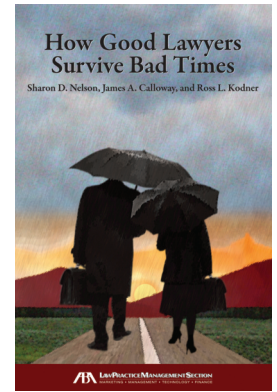


How Good Lawyers Survive Bad Times

By Sharon D. Nelson, James A. Calloway and Ross L. Kodner | Published 2009, 230 pages



It's been a rough few years for lawyers and law firms in the United States. According to the *ABA Journal*, 21,000 legal jobs were lost in 2009. Websites with names such as "Layoff Tracker" sprang up to tally the carnage. Entire firms disappeared overnight and some lawyers were reduced to posting resumes looking for "anything remotely related to the practice of law." While Canada may have been spared the worst of the recent recession, law firms here have faced a bumpy ride as well, and many are not yet out of the woods.

With that as a backdrop, *How Good Lawyers Survive Bad Times* makes compelling reading. It was co-authored by Sharon D. Nelson, president of a forensics and legal tech firm in Virginia, James A. Calloway, director of the Oklahoma Bar Association Management Assistance Program, and Ross L. Kodner, founder of a legal tech and law practice management consulting firm. The format of the book is short, easy-to-digest articles and tips grouped into three broad categories.

Part One is for lawyers who have lost their jobs or are afraid of losing them. The main message is to take stock of your situation and all the skills you possess (which you'll still have even if your job disappears) and develop a strategy. Keep your resume up to date, begin tapping into the networking connections you've established over the years, and if you haven't had to network much there are lots of tips here on how to get started.

Should you consider moving to a different area of law? A different firm? A different city? One interesting example provided is of big firm lawyers who have decided to become "big firm solos" – taking their knowledge in areas of law normally practised by big firms (e.g., securities) and going solo. They get the rewards (and challenges) of running their own firm, and can compete on a cost basis

by having much lower overhead than a large firm.

Part Two provides strategies for keeping your firm afloat in tough economic times. Simply cutting staff or lawyers to improve the bottom line is not necessarily an effective strategy. There are more creative alternatives such as taking a hard look at your clients and how fees are collected, coming up with more flexible billing arrangements to keep and attract clients, renegotiating contracts with service providers and banks and looking at cheaper office space. The idea is to "cut fat, not muscle" and retain as much of your firm's personnel strength as possible for when the economy rebounds. With that in mind you also don't want to simply slash the marketing budget, but rather find more innovative (and ideally cost-saving) ways of continuing to attract new clients.

Unfortunately, even after finding as many smart savings as possible, layoffs may still be necessary. The authors provide a lot of advice on how to do this in a way that is both humane to those being let go and mindful of the morale of remaining lawyers and staff.

Part Three looks at how to use technology to improve your bottom line. Some may think an economic downturn is the worst possible

time to invest in new office technology, but done smartly this can save your firm money now AND be a wise investment in the future.

The authors give the example of a "time bucket." This bucket is all the potential billable hours in a day, some of which is "spilled out" doing non-billable things (office management, staffing issues). Investing in a technology to reduce the time spent on non-billable work, thus freeing up more time for billable hours may be worthwhile. The book examines how firms can assess the various aspects of their operation and costs and how technology might help them add more productive hours to their "bucket."

A poor economy will hit lawyers and firms in different ways. Not all will face a situation as drastic as layoffs or the winding up of the firm, but everyone will likely find themselves re-assessing costs, strategies and their long-term situation. There is something in this book for everyone looking for help to ride out tough times. The message that comes through in all aspects of the book is to stay positive, remember your strengths and know that good times are bound to return again. The key is to find yourself in even better shape when they do. ■

Tim Lemieux is practicePRO coordinator at LawPRO.

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