

# Going out on your own offers pluses as well as minuses

Many factors need to be considered when a lawyer decides to put up their own shingle, writes **Gayle Bryant**.

**M**ost people dream of running their own business, but why would a member of the legal profession leave the security of a large firm to become a sole practitioner?

Linda Julian, a consulting director with Julian Midwinter & Associates, offers practice management counsel to lawyers. She says lawyers that decide to go out on their own, tend to do so for a number of reasons.

"They may believe they have the skills to make it as a sole practitioner; some may want to do valuable work for clients that is not economic in a large firm; some may want to do things their own way, and others think going out on their own offers them a better work-life balance," she says.

There are a number of challenges to setting up a sole practice and Julian says many believe the biggest one is getting the infrastructure — such as setting up a website, getting business cards and secretarial support — in place.

"But really the biggest challenges are getting clients from their old firm or earlier professional incarnation to go with them, and finding and engaging with new clients," she says. "And too often they find the clients they thought were welded to them, weren't at all and stay with the firm where service continues, business as usual," she says.

Julian says there are a large number of struggling sole practitioners around. "Many were cocooned when they worked for

larger firms and had people around to deal with their accounts or to unjam the photocopier," she says. "Sole practitioners often underestimate how much multi-tasking is needed and how much that encroaches on their client and billable time."

While Julian says that some practitioners may return to a practice, few would return to a large firm. Instead, some move to in-house roles.

"Many continue to struggle without admitting they are not making it work," she says. "To succeed they need to get strategic, identify their best target markets and get realistic about their budget and fee rates. They also need to learn to manage themselves and put in rules and regulations that keep themselves in check."

One legal practitioner who decided to go out on his own after a stint with a top law firm is patent attorney David Adamthwaite. He was a senior associate with law firm Blake Dawson Waldron when an opportunity arose for him to go out on his own.

Adamthwaite set up a home office in May 2005 and since then has had no regrets, particularly as the move gave him more time to spend with his family.

"Setting up my own practice had always been in the back of my mind," he says. "Large firms are very hierarchical and even after you enter the partnership it can take a long time to work your way into a senior position."

Adamthwaite says he faced a number of challenges when setting



Linda Julian . . . in a sole practice, don't underestimate how much time it will take to unjam the photocopier. Photo: MICHELO'SULLIVAN

**Too often they find the clients they thought were welded to them, weren't at all.**

up, such as leaving the security of a large firm.

"When I started out on my own I had nothing," he says. "All I had was a heater and no files at all. But I was lucky in that when my clients found out I had left Blakes they wanted me to continue handling their work and my practice has continued to grow ever since."

Adamthwaite says he was very appreciative that clients followed him, which has also meant that he needed to do very little marketing. However, he notes it is not a matter of simply putting up your hand and saying "here I am, give me your work".

"Intellectual property matters can be very valuable and clients need to know their matters are in safe hands," he says. "From the outset, professional systems were put in place to monitor my clients' matters."

He adds the move to being a sole practitioner did not mean he had to start charging less for his work.

"The hourly rate is not usually an issue. Neither is the size of the firm. Clients just want to work with someone they trust, can talk to and rely on. It's all about relationships."

But he did note that one of the downsides to starting your own practice is that you take on more administration tasks, such as accounts. However, he said that this was only a minor issue and as you grow larger, you employ people to do this. He has since formed a partnership and the new firm — Adams Pluck — has grown to four patent attorneys with plans for further expansion.

"There are far more upsides to going out on your own," he says. "However, the early days are not easy, you have to work hard. In the patent attorney profession you need to have established your reputation. You have to first put in the years before you go out on your own."

"I don't think there is any way around that."