Flying solo, with a boost from mentors

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This is the second of a two-part series on young lawyers starting their own firms. The first piece was published Thursday.

Armed with a correction tape-equipped typewriter and a push-button phone, Peter J. Bilanzic had all the latest technology he needed to launch his solo law practice.

His days of using an eraser with a brush to fix mistakes were over.

It was 1980, and Bilanzic remembers thinking to himself, “What would they ever invent which would be better than this?”

Today, the newly minted attorneys Bilanzic mentors use computer software to cut and paste parts of older contracts into new contracts, scan and e-mail court documents to anywhere in the world and look up legal doctrine on smartphones within seconds.

Although technology has changed, the grit and guts it takes to open a solo practice fresh out of law school remains the same.

“I learned the hard way, through trial and error and fumbling my way through it,” Bilanzic said.

Now, the civil litigator is using his more than three decades of experience to save young attorneys some of the frustration and growing pains he went through as a new solo practitioner. Bilanzic is part of The John Marshall Law School’s Lawyer-to-Lawyer Mentoring Program, which works specifically with new graduates opening solo practices or small firms.

With hiring in the legal market still slow and a steady interest from students in opening their own firms, law schools are now finding more ways to support students going solo through mentoring, classes geared toward them and even a small-practice incubator.

Supporting new attorneys

The guidelines and curriculum for lawyer-to-lawyer mentoring programs were created by the Illinois Supreme Court Commission on Professionalism in 2011, an effort to pair newly admitted attorneys with attorney mentors.
Mentors are given a packet of materials to guide their work with mentees, and both parties receive six hours of Continuing Legal Education credits for participating. Seven out of the nine law schools in the state now offer such a program.

John U. Fehr and Karl Nicholas Fehr in 2011 opened Fehr Law Group, which has real estate, business law and civil litigation practice areas. The two brothers have been mentored by Bilanzic and John Marshall professor Barry A. Kozak.

Law school doesn’t teach new attorneys how to run a firm, Karl Fehr said, and although there are plenty of books on the topic, “it doesn’t translate to actual experience.”

“With the mentor program, we were able to eliminate many of these trial-and-error mistakes from the start,” Karl said.

Bilanzic said he often focuses on practical matters with his mentees — how they’ve set up filing systems, what retainer agreements should look like and how they conduct interviews. During their first mentoring sessions, Karl said, he learned how to handle billing, engagement and disengagement letters and case file organization.

“It got us started on a much stronger footing,” he said.

Bilanzic has also given them advice on how to figure out which cases to take and decline, an early challenge for most young solos. Developing a sense of what to look for during an interview and asking the right questions takes experience.

“What looks good to them doesn’t look good to me,” he said.

A hands-on approach

Officials from several Illinois law schools in interviews emphasized the importance of good mentoring for newly licensed solos and small firms. Additionally, schools now aim to provide more practical training to give students a taste of what to expect if they strike out on their own.

John Marshall and Northern Illinois University College of Law both offer courses specifically geared toward solo and small practice management, aiming to provide practical training in running the business of a law firm while practicing law itself.

Cook County Circuit Judge Russell W. Hartigan and professor Cliff H. Scott-Rudnick teach the John Marshall course, and adjunct professor Patrick M. Kinnally of Kinnally, Flaherty, Krentz & Loran P.C. teaches the NIU class.

This is the second year that NIU has offered its “Practicing Lawyer” course, which Kinnally said was developed in part due to student feedback.

“They wanted some kind of hands-on idea of what it’s like to practice law,” he said. “A lot of students coming out of law school are hanging out their shingle because they can’t get jobs.”

Scott-Rudnick and Bilanzic said the ability to have more control over the work-life balance has been a larger factor than the economy in pushing students toward solo practice. Many new attorneys, Bilanzic said, recognize that “when you go to work for a firm, they own your life,” dictating hours, cases and dress code.

“In the long run, it’s very rewarding to have your own business,” he said.

In teaching, the instructors draw from their personal experience and bring in a variety of guest speakers — financial planners, marketing professionals, etc. — to talk about the business aspect of running a firm. The class also covers how to find and work with clients and evaluating how much capital various cases will require.
Scott-Rudnick also requires students to develop a business plan and marketing plan. Having a flexible plan with short- and long-range goals is important for new solos and small practices as they raise capital and build their business, he said.

“That is something that does not come from a law school curriculum,” he said.

Kinnally teaches an ethics-based course that covers topics such as attorney-client privilege, handling trust accounts and legal malpractice. Good advocacy is also discussed, he said, including why lawyers shouldn’t file motions just for the sake of running up a bill.

“You file a motion to win,” Kinnally said. “It’s always about helping your client.”

The course also covers business operations of running a law firm such as whether to have a paper-based or paperless law office, computer systems, legal software and handling employees.

The biggest advice Kinnally has for new attorneys is to build roots and connect with the community through civic and other activities. Having court officials, fellow attorneys and jury members know you outside of court can be helpful.

“Make sure wherever you go to practice is where you want to live,” he said. “You can’t just be a lawyer, you have to be part of the community.”

After learning what it takes to start a law practice, Scott-Rudnick said, some students realize that it’s not the right fit for them. Some have told him they don’t think they can handle the financial ups and downs that come with a new business.

Southern Illinois University School of Law, meanwhile, offers classes such as accounting for lawyers and law practice management, which is attractive to students interested in solo practice, said Michael Ruiz, assistant dean for graduate legal studies and special programs.

The school’s newest initiative is a “Business Bootcamp” offered over three days before the start of a semester. The crash course teaches skills such as contract drafting, executing a business plan, billing and helping clients set up LLCs.

While some law school graduates in large urban areas have turned to solo practice because of the economy, Ruiz said it’s less of a factor for SIU students. They tend to come from rural areas and many of them entered law school with the small practice model already in mind.

“Their frame of reference is the solo practitioner or small firm” in their hometowns, he said.

Law school incubator

At IIT Chicago-Kent College of Law, the Solo and Small Practice Incubator launched in 2012 aims to help alumni start their own practices by providing them with office space, professional development seminars and mentoring opportunities.

The one-year program is still accepting applications for its current class.

Incubator director Dawn K. Young said participants have offices on the sixth floor of the law school equipped with basic office furniture and a shared conference room. Participants also have free access to the law library and research tools. The only costs participants cover are malpractice insurance, photocopying, postage and long-distance phone calls.

“The whole point of it is to provide them with an environment of their own office to help bring overhead down,” she said,
The program has a rigorous application process which includes submitting a business plan. The incubator has rejected some who didn’t appear to be prepared or serious enough to take on solo practice just yet.

Young has regular status meetings with participants to check in on their progress and provide support. Alumni have really embraced the program, she said, and it’s been easy to find guest speakers and mentors.

“Many (alumni) have come up to me and said ‘I wish when I was practicing I had a program like this,’” she said. “I’m really grateful for their support.”

Young can empathize. After she graduated from law school, she and her husband opened their own small practice in Wilmette.

Young, who went to Syracuse University College of Law, didn’t have any local mentors and “spent many hours in a law library by myself trying to figure it all out.”

“It’s a big thing that they’re going it alone. This program lets them know they’re not alone,” she said. “They’re all doing the same thing — and we’re all in it together.”