

Active parenting and managing a private practice are not mutually exclusive

Tips for starting and managing your own practice while still being a highly involved parent

By Christina M. Coleman

It was November of 2016, and I was attending a popular legal conference and having drinks with some of my Sisters In Law, as I affectionately call those female powerhouse lawyers that I'm lucky enough to call friends. At the time, I was coming up on the 19-year anniversary of my swearing in, and after nearly 20 years of working for others, and making them a ton of money, I desperately wanted to start my own private practice. Three women that night, and another before the three-day conference was over, all encouraged and persuaded me that I needed to take the plunge and start my own practice. Five months later, my solo law firm was launched.

Why did it take so long, and why was the decision so hard? At the time, I had two children in middle school, one of whom is a Type 1 diabetic, a sizeable mortgage, and a good, well-paying job, where I was appreciated and respected. Who quits a good, well-paying job where they are appreciated and respected for the prospect of losing time with the family and losing the house if things didn't go well? Me, that's who!

It turns out that managing my private practice and still being an active, involved parent was not just doable, it was doable better than I could have hoped. But you need a solid game plan and the courage to start.

Take the plunge...in the least scary way possible

If you are risk-averse like I am, the prospect of giving up a steady paycheck for no paycheck and only the hopes of an income at some point down the road, is the very reason why you don't go into private practice. Even with semi-healthy reserves in the bank, these dwindle quickly when you are paying court and litigation costs on top of whatever salary you pay yourself to cover bills. But if you carefully time your launch, with a game plan in hand, you can minimize the risk to be brave enough to take the plunge.

Plan your finances ahead of time

Timing is everything. Everyone knows it's easier to save money when it comes in a lump sum, as opposed to money that arrives piecemeal, as in a regular paycheck. If you don't already have your nest egg set aside to cover several months of income-free living, have a definite plan to build that egg, and plan your launch accordingly. Some sources of lump-sum money can include:



- End-of-year bonuses: Many firms and companies give employee bonuses at the end of the year. Plan on saving that money, instead of splurging on a trip or a new car, and time your launch for after.
- Case bonuses: Maybe you referred a case to another attorney, and are waiting for your referral fee. Maybe you work for a firm that compensates its attorneys with a piece of the action on the cases they work on. While it would be imprudent to speculate about what you might get for a case that is not yet resolved, if there are resolved cases in the hopper and your entitlement to a referral fee or case "bonus" is fixed, that money can be the nest egg you need for your launch.
- Tax refunds: Some people minimize the amount of taxes they pay from each paycheck, and either owe taxes at the end of the year or get just a little back. Others, like me, prefer to have a large tax refund every year, and allow the maximum withholding of taxes throughout the year. That large tax refund helped me bolster my savings so I could start my practice. If you know sufficiently in advance that this may be a good source of funding for your practice, you can even plan further ahead by adjusting your payroll deductions at the beginning of the year, so you have a year of tax overpayments to be refunded in April.

Copyright © 2023 by the author.
For reprint permission, contact the publisher: **www.plaintiffmagazine.com**



- Loans or lines of credit: It's easier to qualify for a loan or a line of credit while you're still employed. So, before you quit your job to launch your firm, secure that HELOC or line of credit, or take out a loan while you still qualify.

The larger the nest egg you can build before taking the plunge, the less scary it will be.

Secure a separate income stream

Most plaintiff's attorneys work on a contingency, which means sporadic and unpredictable payouts. If possible, secure a future income stream to get you through the in-between periods when no money is coming in. There are several avenues for achieving this:

Don't burn your bridges with your current employer/firm! If you are a valued employee, your employer will likely be sad to see you go. Your departure can be a slow one, over time, as opposed to an abrupt break. You'd be surprised how open your employer/firm might be to creative ease-out options.

My former boss did not want to see me go, so I suggested a mutually beneficial arrangement to slowly transition out: I agreed to remain Of Counsel at my former firm, and guaranteed a minimum of 20 hours per week, for an hourly rate which I designated. Sometimes my 20 hours were two 10-hour days; other times it was five half days, or something else. If I wasn't busy, I could give more hours and earn more money. I did this arrangement for about one year, before I was just too busy to give my former firm 20 weekly hours of my time.

But the relationship is still solid. My former firm still reaches out to me to help with projects or work if I have the time, which I often do if a trial for which I have blocked out weeks or months gets continued or settles. This arrangement allowed me to build my practice, while having a safety net of at least some income while doing so. I am aware of several other solo or small practitioners who have done and/or are doing the same or similar thing.

Contract work can be your friend: If you don't want to maintain a regular, ongoing relationship as Of Counsel with your former firm or any firm, you can also do contract work, on a project-by-project basis. You may already know firms who have this need from whom you can solicit business, and there are also several agencies/organizations through which contract attorneys can bid on projects and other contract work, such as lawbeez.com and contractscounsel.com.

