberg books (how to start and build a law practice and how to get and keep good clients) http://foonberglaw.com/?gclid=Cj0KEQjwrte4BRD-oYi3y5_AhZ4BEiQAziFxn1-oBEumJr7vawTMXgiBuC3fObwAJXLnObT5jzY6bBQaAvcS8P8HAQ

Both of which are usually available at most larger law libraries;

I THINK you're thinking of the Gerald Singer books, under various titles over the years:

<http://www.amazon.com/Directly-into-Your-Practice-Succeed/dp/1584778490>

appears to be most current but older version was how to go into solo practice without missing a meal.

It's also worth looking at; and available at most larger law libraries as well.

Ronald Jones