

# What's Next? The Transition from Law School to Solo or Firm Practice

**Y**ou are fresh out of law school and just passed the bar. Whether you are destined to hang your own shingle or have plans to join a firm, you are probably asking yourself, "What's next?" Law school does a fantastic job teaching you the substantive nature of the law and may even start to prepare you for the practical side of our profession, but the minute you enter your office or a courtroom for the first time, you will learn that there are thousands of questions that have been left unanswered. By writing this article, we hope to help you find answers to these questions and make your first years of practice enjoyable and productive.



### Networking

Many of the following tips, as you will soon read, revolve around communication. One of the most important steps to having success when you begin your practice is to start networking. Networking allows you to make contacts both in and outside the profession and affords you access to information that will be invaluable to starting your career. The easiest way to begin networking is to join a local, state, or special interest bar association.



For federal practitioners, the Federal Bar Association is one of the best ways to begin networking. The FBA provides access to committees, networking events, and professional growth. Joining a committee provides access to seasoned attorneys from nearly every practice area and allows you to tap into their experience and insight. Many of our local FBA chapters host monthly social events, which offer a great way to get to know your fellow bar members and learn from their past experiences. It is not enough to simply join these associations, you must make an effort to participate in the great events and learning opportunities available to you. These networking events are also a great place to find an attorney in whom you can confide and who can serve as your mentor.

Many attorneys are happy to answer questions that may arise during the course of your day-to-day practice, but it is important to have one or two attorneys whom you can regularly rely upon to mentor you through the beginning of your practice and beyond. However, your search for a mentor need not wait

until you pass the bar and start your practice; you may discover a potential mentor while serving as an extern or law clerk during law school. A mentor can help you elevate your confidence and level of professionalism and can increase the likelihood of your success. Maintain these connections and feel free to call upon your colleagues' knowledge as needed.

Communication with your clients and fellow attorneys will be a mainstay of your practice. With this in mind, extending respect and consideration to everyone with whom you are communicating is a necessity. Simply introducing yourself and starting a conversation has the potential to result in a unique learning experience, greater understanding of the practice, or a new client or client referral. Communication with clients, attorneys, staff, and judges is one of the linchpins of our profession. It pays to do it right, because it will be a constant in your practice.

Communication is particularly important for new attorneys starting their own practice. The ability to grow your practice is greatly aided by a robust network. Referrals are one of the primary driving forces of any practice. Initially, your referrals are likely to come from those individuals who have the closest relationships with you, your family, and your friends. As you begin to participate in cases, you will meet other attorneys who may have conflicts and will refer potential clients to you. Do not be afraid to reciprocate, especially when you have a conflict. Know that building your professional network may take time, but eventually your hard work and patience will pay off in the form of a sustainable process for developing a client base and getting referrals.

### Practice Tips for the New Solo Practitioner

So you have decided to run the show and hang out your shingle. You have probably wondered where your cases are going to come from, how to manage those cases, and what to do once you get a case. The following tips will help find answers to these questions and jump-start your solo practice.

### Getting Cases

Finding clients when a young lawyer starts a solo practice can be a daunting task. Fortunately, there are resources available that can make this task more manageable. First and foremost, sign up for court-appointed representation lists. In most courts, the public defender offices are unable to represent all poten-

tial clients or simply have a conflict that precludes representation. In these cases, a private attorney is appointed by the court's appointment program. For those entering the criminal defense bar, the appointment programs created under the Criminal Justice Act consist of more than 80 authorized federal defender organizations that serve 90 of the 94 federal judicial districts. See [www.uscourts.gov/FederalCourts/AppointmentOfCounsel.aspx](http://www.uscourts.gov/FederalCourts/AppointmentOfCounsel.aspx). Appointments are not just limited to criminal matters; juvenile courts frequently need to appoint attorneys for cases involving delinquency, abuse, dependency, neglect, and child support. Some domestic relations and juvenile courts will also appoint a guardian ad litem to protect the interests of minor children when they are involved in a case. Each court has its own rules for becoming a part of appointment programs. In some cases, continuing legal education or certification may be required before cases will be assigned. To determine the exact requirements, it is best to simply contact the court's administration.