Secure a referral stream

The best thing I did before going out on my own was securing a referral relationship to better my chances of actually having cases to work on. During that drink session in November 2016 with my Sisters In Law, one of the more seasoned attorneys mentioned that she was successful enough that she no longer takes a case unless she thinks she can get six figures or more for it. When I decided to start my practice, the first thing I did was take this attorney to dinner, and ask her if she could refer those rejected, small but potentially meritorious cases to me, and she happily agreed. Seventy-five percent of my cases over the first 18 months of practice came from this attorney. I forged similar relationships with other attorneys, both those who took the same types of cases that I handled but were similarly disinclined to take smaller cases, and those who practiced in entirely different areas (including defense counsel on cases I handled).

As my practice grew, I became less reliant upon referrals and was able to generate my own business, but I am still happy to get them. When deciding whether or when to start your practice, reach out to other attorneys and referral sources early to secure your referral stream.

Keep it small, and keep it all

Since day one, my law firm has been a true solo practice, with no employees except for yours truly. The original concept was based on my desire to minimize any unnecessary expenses given the irregular income I expected to endure. I carefully assessed my own capabilities to determine how many cases I could handle at once without needing any dedicated help. Frankly, this is the perfect set-up for a Type A personality like me, whose control-freak tendencies make doing the important work myself preferable to delegating it and suffering anxiety over whether the resulting work would satisfy my perfectionist standards. Once I had some money in the coffers, it was easy to find ways to outsource some of the more mundane tasks for reasonable prices, freeing up my time for the more difficult work…and for family.

Private practice and the family: Can they both be done successfully?

By the time I started my firm, my daughters were nearing the end of 8th and 6th grades. By that time, I had already missed several school events, shows, pageants, and any other event that didn't fall on a weekend. Mind you, this was even while I worked for firms that were completely supportive of me having a family life, and would have allowed me (and some encouraged me) to take the time away from work to do some of these activities. I rarely took them up on the offer, because the self-imposed guilt of playing hooky from work was just too much.

It's never too late! In fact, going into private practice was the best thing that could have happened to my family and the quality of my family life.

When I launched in April 2017, my older daughter was just completing middle school. Over the first two months of my practice, I went to every awards ceremony and graduation festivity (and there were many), and also got to attend my younger daughter's Geography Bee and track meets, all during normal working hours. It took exactly one day for me to get over the guilty and awkward feeling of sitting in a school auditorium at

Copyright © 2023 by the author.
For reprint permission, contact the publisher: **www.plaintiffmagazine.com**



10:30 a.m. on a Wednesday, goofing off and not working, and not even having my laptop with me, much less open.

From that moment forward, I have lived my best family life, even while my private practice thrived. So, how do I balance the two, continue being a hard core litigator in private practice while still being an active and involved parent? Planning, planning, planning!

Use your organizational skills in planning family time

Did I mention earlier that I'm Type A? My firm is hyper-organized, and so is my family life. Since I have significant control (though not total control, as I am still at the mercy of court and opposing counsel continuances, unplanned ex parte notices, and inconveniently scheduled motion oppositions), the key to making time for everything is making sure everything is organized and scheduled… well in advance.

Most schools (all levels through high school) and colleges publish "key dates" calendars early on, sometimes years in advance. When my oldest daughter started college, I was able to calendar her start and finish dates, and every school break, for the full four years of her anticipated attendance. I just did the same thing a few months ago for my younger daughter's college, when she first made her decision about where she was attending. Even when the girls were in elementary through high school, I was able to calendar most critical dates months to a year in advance. For events that gave shorter advance notice, they went on the calendar the moment I received notice.

The same was true for non-school functions, such as soccer games, piano recitals, and friends' parties. The entire schedule for the season, including practices, games, and even time slotted for playoffs that might not even be relevant for my child's team, were immediately put on the calendar.

Before I was in private practice, my vacations were few and far between. Now, since I have unlimited vacation hours at my disposal, family vacations are regularly scheduled for the next year or two to come. (You can often get discounted early bird rates for booking a year or so in advance, so why not?)

Once family-related dates were on my calendar, I was careful not to schedule work-related matters that might conflict. Family vacations are put on my trial calendar and attached to Case Management Statements and brought to every court appearance to avoid the accidental scheduling of a conflict. If my kids had a "no classes" day because of teachers' meetings or grading days, I would try to make sure I also had a no meetings/appearances day, just in case they were willing to spend their day off having an adventure with their mom (though this is less likely to happen when they are teenagers, sigh).

Through nothing more than careful and prolific calendaring, I was able to ensure my availability for nearly every family-related event or activity that mattered.

Use technology to redefine your "working hours"

Many private practitioners worked from home at least some of the time even before the pandemic. Now, post-pandemic, working from home all or most of the time is commonplace. This alone facilitates incorporating quality family time into every workday.

