

# Chicago Daily Law Bulletin

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## Lawyers need to focus on finding clients

**M**y first day as a lawyer in 1989 was confusing at best. Upon arriving at my job, I received a real estate contract with a lease to analyze, along with a thick pad of paper with the words "Time Sheet" written in bold at the top. "Make sure you capture all of your time and give me your comments to the contract tomorrow," said the assigning partner as he left my office. I stared at the lease, real estate contract and time sheet pad without having a clue as to what I should do with them.

Sure, I could read, but as I started to review the contract and lease, I had virtually no idea what I was looking for. The more I read, the more anxious I became. Being an attorney fresh out of law school, I lacked the confidence to walk into the partner's office and ask for help or guidance — thereby disclosing how little I actually knew.

As my apprehension mounted, I reminded myself, "I went to a good law school so I should know what I'm supposed to be doing." Every page I turned convinced me I most definitely did not. What the heck were real tax pro-rations, environmental covenants, 1031 Exchanges, triple net leases, CAM charges and title company endorsements? I would have felt more comfortable navigating which train to take in a crowded Tokyo subway during rush hour.

Eventually, I called a family friend who was an experienced lawyer and asked her for help. She pointed me in the right direction, which enabled me to put together a memo concerning the contract and lease. I spent a sleepless night anticipating the next day, when the assigning partner would surely fire me for simply regurgitating what was in the documents. Of course the point was to actually analyze the documents and determine how they may positively or negatively impact the firm's client.

The next morning I walked into my office and staring me in the face was the completely blank time sheet from my stellar first day on the job. With all the stress associated with my first legal assignment, I forgot to enter any time for the work I had done. I stared back at my time sheet and wondered what I should write down. I was probably one of the few of us that never took "Billing 101" in law school. How descriptive should my time entries be? How much time did I actually spend yesterday on the project? Should I do block billing or task billing? Should I ask whether to bill the contract and lease to different billing numbers? I was clueless.

After my first week on the job, it dawned on me that my professional life often amounted to little more than accumulating increments of time that I was required to log each workday. Every call, meeting, contract draft, letter, research, pleading, court appearance — essentially every action I took needed to be reduced to the hands of time. But what about thinking? Could I bill a client to sit in my chair, thinking about a project and how best to reach a positive outcome for the client? After 23 years as a lawyer, I still don't know the answer to the "billing for thinking" issue and consequently, have yet to log time for "thinking

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### GONE FISHIN'

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about client's case/matter."

The billable hour was, quite frankly, the most tangible thing against which I was measured. The more I billed, the more money I made. Raises and bonuses were often accompanied by statements such as, "You had a great year, Josh. You billed 2,300 hours. Keep up the good work!" In my early years, I loved the ability to tie my overall compensation to the number of hours I billed. I wasn't married, had no kids, no dog and for the first time in my life when I went out to dinner, I could order anything I wanted without regard to cost. After all, I billed 12 hours that day and would bill another 12 tomorrow and on and on. At that pace, my end of year bonus would be extraordinary, so life was grand.

Yet, in time, the umbilical cord between my professional self worth and the billable hour became stretched and painful. In order for me to develop my own

stable of clients, I had to balance reducing the number of annual billable hours I logged against spending more time marketing. At first, this was a struggle. After all, the beauty of the time sheet is that you can see your productivity in black and white — and so can your firm. What is less clear, particularly to young lawyers, is the long-term benefit of spending meaningful amounts of time marketing to prospects and clients as early as possible in one's career.

But there are consequences to all actions and law firms often do not appreciate the long-term benefit of an attorney billing 2,000 hours and spending another 300 hours marketing. Most firms might prefer you spend 2,300 billing and let the firm's rainmakers handle the marketing. To me, this is short-sighted and stunts a young attorney's overall development, which must include marketing and practicing marketing, over and over again.

Young lawyers would be wise to strive to have their time sheets be no less or more thick than their prospective and actual client lists. If you really want life as a lawyer to be grand, finding clients instead of merely logging the billable hour is the course to chart. The billable hour does not make you portable — clients do. The billable hour never refers a new prospect to you — clients do. The billable hour can hardly ever make someone an equity partner — clients can. The billable hour can be logged by almost any competent attorney — landing clients is an art that is more rare and unique. And here is the real kicker. The billable hour does not make lawyers happy — new clients do.

Over the last 17 years, my focus has been on accumulating new clients and not simply logging hours on my time sheet. And I can honestly say that over this time, practicing law has never been so rewarding, challenging or profitable.