

The Solo and Small Firm Section:

A Natural Fit for Many Minority Bar Committee Members

By Wesley R. Payne IV, Esq.

I recently had the honor of introducing PBA President Sharon López at an event. While reading through her accomplishments as an attorney and a founding and managing partner of a “boutique” law firm, it occurred to me that many Minority Bar Committee (MBC) members are solo practitioners or members of small, boutique law firms. The questions in my mind then became: What programs, committees or sections does the PBA offer to assist solo and small firm practitioners and how can MBC members benefit from these efforts? The answer is the Solo and Small Firm Section.

Although there are a number of larger and national law firms in Pennsylvania that are predominately concentrated in the Philadelphia, Pittsburgh and Harrisburg regions, Pennsylvania is a big state with many diverse regions, populations and practice areas. In actuality, solo and small firm practitioners constitute over 60 percent of the practitioners in the commonwealth and are a significant portion of the PBA membership. Embracing this fact, several years ago the PBA created the Solo and Small Firm Section, which has grown to become one of the largest, most active and vibrant PBA sections.

The Solo and Small Firm Section may be a natural fit with a great deal of unrealized symmetry for many of our MBC solo and boutique firm members who are interested in improving their practices and law firm management skills. The section also offers opportunities for networking and discussing best practices with other solo and small firm practitioners.

The Mission of the Solo and Small Firm Section:

The Solo and Small Firm Section shall take as its province the enhancement of the skill of the lawyer in solo and small firm practice, by providing a forum for the exchange of ideas and

information essential to improvement of the lawyers' quality of legal services; the assistance of lawyers in solo or small firm practice in utilizing the best techniques, methods and procedures for carrying on the practice of law and providing legal services, so that lawyers engaged in the solo or small firm practice of law will improve their ability to deliver the most efficient and highest quality of legal services to their clients; the provision of a medium through which solo and small firm practitioners may cooperate with, encourage and assist each other in the resolution of problems common to them and to the legal profession, all to their mutual benefit and that of the Association and the legal profession at large; and the representation of lawyers engaged in the solo or small firm practice of law.

PBA Bylaws, Article VI, Section 642.

The focus of the section is practical and its goal is to enhance the skills, quality of life, techniques and abilities of solo and small firm practitioners in not only the practice of law and service of clients, but the business of running a small law firm in today's fast-paced environment.

The section offers the following to its members:

- **An information clearinghouse** to assist general, solo and small firm practitioners with law firm management.
- **A quarterly newsletter** containing innovative tools, techniques and suggestions from fellow solo and small firm practitioners. The columns address topics such as technology, promoting your practice, legislative updates, law practice management trends and hot tips focused on issues directly affecting solo and small firm practitioners.
- **An annual state-of-the art model conference** assembling general, solo and small firm practitioners from across the state to address problems encountered by solo and small firm practitioners and addresses how to



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improve practice and quality of life for solo and small firm practitioners.

- **A Lawyer-to-Lawyer Network directory** listing volunteer lawyers from across the state who are willing to assist fellow general, solo and small firm practitioners with questions or problems in practice, procedure and law firm management.

Access to the clearinghouse, newsletter, conference and network directory are just a few of the section's tangible benefits.

Recognizing the many unique challenges and time constraints facing solo and small firm practitioners, the section has taken a proactive approach with the Disciplinary Board to assist solo and small firm practitioners by increasing the awareness of potentially problematic issues. The section realized that many of the solo and small firm practitioners that ran afoul of the Rules of Professional Conduct did so unintentionally. The sections, through education and with the assistance of the Disciplinary Board resources, seeks to give solo and small firm practitioners the opportunity to better understand the rules and how the rules affect solo and small firm practices in different scenarios. The section also helps solo and small firm practitioners stay informed about new issues, changing rules concerning the profession, and practical ways to efficiently run a small firm and avoid common pitfalls, such as time management concepts to prevent neglecting cases, software options and best practices to avoid financial errors, systems to prevent the failure to communicate with clients, and practices to limit mistakes in fee agreements. In short, the section offers the opportunity to discover issues

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end, the group, which I called the Membership Engagement Blue Ribbon Panel (Blue Ribbon Panel), consisted of 22 members: Barry Simpson, Bill Pugh, Chuck Eppolito, David Schwager, Elizabeth Swivel, Ellen Bailey, Fran O'Rourke, Jay Silberblatt, Jerry Shoemaker, Jon Koltash, Jonathan Huerta, Karla Betts, Kathleen Wilkinson, Liz Simcox, Lori McMaster, Maraleen Shields, Melissa Lieninger, Sandra Brydon Smith, Sara Austin, Steve "Tim" Riley, William Baldwin and me. The Blue Ribbon Panel met by phone four times and once face to face. Their charge was to focus on each of the identified groups for one full call each. They sent articles and studies and came with their own observations. We spent a day reviewing the findings and coming up with projects that met the need of the 3Ms.

