

## Taking a Four-day Weekend

Did anyone else here take a four-day weekend? I did a little bit of work at home, but wasn't in the office and open for business. I got a call from an upset client this morning at 9:15 a.m. wanting to know why I hadn't returned the message she left for me on Saturday. It seems to me like this would have been a fairly standard four-day weekend for most people, or at least that people should expect it was a possibility I might have been out of the office. What do you folks think?

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Only 4 days? I'm on day 6 of 10 being out of the office. It's our annual beach vacation.

Jonathan Stein, California

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My policy is that as long as the post office is open, I'm open. I got a new client on Monday so it was worth coming in. Took yesterday off.

Jason Komninos, New Jersey

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I have an office, but not one I go to every day. My schedule is work when I have work, and play when I don't. I will work from 6 am to 11 some days, or 9 to 5 on others. Some days I'll work at 9 at night. Of course, this all depends on clients. I don't have walk in clients so I set meetings when necessary. I go to my networking group meetings. My whole point in leaving my job was to work and live life on my terms as much as possible. I am trying to become completely location independent so I can roam the world, but I'm not quite there yet.

Seth Crosland

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I frequently get 4-5 messages from certain clients when I am in court all day. I think some people just don't understand business hours.

I changed my voice mail recently to state that I will return a call within 3 business days to cut down on that or at least so clients can't say that I didn't tell them.

Grace Crivello

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I took it as a four-day weekend. I did come in to the office for a little bit on Saturday, but mostly because I needed to print something for a class I taught Monday night and my printer at home doesn't work. I spoke to one person on Monday to set an appointment, and one client called Monday night and left a message asking me to call the next day, but I think when she left the message she forgot Tuesday was a holiday (it wasn't an urgent thing, and was something we'd talked about before) so I called her back this morning. She wasn't concerned I didn't call "the next day."

I know a lot of lawyers around here were talking about a four-day weekend while at court last week, so I wouldn't be surprised that a lot of folks took the time off if there wasn't anything scheduled.

Elizabeth A. Ferguson, Michigan

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If I suspect a call or contact from a client when I am going to be out I try to tell the client I will be out. I also tell people that since I am in hearings and travel quite a bit, that can also delay me contacting them.

Otherwise, change your voice mail to reflect the days out of the office.

Erin Schmidt

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Same here. Signed up a new criminal defense client on Monday, but took off earlier than usual. Didn't work at all yesterday -- took my wife and son to the beach, did some target shooting on the farm, and relaxed.

Ryan Phillips, South Carolina

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I took an eight-day weekend. It was my first week off from work in 2 years, and only second since 2010. Everything was still here.

Eric C. Davis, Alabama

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I took off yesterday, though my rule of thumb is that I take and return calls from clients during normal business hours (9ish to 5ish) and NEVER on the weekend. We deserve to live too, and I learned real quick that if you jump to return client calls at all hours they will \*only\* call on the weekends/late at night. Also, I need structure in my life: i.e. I take and return calls between X and Y hours, I do client work between calls and during X and Y hours, I live my life between X and Y hours. Not hard and fast rule, of course.

Shlomo Himmel

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Yeah, Saturday is a weekend, holiday or no holiday. If you don't set boundaries, neither will they, and you won't have a life. Just respond calmly to irritated clients like that. If they keep being irritated and/or keep calling on the weekend, you will not want to keep them as clients, because they will never be happy, and neither will you. Fire them!

: Miriam N. Jacobson, Pennsylvania

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I took a 4-day weekend (although I ended up doing office work for all 4 days). I don't take client calls on weekends or holidays, or after hours. I learned long ago that if you do that, clients start calling at you all hours of the night.

Eugene Lee, California

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People can get upset you don't call them back in ten seconds. Clients, or potential clients, have expectations.

If clients, you can adjust expectations, but the rest of it is just noise. The longer I practice, the more I will simply say "I was out."

Sometimes I used to engage in a conversation regarding a harm analysis. I do not necessarily do so now and find it generally unproductive. Sometimes venting on a client's part and listening on a lawyer's part is what is required. Life moves on.

In the event a legitimate emergency exists with an existing client, you do what you can based on when you hear about it. Logistics determine the rest.

If the client generally hits a trigger point where their expectations are continually unrealistic, then send them down the road to cause pain and anguish to someone else. If you own your firm, you make the decisions on acceptable behavior and unacceptable behavior for your clients.

Do not feel guilty about taking some time off. Most likely the world will continue to rotate in your absence. If it does not, what difference does it make?

Darrell G. Stewart, Texas

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Here's a story about taking a day off that I'll never forget.

Two years ago this August my grandfather passed away. I took one day off to attend the funeral and repast. A young man who previously consulted with about an expungement called me when I was on the way to the funeral. He wanted to come in that day. I explained to him that I would not be in the office and he could come by the next day. He made an appointment with me for the next day. The next morning, I called him to confirm our appointment and he told me he would not be coming in because he found another lawyer.

