

Making the Jump from Large Firm to Solo Practice

It's time.

BY LEON F. MEAD, III, ESQ.

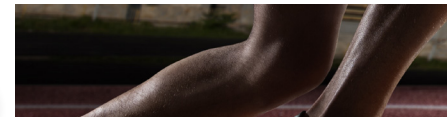
You've put in enough years at the large private firm. That feeling has been growing in the back of your mind. One day, you wake up and just know – it's time to go solo. Sometimes you don't have a choice; the powers that be decided the firm you were with should dissolve, or you were let go. Or you have just had enough, and you have to break out to be FREE! Whatever the reason, you decided you are hanging out your shingle. It's a big step. It is filled with uncertainty (especially the first time you do it), but it also holds great rewards, if you succeed.

I've left large law firms twice in my career. Many of the lessons learned from the first time made the second transition easier. This article attempts to pass along a few of those lessons:

Leave for the Right Reasons, in the Right Way

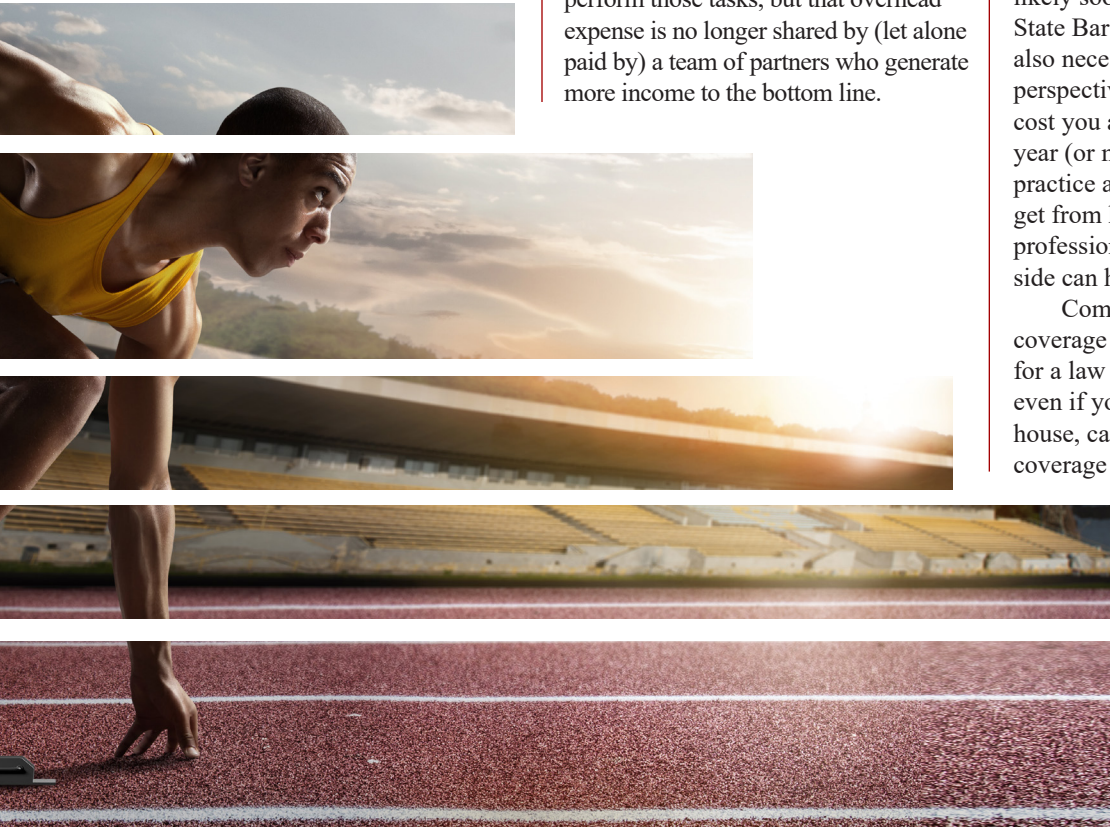
I initially left the first large firm because of a silly disagreement with the founding partner over a potential conflict that revealed a distinct difference in business philosophy. Although we both tried to be professional about the split, we should be closer as former colleagues.

At the second large firm, I watched several attorneys come and go, and the process interested me. The nature of the split impacted both the firm and the attorney. When I realized it might be my time to go, I was determined to make the move a positive one. Looking back on it, there



were a lot of good times, and those should not be forgotten.

The State Bar of Nevada is such a close community that burning bridges does not make sense. First, I made a sincere effort to stay. I spoke with the firm chairman, and we both looked for solutions to the issues that had led me to my decision.



Be Prepared

Being a solo practitioner or working at/running a very small firm is not for the faint of heart. A large firm offers many benefits of logistical support: offices, assistants, associate attorneys, paralegals and attorney colleagues; it's all on you in a small practice. Sure, you can hire folks to perform those tasks, but that overhead expense is no longer shared by (let alone paid by) a team of partners who generate more income to the bottom line.