Another way to build your client base is to sign up for the FBA's "Need an Attorney" online directory. For a mere \$75 per year, you will receive an online listing through the FBA's website ([www.fedbar.org/Menu/Need-an-Attorney.aspx](http://www.fedbar.org/Menu/Need-an-Attorney.aspx)). This listing makes it easier for potential clients to find you because it organizes listings by the attorney's geographical location and up to three practice areas. Taking advantage of appointed counsel programs and listing services is a great way to help generate cases for a budding practice.

### **Case Management**

Once the cases start coming in, keeping them organized is critical. The two primary facets of a successful case management plan are filing and calendaring. Filing can simply consist of having folders in a filing cabinet, fully digitizing your case files, or a combination of the two. The primary considerations when implementing a filing system should be ease of use and access. To satisfy the first consideration, pick a method that you are comfortable using, whether that is using folders or scanning all case documents and using an iPad in your practice. Regardless of which method you choose, your case management system should allow easy access to pertinent information, including detailed contact information, case numbers, relevant court filings, court dates, and deadlines.

A calendaring system that keeps track of client interviews, court dates, and deadlines is just as important for a successful case management plan as the filing system. You have variety of options that can help manage your calendar. Some of the most commonly used calendaring programs are Microsoft Outlook and Google Calendar. There are instances in which both could come into play. For example, if you are using an Android mobile device, a Gmail account is required, and any dates placed on your phone can be reflected on the Google calendar online. If you

want to use Outlook for your calendaring and have that information reflected on your Android mobile device, there are syncing programs available, such as Google Calendar Sync, which will automatically keep your calendars in sync. Both options provide easy access to your schedule. Having a case management system in place from the start of your practice will help you manage your cases successfully and will give you a competitive edge for years to come.

### **Courtroom Procedure**

After getting your first case, opening a case file, and placing pertinent dates on your calendar, you have to go to court for the first time. Initially, courtroom procedure can be very confusing, because each judge, magistrate, and bailiff has different methods for handling cases. It is important to understand the peculiarities of each court and courtroom. The quickest way to gain familiarity with a court's procedures is to review that court's local rules, which are generally found on a court's website. These rules are a valuable source of information that you should not ignore.

In addition to reviewing the local rules, one of the primary sources to use for discovering and becoming familiar with local courtroom procedures is the bailiff or case management specialist of the specific courtroom. Another excellent way to gain information is to speak to seasoned attorneys about their experiences in the specific courtroom. You may also consider attending a docket call, observing a trial, or even serving as co-chair for a trial. As you begin to uncover the peculiarities of each courtroom, keep notes of each courtroom experience. You never know when you will be back.

### **Practice Tips for the Law Firm Associate**

After a long summer of conducting research, following partners to court, and trying your best to not appear as scared as you truly were, you receive the good news! The law firm for which you clerked has offered you your first job as an attorney. You will soon find, as many of us do, that you know very little about what it means to be a practicing attorney, much less what it will take to survive in a law firm. Many of the practice tips applicable to solo practitioners apply to law firm associates as well. In addition to those practice tips, the following tips will aid you in your advancement in a law firm environment.

### **Ask Questions**

Do not shy away from asking questions. With law firm clerkships before finding employment dwindling, your first job with a law firm may be your first experience actually working in a law firm setting. All the partners in your firm have experienced exactly what you are going through and can offer advice on how they approached the issues you are experiencing and

*YLD continued on page 64*

how they succeeded. With this in mind, you should endeavor to strike a balance between deference to your partners' experience and your independence. This is a hard line to walk and admittedly an issue many of us struggle with. Every firm is different and has different expectations on how the firm's associates should conduct themselves. It is advisable to err on the side of caution at first and get a feel for what your partners are looking for. Also, trust your instincts. If you are facing an issue you feel does not warrant tremendous oversight, you are probably correct.

