Note to File: Pay Bills, Payday, and Pay Heed

*After four years with the law firm, Mindy resigns. She is tired of the long hours she spends working on other attorneys’ cases, which leaves her little time for a life, let alone client development. Overall, the four years at the firm have been worthwhile, but the time is right to move on. She also has one firm client who is so happy with Mindy’s work that he wants Mindy to handle his future legal needs. Having kept up with Pedro and his growing success, not to mention the freedom he has gained by practicing on his own, Mindy gives serious thought to going solo. She has saved some money, which will help her seed a solo practice and has good experience. She speaks with Pedro and they decide that Mindy will share office space, which will be cost effective for both of them. Plus, they will be able to bounce ideas off of each other and brainstorm together.*

Shortly after moving into her office, Mindy begins to focus on the administrative aspects of starting a law office. She incorporates as Mindy Fuller, P.A. and literally places a shingle on the wall outside the office’s front door. She opens a business account at a nearby bank, and deposits $5,000 of her personal funds to establish the account with enough liquidity for the next several months’ expenses.

On her way back to the office, Mindy stops at the local coffee shop to grab a bite to eat and finish drafting a pleading in a new case. She is psyched that the coffee shop offers free WiFi and doesn't require those pesky passwords. Mindy logs on to Dropbox to access her pleading, entering her username, “Mindy Moo,” and her password, “lawyer123.” She spends an hour on the document and then, as she finishes her green tea latte, reflects on life in solo practice.

When she arrives at her “new office,” Pedro asks if she needs anything. Mindy looks at a client file in her hand and says, “I guess I need a file cabinet.” Pedro tells Mindy that she can share the bottom drawer of one of his file cabinets until she has more clients and wants to buy her own. Together they walk into his office and he pulls open the bottom drawer of the cabinet. Mindy pauses to consider the propriety of sharing the drawer. Pedro's comment a few weeks earlier that he sometimes rents out a spare room in his office for colleagues to conduct mediations flashes through her mind.

“Come on” Pedro laughs. “It’s just a drawer. It’s not going to slam shut on you.” Mindy smiles and, not wanting to hurt Pedro's feelings, places the file inside. She remembers to take from it the $5,000 retainer check that the client sent to fund future work. That evening as Mindy leaves for home, she grabs one of the new Business Checking deposit slips for her P.A., fills it out to deposit the retainer, and drops it in the bank’s after hours deposit box.

That night, Mindy's thoughts turn to her decision to use Pedro's file cabinet. After all, Pedro or anyone he lets into his office could read it. It's such a little thing. Still, something in her gut is telling her it wasn't 100% above board. Why start her solo career with an ethical lapse, no matter how small. Unable to fall asleep, her mind racing, she places her attention on the sensations of breathing for about five minutes, noting the rise and fall of the abdomen.

A few days later, Mindy calls the web-design firm that her former firm uses. She has a good relationship with the owner and he agrees to give her a great deal on a website which includes meta tags using words such as "big law," "expert litigator" and the name of Mindy's old firm. Excited to get the ball rolling, since all she has is the Caado profile, Mindy writes a $1,000 check for the design and marketing services and places it in the mail. Asked if she also needs general marketing, Mindy says that she has some ideas, which she can implement herself.

Mindy is aware of a new attorney-client matching program being offered by Caado. She logs on to her Caado account, clicks on all of the Business, Family and Estate Planning practice areas that are listed to indicate that she will handle cases in those areas. She signs Caado’s online agreement, which provides that she will pay Caado a marketing fee that will vary depending upon the type of case and size of her fee.

Later that day, Caado telephones Mindy and connects her with a client who has an unusual family matter. The client agrees to retain Mindy. Mindy ecstatically informs Pedro about the case and her newfound rainmaking ability.

Excited with her first piece of business as a solo practitioner, Mindy gets together with her best friend, Claudia, to celebrate. Over dinner, Mindy tells Claudia about her new Caado client and the interesting legal question that was raised.

Mindy also discusses her concerns about sharing an office with Pedro. Claudia suggests that Mindy establish a virtual practice and work from home until she can afford her own office.