So I suppose waiting 24 hours to meet with me was too much. I guess it was unreasonable of me to take one day off to bury a family member.

These days people have to work around my schedule. I no longer drop everything for people. I've been burned too many times. If they are a reasonable prospective client, they will understand that you can't drop everything at every moment, you have other meetings, court appearances, etc. Work/life balance is important.

Jason Komninos

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My father was a doctor (dermatologist). When I was a kid, it seemed like we left town every long weekend—sometimes we'd go camping, sometimes we'd go to my Grandparents' house, sometime we'd go other places.

I never really understood why when I was young, but when I was older my father explained it to me. On long weekends, many (potential) patients were off work, and so had nothing inhibiting them from calling and asking my father to meet them at the hospital on the holiday to examine whatever was bothering them. One of the questions he would ask was “How long have you had this issue?” Often, the answer was weeks (if not months). They were just sitting around on their day off, worrying about an issue that they had had for a long time.

Because my father was unavailable on the holiday weekend, they would either call back the next week and set an appointment or they would go on ignoring the problem.

Of course, one factor for my father was that there are few dermatologic emergencies—unlike, say, a broken bone or the onset of pneumonia.

But how many of us have emergencies arise in our practices? Perhaps if you do criminal law, or mental health law, or similar issues, an emergency can arise. In my case, however, I seldom have anyone that has an emergency need to sell a franchise. Even if they did, there are some things even I can't do that fast.

Brian H. Cole, California

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Brian -

Good points. I practice primarily family law, and in this highly emotional area of the law, oftentimes the client's perception of what constitutes an emergency is not the same as the lawyer's definition of an emergency. Of course, there are many instances when legitimate emergencies do arise in this area.

But, it seems, very often these emergencies (not just limited to family law) are emergencies largely of the client's own doing. For example, it is not uncommon to receive a call from a potential family law client that goes something like this:

Client: Hello, I need to hire a family law attorney for a divorce case my husband filed.

Me: Okay, what is your spouse's name, etc. [conflict check]

Me: Are there any upcoming hearings or deadlines that you know of?

Client: Yes, I have a temporary hearing coming up.

Me: When?

Client: Three days from now.

Me: When were you served with notice?

Client: Two months ago.

Me: ...

As much as I want to help people, and get paid to do so, sometimes you have to just straight up tell a client, "This is a problem entirely of your own doing. You say you care so much about this case, but you buried your head in the sand and didn't even start calling attorneys until less than a week before what is often the most important hearing in your case, and now you're outraged that I quoted you an initial retainer at least double what I would normally charge since I will have to drop everything else in my practice to prepare for this upcoming hearing."

Getting away from the office obviates even having to have that conversation in the first place sometimes.

Ryan Phillips

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I didn't take a 4-day weekend. I took Tuesday off. If I had somewhere to go, maybe I would have, but my plans for Tuesday were to play the trumpet with my GFWC woman's club marching band for the Independence Day parade here in town.

I had 3 client meetings and 1 scheduled phone call with another attorney (which turned out to be a referral of a new client to my firm) on Monday, plus I had several good phone calls with existing clients. I allowed my staff to freely take either vacation or a floating personal day on Monday, and all but an associate attorney and my office manager did. Lots got done. The phones were pretty quiet.

Cynthia V. Hall, Florida

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I took a half day on Monday and all day off on Tuesday. Of course, on Monday afternoon I got an urgent email that would have consequences for my first hearing on Wednesday (today). But I fought the urge to respond or run to the jail to discuss it with the client, since nothing would change what would have happened at the hearing. But having read the email did distract from the relaxing time off.

Brian C. Hagner, Wisconsin

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Put in your fee agreement that any contacts during "off-hours" (after 4PM, weekends, holidays, etc) will be billed at \$500/contact unless it's an emergency - determined solely by you.

Clients will call ONCE - then quit bugging you. I always tell them that unless it's an emergency, it'll cost them \$500.

Good luck.

Russ Carmichael

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Seth is brilliant with this answer. Why did you become a solo? Did you do it to be there every time your client has an issue? If so, then don't take time away. If you did it to have a better quality of life, then have a better quality of life, damnit.

Look, I get that client's think every issue is a big deal. I explain to my clients that I work for myself so I can go to soccer games, school plays, etc.... If they don't like that, then they don't sign the retainer agreement and we all move on with life. If they do, then we get along just fine, they all get my cell phone number, and zero of them have bothered me on vacation with something that wasn't a real emergency. We texted back and forth - problem solved while sitting at the beach.

You could lose potential clients. I know I did. Some guy called me at 10pm on Sunday night and expected a call back Monday morning. Nope. It didn't happen. I was too busy walking to Starbucks with my family, then getting my boogie board ready, then going out in the ocean to get my backside kicked.

Oh well. If that guy wanted me, he would wait.

Jonathan Stein