### ***Time Management***

Your timing and punctuality are directly linked to your partnership's perception of your credibility and reliability. Write things down, place them on your calendar, and do not overcommit. Ask your partners when they would like assignments completed and keep the attorneys updated on your progress. If a deadline becomes unworkable (which happens to us all), alert the assigning partner immediately.

### ***Be Assertive***

One of the most difficult lessons to learn is that you are just as capable of handling legal matters entrusted to your care as those attorneys who are 10 years your senior. The only difference between you and more experienced attorneys is exactly that—experience. Every attorney has his or her first deposition, first trial, and difficult client or opposing counsel. The only way you can move past being nervous and garner these experiences is to assert yourself in a case or an issue. As you do so, your partners and clients will come to rely on you and look to you for guidance. With this in mind, mentorship is important (as discussed below). Eventually, everyone needs to jump from the nest, but you do not necessarily have to do so without a parachute. Your partners have a vested interest in your success. One of the most beneficial advantages firms offer is their institutional memory. Tap this resource. Your clients (and your nerves) will thank you.

### ***Try Everything Once (and Sometimes Twice)***

Graduating from law school, very few of us know with certainty exactly what subject matter of the law we wish to specialize in. Make your decision carefully, because even general practitioners find themselves gravitating to only a few practice areas (criminal defense, general civil litigation, and so forth). Another advantage law firms can offer is the diversity of their practice areas. Over your first few years of practice, team up with as many partners in as many areas of practice as you can. Domestic relations law may entice you while unemployment compensation law bores you to tears. Find the practice area (or areas) that excite you and stimulate your creativity and imagination. This cannot be accomplished unless you make an effort to try new things.

### ***Find Mentors (Including One Who is not in Your Firm)***

The practice of law (particularly among FBA members) is a collegial one. Our successes and failures are intertwined, and the reputation of one attorney will inevitably (for good or bad) influence the reputation of another. It is this reality that requires us to nurture our younger attorneys in their development. In law firms, every partner and senior associate will arguably serve as your mentor, providing an example of how you should practice and how you can succeed in your firm. Yet, younger attorneys also need an outlet where they can let their hair down and detach themselves from the formal partner/associate relationship. If you find yourself in a firm, ask if you have an assigned mentor. A majority of the time this will be the person with whom you can go to lunch, in whom you can confide, and to whom you can express your concerns. This person is also an excellent gauge for your reputation in the firm and a person who can honestly evaluate your progress.

Many firms offer fantastic environments for young attorneys, but the attorneys and partners in these firms can have a tendency (naturally) to think alike. Another way to set yourself apart and succeed in your practice is to demonstrate your resourcefulness and ability to think outside the box. Interact with other attorneys at different firms as well as with solo practitioners. Membership in the FBA is a priceless tool to achieve this end. Make these people your mentors outside the firm. Exchange ideas and get a different perspective of the issues you are facing. These people will also be a valuable source of referrals and guidance when you begin the transition from associate to partner.

### ***Conclusion***

We hope that these tips provide you some guidance in your path as a solo practitioner or as a new law firm associate. We also hope that these tips emphasize networking as an ever-present aspect of the legal practice. To those attorneys joining a firm or starting their own practice, we hope these suggestions will help you get started on the right foot. On behalf of the Federal Bar Association and Younger Lawyers Division, good luck! **TFL**

---

*Glen McMurry is an associate attorney at the law firm of Dungan & LeFevre LPA in Troy, Ohio. His primary areas of practice are business and civil litigation. He is the current president of the FBA's Dayton Chapter and is a member of the FBA Younger Lawyer Division's National Board of Directors. Adam Krumbolz graduated from the University of Dayton School of Law in 2008. Upon being admitted, he hung out his own shingle in Dayton, Ohio, as the Law Office of Adam H. Krumbolz LLC. Krumbolz is a member of the FBA's Dayton Chapter and practices primarily in the areas of juvenile, domestic relations, criminal, and consumer protection law.*