

Every lawyer considers it at some time. Whether it's the allure of being your own boss, the belief that life is more than billable hours, the desire to escape a less than pleasant work environment, or any number of other reasons, every lawyer seems to come to this bridge of decision:

Should I Go Solo?

What ultimately draws (or pushes) some across the bridge while others turn away is about as easy to explain as the reasons one chooses a mate. This article, therefore, cannot answer whether you should go solo. Instead, if this article hits its mark, it will simply plant seeds with those who have not yet considered the solo option, possibly settle the minds of those who are not inclined to cross the bridge, or fan the flames for those seriously considering the option.

My career has been a steady progression from a large business organization to the solo lawyer that I am today (okay, technically I'm actually a partner in a two-lawyer firm, but I'll explain that below). Fresh out of college, I landed a job with a 30,000-person company, and then after law school, I went to work for a state agency with 2,000 employees. Several years later, I joined a mid-size law firm of about 50 employees; after seven years with the firm, I decided to leave all vestiges of security behind, and hung out my own shingle. After several weeks of the solo life, I was hooked.



With the number of lawyers employed by large law firms today, it is easy to think that most lawyers work in larger firms. In fact, the opposite is true: of the lawyers in private practice in Texas, 35 percent are solo practitioners, and 23 percent are in small firms of 2 to 5 attorneys. In other words, the majority of lawyers in private practice in Texas are actually small firm and solo practitioners.

So how do you know if it's right for you? *The Complete Guide to Contract Lawyering* (Niche Press, 2nd ed. 1999) suggests you ask yourself the following questions: Do you work best when you're in control of the project? Do you tend to question authority? Do you consider yourself a nonconformist or outsider? Do you enjoy making your own rules? Do you resent office politics and power games? Is having control over the hours you work very important? Do you work

well by yourself? Do you like spending time alone? Are you motivated more by your own desire to do the job well than by the expectations of others? Do you like variety and dealing with new challenges? If you answered "yes" to most of these questions, you probably want to be on your own badly enough to overcome the inevitable challenges of solo practice.

In almost every respect, I find that the solo/small firm law practice suits me. The most satisfying part has been the motivation of doing a good job rather than meeting the expectations of others. In effect, the middleman has been eliminated. My compensation is no longer

primarily dictated by billable hours, but instead depends on whether my clients are pleased with my service: If they are happy, they pay my bill. End of performance review.

The one part of the solo life that I found uncomfortable was that of always being the lone ranger. The problem was that if I was not around, neither was my law practice. When out of town for any extended period, I found myself constantly checking in with the office to make sure everything was okay. I fixed this problem by partnering up with a lawyer-friend. I was not so much looking for a law practice partner as much as I was looking for a trusted business partner. My partner and I have different substantive practice areas, and we are in reality two solo lawyers sharing expenses. But I know that I can count on her when I have to be in two places at one time, when I need help thinking through a complicated legal issue, or when I need coverage while I'm on an extended business trip or vacation.

So when is it the right time to go solo? Again, it's something that only the individual can decide and involves more than simply being economically prepared. When I made the decision to go solo, I had four kids in college (due to a remarkable lack of planning and foresight on my part many years ago). Financially, it was an uncomfortable time to start a business; however, all things considered, it was the right time to make the move for me. Fortunately, the decision also turned out to be a good financial move.

The best way to ascertain whether you are ready for the solo life is to write a

business plan for your conceptual new firm. Lenders require prospective start-up companies to submit business plans because the very act of drafting the plan makes the company think through issues and therefore increases its odds of success. This also applies to the legal services business. Templates for drafting a business plan are readily available on the Internet, and the State Bar's Law Practice Management program has a number of excellent resources tailored for lawyers, some of which are available online.

If you are considering a solo move, I strongly recommend you start drafting the "Business Plan for The Law Office of [insert your name here]." If, after working on the business plan for a few hours, you find the whole exercise a bother and the mere thought of starting your own practice an overwhelming list of problems, then you may have just taught yourself that the solo option is not the life for you. On the other hand, if you find yourself getting wrapped up in drafting the plan, notice your thoughts constantly drifting back to ways of making it work, doing research to answer unanticipated questions raised through the process, evaluating office locations, etc., then perhaps you've been bitten by the bug and are on your way to the next chapter of your career. But be forewarned: if you make the solo move, it will be difficult to ever go back to another work environment again.

ERICH BIRCH

is a partner in the Austin firm of Birch & Becker, L.L.P. The firm practices in the areas of environmental and construction law and provides arbitration and mediation services on a wide range of issues. He serves on the State Bar's Law Practice Management Committee.

SOLO AND SMALL FIRM PRACTICE

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