

So You're Going To Hang Out Your Own Shingle?

Ten tried-and-true rules for new lawyers.

BY JAMES E. BRILL

What follows are my recommendations for new lawyers about to make the transition from law student to solo practitioner.



Rule One: Begin by planning what you really want to do with your practice and how you will do it. Make lists. What will you need to outfit your office? What technology will you require? What systems must you have in place to practice efficiently and effectively? Write these down, refer to them often, and revise as necessary. The more details you consider, the better your results will be. Don't forget to include your exit plan. Remember, no one plans to fail, but many fail to plan.

A man in a dark suit is standing on a white ladder, writing the number '2' on a whiteboard. The whiteboard is mounted on a blue wall. The number '2' is drawn with white chalk and has a textured, hand-drawn appearance. The man is seen from the back, looking towards the whiteboard.

Rule Two: Find a mentor who will take the time to help you. Take advantage of O.P.E.—other people's experience. Don't be afraid or reluctant to ask for help. Many experienced lawyers will be flattered and generous with their advice. As you gain experience, serve as a mentor to others.

A man in a dark suit is standing on a white ladder, writing the number '3' on a whiteboard. The whiteboard is mounted on a blue wall. The number '3' is drawn with white chalk and has a textured, hand-drawn appearance. The man is seen from the back, looking towards the whiteboard.

Rule Three: With the knowledge you gained in law school still fresh in your memory, you will never again know as much substantive law as you do now. This gives you a major advantage over most other lawyers, especially when there is a new statutory codification, such as the Estates Code that became effective on Jan. 1, 2014. Offer to collaborate with fellow practitioners. Stay sharp by attending and ultimately participating in continuing legal education programs.

Rule Four: Even though you know so much substantive law, you are not likely to know very much about the management and administration of your practice. The fact that you know how to use technology won't be enough. Organizing your practice includes creating templates for the preparation of documents, standardizing those documents, and developing systems for each part of the process. You will never regret having done all of this.

Rule Five: Try to distinguish yourself and your law practice so that you will not be just a "me too" lawyer. The traditional ways to do this are to write a book, become active in the organized bar, or win a big case. Bar work is a good way to meet your fellow lawyers in a non-adversarial setting and provides an opportunity to develop a good reputation. But it is the worst place to be undependable. If you find that you cannot continue to do bar work, be sure to honor your commitment. If you drop the ball, your fellow volunteers will always remember and will equate your failure with the quality of your legal practice, no matter how well you perform as a lawyer.

Rule Six: Each of your clients will be coming to see you with one or more problems that are the most important problems that these individuals have ever had. Listen to their stories and, even if you know how to solve the problem, don't try to provide the answers until the story has been told. In today's high-tech world, most clients are in desperate need of personal attention. Don't disappoint them.

Rule Seven: Don't denigrate the services that you are performing for your clients. If you are with your client, and a colleague asks why you are in court that day, don't respond by saying that you are there for a "simple divorce." To your client, this is serious business and to call it "simple" is insulting.

Rule Eight: When you go to court, sit with your client behind the rail. Sitting inside the rail while your client sits alone does nothing to help your client nor does it make you a more important lawyer. Your client is in unfamiliar territory, likely is apprehensive and full of questions, and—by the way—is the one who will be paying your fee.

Rule Nine: Remember what your parents taught you. Your word is your bond. Disagree without being disagreeable. Be courteous and respectful to everyone. Send handwritten notes. Say "please" and "thank you" (especially for referrals).

Rule Ten: Take advantage of the resources available from bar associations (a good place to meet local lawyers) and from the Texas Young Lawyers Association and the State Bar of Texas. With a simple click, you will find a seemingly endless array of information on starting and operating your practice, from the TYLA's *Ten Minute Mentor* to the State Bar's free database of peer-reviewed resources, all available at texasbar.com/lpm. The Law Practice Management Division of the American Bar Association (americanbar.org/groups/law_practice) publishes definitive guides for managing your practice. It's all there for the taking.

You won't be able to do everything at once. It's like eating an elephant—you have to do it one bite at a time.

Welcome! Hang your shingle with pride and confidence. **TBJ**

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