Insurance

First, get a few legal malpractice insurance quotes. There are a number of providers, and the ads in this issue of *Nevada Lawyer* will probably give you two or three to try. This is by far the largest mandatory business expense you will encounter as a solo practitioner. But it is mandatory – likely soon a requirement from the State Bar of Nevada, but currently also necessary from a peace-of-mind perspective. While this expense may cost you a few thousand dollars a year (or more, depending on your practice area), the peace of mind you get from having the support of a solid professional liability carrier on your side can help you sleep at night.

Commercial general liability coverage can be relatively inexpensive for a law firm, so some coverage, even if you are working out of your house, can be important. A cybercrime coverage rider should also be on your list. Damages arising from hacking of your email or confidential client files can be

When that didn't work, I tried to make my departure as positive as I could. Truth is, I enjoyed practicing law in that firm. They were all good people, excellent lawyers, and I was leaving for reasons that had nothing to do with them or the law firm. There was no reason to depart as anything other than friends. I made sure when I left that I did so with a positive message for those who might wonder why I was leaving, and I hoped my sincerity was evident. I am happy to say we remain friends and still refer matters and consult with each other: a much better outcome.

It's all on you, so do your homework. Make lists of things you need for your practice before you announce you are leaving: vendors who provide important services, and equipment you need and may take advantage of at your current firm without thinking about it. Consider the bank accounts, business insurance, court services, process servers and accountants or other professionals you may need. Think about how a litigation case flows from beginning to end, and identify those tasks you use others to handle. How do you intend to handle them on your own? Find the solutions before you are out the door.

devastating to any business. If you plan to hire employees, workers' compensation is a must. And your own health insurance – well, good luck. The insurance exchanges are not a lot of help. You can get group insurance through certain organizations like the American Bar Association. Look into alternatives for policies.

Technology

You are going to need a computer, a quality laser printer, a scanner and a copier multifunction device, at a minimum. Like it or not, Macs still don't give you all the options you will

continued on page 10

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want. Get a quality PC. If you will be working out of the office, a laptop can serve both purposes. Also, get a large-capacity storage drive for back-ups, and back-up your computer data every night.

Cloud-based technology certainly can be a big help here. Cloud-based storage services such as Dropbox, Box or Microsoft's One Drive can be very helpful. But – make sure you take advantage of password protections for these systems. You can be a mobile lawyer, but you are still responsible for client confidentiality and protection of your client's data.

Case management software can be critical. I personally use West's Firm Central for law practice management, scheduling, calendaring and billing. It will fully integrate with Westlaw, directly from the case software, allowing research to be saved directly to the client/matter file. Lexis Nexis has a similar product, and third-party practice-management software from companies like Clio, My Case and others have their supporters. In general, these can be real time-savers for you.

Facsimile machines are a dying technology, but there is a cloud-based solution: electronic faxing software. For as little as \$8 a month, you can get a local area code phone number for facsimile transmissions, and you will be able to upload files to the system. These services can easily be found with internet searches.

Microsoft's Office 365 is an online, cloud-based system for PC or Mac that is reasonably priced, and it will give you almost a full complement of software for your office: Microsoft Word, Excel, PowerPoint and Outlook are the keys to a successful and professional practice. You can create your own printable letterhead, pleading paper and form templates for memorandums, contracts and other documents. This saves a significant amount of money compared to printing such items traditionally.

Marketing

If you are planning to break away from a large firm, you may already have marketing

strategies that work for you. If not, marketing will be a key to your survival. You probably already know the adage: clients don't hire law firms, they hire lawyers. This is certainly true. The best marketing is whatever gets you out to meet people. Whether it is simply socializing with other attorneys to get referrals or joining industry groups to meet specific decision-makers and leaders in the areas or industries in which you focus your practice, you need to get to know (or more importantly, become known by) those who hire lawyers for their businesses or need legal services. Target your marketing to those most likely to need your legal services.

What you do with marketing is certainly important. At a bare minimum, business cards are an absolute must. Keep them with you, because you never know when a new potential client might pop up. There are numerous internet sites that will help you design and print your cards. Beyond this, marketing is a wide-open field where your marketing plan is mostly limited only by your imagination and budget.

Whatever your marketing strategy, however, remember that there are some restrictions and rules that a lawyer must abide by in their marketing, and reporting requirements are there as well. You can find these on the Nevada bar's website at www.nvbar.org/member-services-3895/lawyeradvertising. Make sure you are in compliance before your launch. One note of caution about using marketing professionals or PR Firms: Don't expect them to know the ethical rules you must abide by as a lawyer. You are responsible to ensure your marketing and advertisements meet your professional ethical standards.

Ethics

Speaking of ethical rules, always remember your ethical obligations and requirements. Run your firm ethically and don't take unnecessary risks. Remember the resources that the state bar makes available to solo and small firm practices and use them. Whether you have questions regarding conflicts, need help managing your trust account or are having a hard time handling stress, take advantage of the resources available to you through the State Bar of Nevada. Your success may depend on it. **NL**



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