Further, with advances in technology that allow lawyers to make court appearances and take/attend depositions remotely, and e-file court documents 24/7, "working hours" can now even overlap with family vacations and other adventures, with minimal intrusion.

A few years ago, my family realized my husband's "bucket list" dream of exploring national parks on an RV road trip. Over a period of two weeks, we lived in an RV, and did a giant loop from Los Angeles, up and around the Grand Canyon, hitting every national park in Utah and Arizona on the way.

On that trip, during some of the many hours on the road or after campfire activities, when my kids were doing nothing but playing on their phones or sleeping anyway, I drafted and e-filed an opposition to a motion for summary judgment, drafted and emailed several sets of discovery, orally argued two motions, appeared at a Case Management Conference, responded to emails from clients and opposing counsel, and returned multiple calls from potential clients. During a two-week family trip to Ireland, I spent one to two hours at the very end of the day before bed responding to emails and processing my snail mail, which I had arranged to be scanned and put into Dropbox for me daily.

Working hours are no longer 8 a.m. to 6 p.m. (or, for some of us attorneys, 7 a.m. to 8 p.m., or worse). Working hours are whatever we need them to be. If I take a break in the middle of the afternoon to go watch my daughter compete in a spelling bee, then maybe I make up those hours after the kids go to bed, if I didn't already get up early and preemptively make up the time before they were even up.

No longer do I have to miss the 2 p.m. track meet to be sure my afternoon is clear because I need to get a filing out the door with the attorney service before 3:30 or 4 p.m. to get it filed before the court closes. Instead, I go to that track meet, have dinner with my family, and get my e-filing out the door before midnight. (I'm actually lying, I'm far too Type A for this! You know I actually got it done the day before and e-filed it before I went to the track meet.)

If you work for a family-friendly firm, some of you might already be doing this. But there is something very liberating about needing no one's permission but your own.

Copyright © 2023 by the author.
For reprint permission, contact the publisher: **www.plaintiffmagazine.com**



Rally the troops: You're not in this alone

You've heard the phrase "It takes a village." Embrace your village, or if you don't have one, find one! Parents in private practice already know and understand your struggle. Many legal organizations have a built-in village in which you can meet, mingle and commiserate with colleagues who face the same challenge of running a practice and concurrently being an involved parent. They get it, just like you get it.

I know one colleague who was engaged in trial several counties away for several weeks. While she was away securing justice, a member of her tribe regularly checked in on her sons (and husband), made sure they had food in the fridge and everything they needed for school and life. Knowing she had help allowed my colleague to focus on nothing but her trial and do the work she needed to do (with incredible results, I might add).

In addition to my supportive husband, I have a village. Maybe I need a sample pleading so I can spend two hours doing something that would otherwise take me six hours and intrude into family time. I reach out and ask for it, sometimes directly, and sometimes on the CAALA List Serve. I always get a response.

Maybe I need coverage for a court appearance that, despite remote technology, I still cannot attend because it's in the middle of my daughter's school Christmas pageant. I reach out and ask for help, and I get the coverage I need. No longer do you have to leave the kids at home to attend the CAALA Vegas convention. If you didn't see it, for the first time ever CAALA Vegas offered CAALA Kids Club, which provided free babysitting and activities for kids four years and older during convention hours (and then some). What could be better than being able to incorporate family time into your professional activities?

My village also includes non-lawyers. The parents of your children's friends and classmates are another resource that should never be overlooked. Even after I started my private practice, I did still miss a few things. My fellow parents not only gave my kids rides to or from activities that I could not bring them to or pick them up from, but they texted me pictures of whatever I was missing so I could still be a part of it. Some of these parents I barely knew, yet they were happy to do it.

Simply stated, you're not in this alone, even if you're a single parent (which I'm not), or a true solo practitioner (which I am). Don't let the fear of thinking you cannot singlehandedly run a private practice and still be an active parent prevent you from going for it. Rally your troops! You *can* do it, and you never have to do it alone. I was terrified, and I did it. I am risk-averse, and I did it. And it was the best decision I ever made.


Coleman

Christina M. Coleman launched her solo practice of the Law Offices of Christina M. Coleman, APC *in April 2017. With nearly 25 years of experience representing employees, consumers, and small businesses in enforcement and protection of their rights, her practice areas include: employment litigation, including discrimination, retaliation, wrongful termination, whistleblower retaliation, civil assault & battery, rape/sexual assault, sexual harassment, civil rights, personal injury, and appellate work. Ms. Coleman was a finalist for CAOC's "Consumer Attorney of the Year" in 2008, and was a finalist for CAOC's "Streetfighter of the Year" in 2010. She is on the Board of Governors of CAALA.*

Copyright © 2023 by the author.
For reprint permission, contact the publisher: **www.plaintiffmagazine.com**