

FROM THE CONCRETE CANYONS TO THE GRANITE PEAKS: A YOUNG SOLE PRACTITIONER'S PERSPECTIVE

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I moved to Idaho in 2006 without knowing a soul. On the flight into Boise for an interview, I saw sagebrush and foothills where I thought I'd see pine forests and jagged peaks. After meeting with my prospective supervisor, I put over 400 miles on my rental car driving to Bogus Basin, Mores Creek Summit, Horseshoe Bend, Ontario, Oregon, and much to my dismay, discovered there were no mountains in Mountain Home. I strolled around downtown and managed to get invited to a Southwest Airlines holiday party by some stewardesses staying at my hotel.



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Skiing close to town, check; great hunting, check; great fishing, check and the nightlife sealed the deal. I was moving to Boise. Everything was falling into place. Someday I would open my own firm and spend my days rowing clients down beautiful western rivers casting dry flies to big uneducated rainbows while discussing litigation strategies. A retainer and handsome hourly rate would surely follow.

An Optimal Start

I had passed two bar exams in one year and had a decent amount of legal experience under my belt, having represented Wal-Mart as a products liability litigator back in Pittsburgh, Pennsylvania. I figured taking a third bar exam was a small price to pay for the chance to live in the Wild West. I spent my first three years in Boise at the Office of the Attorney General representing the Idaho Department of Lands on a variety of administrative and transactional matters as well as litigating forest fire cost recovery actions. The state job gave me the opportunity to explore my new home, practice with a variety of lawyers from my newest bar, and experience the excellent fishing or skiing that could be had after arguing a case in a small town courthouse. I also took to the Monday to Friday, 8 to 5 schedule of government employment,

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a pleasant break from the 2100 billable hours I had previously known, and set out to get involved in my community.

I found Idaho's Bar to be extremely collegial and quickly became chair of the Young Lawyers Section. I also contacted the local Chamber of Commerce and got in at the ground floor of creating Boise Young Professionals. Through my involvement in both of those organizations, my list of Idaho acquaintances quickly grew from zero to a network of several hundred. I have made some pretty good friends along the way too.

Out On My Own

In early 2009, I felt I had laid the groundwork and it was time to put my dream into action. I had money in the bank, elk in the freezer, and no student loans. It was time to make the move to solo practice. Not having a wife or children to worry about going hungry also made the decision seem a little more rational. I phoned a friend who had recently made the jump and scheduled lunch. Over a Reuben and hash browns at Goldy's Diner, we talked about the cost of renting office space, staff time, malpractice insurance, choice of business forms, accounting, and marketing. I had tossed around the idea of starting out from a home office but quickly realized a 31-year old attorney needed to look as legitimate as possible and meeting with clients at the kitchen table just wouldn't cut it.

I looked at the classifieds sections in past issues of *The Advocate* and interviewed a few firms to discuss office space sharing arrangements. One major consideration was the amount and type of referral work that would come from whomever I selected. I'd need something to pay the bills as I built up my own caseload. Another consideration was experience and reputation since I

would undoubtedly be in need of someone to bounce ideas off of from time to time. Just as I began my search, a good friend decided to move to California. His father's firm, which he left, had some space to rent and a few cases they needed some help with.¹ After a few meetings with him and his partner, we came to an agreement on a monthly lease and billable rate for in-house assignments.

I applied for malpractice insurance, an IOLTA account, and with some assistance from the Bar I completed all the legal requirements of owning my own shop. I next met with a friend who had recently opened a web design and branding business. He helped me create my logo and website to match the style of practice I hoped to build. With the click of a mouse to purchase my domain name, kahlebeckerlaw.com, I hung out the modern version of my shingle.

The first weeks involved a few research assignments, lunch meetings with prospective clients, learning new areas of the law, writing letters, and anxiously awaiting responses. I'd love to tell you that from day one I was making eloquent arguments, impressing both judge and jury with my legal prowess. However, many a day was spent playing internet chess, updating my Facebook status, and reading the latest news on MSNBC. Gradually, the clients came through a referral from another firm, another from a friend of a friend, and still others from contacts back east. I also did, and still do, quite a bit of *pro bono* work to sharpen my skills, help those less fortunate, and just maybe assist in marketing my blossoming business venture. Additionally, I looked for new ways to get involved and increase my visibility in the community. I spoke at a national seminar on endowment lands, volunteered for the "Scales of Justice" fishing tournament, and was

asked to join the board of directors of the Idaho Conservation League as well as the Land Trust of the Treasure Valley. I have continued to stay active with the Bar and sat on the board of Boise Young Professionals through December of 2009.

Inquiry And Autonomy

As this article heads to print, I am happy to report that my business is one year old and humming along quite well. I am in court regularly; have clients ranging from personal injury plaintiffs and small businesses with contract disputes to other small firms and even some multinational corporations. But that doesn't mean there are not still constant questions as I evaluate my practice. What's next? How can I grow my client base and increase profits? Are my fees at the right level? Should I partner up? Would I be better off at a firm? Should I focus on a few specific practice areas or become more of a generalist? These questions run through my head constantly.

Solo practice certainly isn't for the faint of heart or those with a mountain of bills to pay. One must balance rent, which is due monthly, insurance and bar

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dues that must be paid annually, with clients who may not pay a bill until 60 days after it is due. However, if you've got the entrepreneurial spirit, can live frugally for a bit, and have laid the groundwork with a solid network, I encourage you to consider making the jump. As for my own dreams of having a book of clients ready to meet on trout-filled rivers, for the moment I'm content to make my own schedule of billable time and duck out of the office here and there with a friend on a bluebird powder day or when the hatch is just right.

About the Author

Kahle Becker is the Immediate Past Chair of the Young Lawyers Section. He

left the Office of the Attorney General in March of 2009 to open his own firm. His practice focuses on general business litigation, real estate, personal injury, administrative, and natural resource law. A graduate of the University of Pittsburgh School of Law and the Pennsylvania State University, he moved to Idaho in 2006 to enjoy the great outdoor activities this area has to offer.

Endnotes

¹ You can read about this distinguished counselor's own adventures in creating his practice in the adjoining article.

ALTERNATIVE DISPUTE RESOLUTION

Merlyn W. Clark

Mr. Clark serves as a private hearing officer, federal court discovery master, neutral arbitrator and mediator. He has successfully conducted more than 500 mediations. He received the designation of Certified Professional Mediator from the Idaho Mediation Association in 1995. Mr. Clark is a fellow of the American College of Civil Trial Mediators. He is a member of the National Rosters of Commercial Arbitrators and Mediators and the Employment Arbitrators and Mediators of the American Arbitration Association and the National Panel of Arbitrators and Mediators for the National Arbitration Forum. Mr. Clark is also on the roster of mediators for the United States District Court of Idaho and all the Idaho State Courts.

Mr. Clark served as an Adjunct Instructor of Negotiation and Settlement Advocacy at The Straus Institute For Dispute Resolution, Pepperdine University School of Law in 2000. He has served as an Adjunct Instructor at the University of Idaho College of Law on Trial Advocacy Skills, Negotiation Skills, and Mediation Advocacy Skills. He has lectured on evidence law at the Magistrate Judges Institute, and the District Judges Institute annually since 1992.

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