The Blue Ribbon Panel Recommendations

Eight projects rose to the top: 1) Back to the Bar, 2) Working Differently, 3) Mini Trial Camps, 4) Diversity Resources, 5) Mitigating Implicit Bias, 6) Social Media and Virtual Meetings, 7) Mentoring, 8) Focus Groups and Feedback. Listed below are more detailed descriptions and the committees and sections that accepted the project for development.

Back to the Bar: a project that proposes toolkits for helping lawyers take the leave they need and return to the practice of law in a manner that complies with state and federal laws, helps the lawyer stay compliant with professional standards and supports lawyers who are parents deal with the balancing work and family. *Assignment accepted by the Commission on Women in the Profession.*

Working Differently: a project that proposes toolkits for lawyers to work ethically in remote work conditions. *Assignment accepted by the Small and Solo Firm Section.*

Mini Trial Camps: a project that uses experienced attorneys as trial educators in county-based settings so as to promote mentoring relationships that welcome younger

attorneys. *Assignment accepted by the Civil Litigation Section.*

Diversity Resources: a project that creates a yearbook of affinity bar leaders and a calendar that shows events that the affinity bars hold so as to reduce conflicts and promote inclusion. *Assignment accepted by the PBA Diversity Team.*

Mitigating Implicit Bias: a project that provides implicit bias training and ways to control or mitigate in the practice of law. *Assignment accepted by 2018 Midyear Meeting Planning Committee.*

Social Media and Virtual Meetings: a project that helps attorneys learn about the best practices for using social media in their practice and in organizing or meeting with other attorneys. *Assignment accepted by Membership Development Committee.*

Mentoring: a project that provides a toolkit for mentors and mentees on how get the most out of a mentoring relationship in the practice of law. *Assignment accepted by PBA Leadership Development Committee.*

Focus Groups: a project that helps attorneys assess the effectiveness of their meetings with other lawyers to determine whether the voices of the underrepresented are heard. *Assignment accepted by Membership Development Committee.*

Creating Change Takes Time

As someone who works in diversity and social change issues, I am patient and I understand that real change takes time. Nevertheless, I am confident that, despite the changing demographics of our legal community and association membership, our association will remain a strong advocate for the legal profession and engage in relevant work that achieves our mission. Look for an update on these projects and upcoming opportunities to help out in future publications of *Houston's Legacy*.

PBA President Sharon R. López is the managing partner at Triquetra Law, a boutique civil-rights and plaintiffs-employment law firm located in Lancaster. Sharon was the first editor of "Houston's Legacy."

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and solutions that you may not have previously considered and help you prevent costly errors.

Further, there is the entangled opportunity to network and actually connect with other solo and small firm practitioners and share and discuss your experiences during Committee/Section Day, the annual conference and other statewide and regional events. This statewide network of solo and small firm practitioners that may have similar experiences and understand your practice issues is an invaluable resource for any practitioner.

Finally, since the section is very active in the PBA, it can also serve to enlarge your PBA network in other areas as well. Especially for those MBC members interested in PBA leadership, the Solo and Small Firm Section has produced a number of PBA leaders -- several recently elected or having served as PBA president, including Dale McClain, Frank O'Connor, Sara Austin, Anne John and Sharon López.

So, if you are a solo or "boutique" firm practitioner, the Solo and Small Firm Section has a lot to offer and may be a place for you to further develop and grow your practice.



Wesley R. Payne IV, a partner in Philadelphia's White and Williams LLP and chair of its diversity committee, is the Zone One governor on the Board of Governors. A member of the PBA House of Delegates, Payne is active in the

PBA Minority Bar Committee and a former chair of the PBA Military and Veterans' Affairs Committee. Payne is the treasurer of the Philadelphia Bar Association, a member of the Barristers Association of Philadelphia and president of the Philadelphia Association of Defense Counsel. He is active in pro bono and civic activities. A cum laude graduate of Washington and Lee University, Payne received his J.D. from the University of Maryland School of Law. He served in the U.S. Army Judge Advocate General's Corps from 1988 until 1991.