

THE LADY LAWYER'S GUIDE TO STARTING A NICHE PRACTICE

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I. WHAT IS A NICHE PRACTICE AND WHY DO I WANT ONE?

Each of us wants to have a dream practice focusing on legal work we enjoy and clients we love helping. When we begin at a law firm we don't have much opportunity to develop that niche practice but there comes a time when we can do it. In the next hour I want to share with you how I developed my dream niche practice and how you can develop yours. It might seem like climbing Mount Everest, but it really isn't, because it is simply a matter of marketing the skill-set you largely already possess to a particular industry or a defined group of people.

Becoming a “go-to” lawyer in a particular industry is something you want to do because 1) clients will choose you over your competitors because you provide unique solutions to the legal issues they face on a regular basis; 2) if you pick an industry you're really passionate about, you will be more satisfied with your work; and 3) you will tend to become a better lawyer overall because people do better work when they care about the subject matter.

I believe that the career satisfaction component is of great significance for lawyers. In a 2007 survey by the American Bar Association, 800 lawyers revealed

their thoughts about life as a lawyer and the state of the profession. The survey revealed some disturbing facts: Almost half of the lawyers surveyed reported dissatisfaction with their careers. Only 4 in 10 lawyers said they would recommend a legal career to others. I can imagine these statistics have become grimmer since 2007 given the economic decline we have experienced since that time.

Lawyers who are focused on issues that are of interest to them are happier and have a greater sense of career satisfaction. That said, becoming a “go-to” lawyer in your chosen industry is not easy, does not happen instantly, and it doesn’t mean you’ll be living in a utopia devoid of the day-to-day pressures and demands of the legal profession. If you’re a trial lawyer, you’ll still mainly be a trial lawyer serving a particular industry. If you’re a corporate lawyer, you’ll keep doing corporate work for your industry clients, etc. But you’ll have more empathy with your clients and they will desire to work with you because you understand their needs and issues. And you’ll feel good about offering unique value to your clients.

II. HOW TO GET STARTED

If you want to become a “go-to” lawyer in an industry, I suggest that you not pick an industry that you find boring. You will be attending their conventions, going to events they go to, and reading and writing about them in your free time.

Therefore, the first thing you need to do is find out what you're most passionate about. Whatever that thing is...that's most likely the industry you should focus on. You will probably think of several things you're passionate about. In that case, I would suggest that you talk to a close friend or family member about your passions and ask them to honestly tell you which one they think you sound most passionate about when you talk about it.

Think about what you would do with your time if you didn't work here. How did you spend your free time before you became a lawyer? Did you have some other job before you became a lawyer from which you gleaned a special skill set? Your true passion might even be something you've always wanted to do or learn about, but haven't committed any time to...until now.

a) ***Specific Things I Did to Start My Niche Practice in Equine Law***

My first true passion has always been horses. Although I was raised out in the country and we had land, my parents never got me a horse growing up. I bought my first horse a couple of years after I graduated law school, and have spent most of my free time riding, showing, doctoring, and grooming horses since then. I've always wanted to work in the horse industry, but never thought I could make any money at it.

After law school, I went to work for Jenkins & Gilchrist in Dallas. I worked there for a total of six years. I was in the litigation section, and I mostly wrote

briefs and did research for two partners, primarily in the area of securities arbitrations. I lobbied heavily for opportunities to go to court or take depositions, and I found those things to be fun. But I wasn't passionate about the securities arbitrations. Nor was I passionate about being a brief writer. I wanted to get into the courtroom and I wanted more client contact.

In 2004, I sought the advice of a partner at Jenkins named Cordell Parvin. Now a professional career coach for lawyers, Cordell had been a mentor to me and many other young lawyers at the firm. I met Cordell one day for sushi and told him that I had an idea about what I wanted to do with my career, but made him promise not to laugh. He agreed and I told him I was thinking about pursuing "equine law". He did not laugh and he told me he thought it was an outstanding idea. I told Cordell I did not know of any other lawyers in Texas practicing equine law. He said that it did not matter. This gave me the courage to go for it.

I immediately set out to get involved in the horse industry. The very next morning after my meeting with Cordell, I had breakfast with a friend of Cordell's who owns race horses to talk about what they are reading and which events they are attending.

Here are some of the other things I did:

- 1) Set up meetings in Kentucky with lawyers who were already practicing equine law and asked what they were working on and how they got started;

- 2) Subscribed to horse industry publications like the Blood-Horse magazine and American Quarter Horse Journal;
- 3) Ordered the Equine Law Forms Compendium from the University of Kentucky and all the books I could find on equine law;
- 4) Became a member of horse organizations such as the Texas Thoroughbred Association, the American Quarter Horse Association, and the American Paint Horse Association.
- 5) Started attending major events publicized by the breed associations, such as horse sales, horse shows, races, and annual conferences;
- 6) Started attending the National Conference on Equine Law CLE, held each May in Lexington, Kentucky;
- 7) Called the horse associations to ask if they needed a free speaker or needed someone to write a legal article for free.

In addition to the activities described above, I continue to do the following to become involved in the industry.

- 1) I show my horse in several horse shows per year; ride in team roping and practice ropings.
- 2) I write several articles on equine law to be published in industry publications and I do several speaking engagements per year;
- 3) I write two blogs on equine law. The Equine Law Blog (<http://equinelaw.alisonrowe.com>) and an FAQ blog (<http://www.txequinelawyer.blogspot.com>).
- 4) I regularly post on my Facebook, Twitter, and LinkedIn page.
- 5) I attempt to help everyone who contacts me with a legal problem, regardless of whether or not I think they eventually hire me. I publish the free legal advice on the FAQ blog so that others can also take advantage of the information.

These activities have worked well for me. In 2007, I started my own trial practice and 100% of the cases I have taken since I started my own firm have been

equine-related. And I continue every day to look for new ways to be active in the horse industry and learn more about the legal issues facing that industry.

b) Take Aways

1. It's okay if you didn't grow up in the business or don't know a lot about the business. You can and will learn the business if you're passionate about it and you stick with it.

2. Don't worry if you don't know anybody else in Texas who is practicing in your niche. It's good to have a monopoly! You may need to contact practitioners in other states to seek advice on how they started their niche practice.

3. Do not be afraid to do some work for free.

4. You will be amazed at how much business you can get by getting out of the office and doing activities you really enjoy!

5. You don't have to wait for retirement to do the things you love. You can do it right now and bring in business as a result.

I. WHY PASSION ALONE WON'T MAKE YOU SUCCESSFUL

Bill Sledzik, a PR professional, wrote a blog entry entitled "Why Passion, Alone, Won't Make You Successful." Sledzik says that if you only needed passion to be successful, he would have pitched in the 1979 World Series!

According to Sledzik, you definitely need to have passion to be successful, but passion is just one ingredient to success. You also need knowledge, critical thinking, talent and a good bit of personal sacrifice.

I believe you also need focus. Many lawyers who desire to develop a successful niche practice fear failure and attempt to "hedge their bets" by trying to sell themselves as an expert in many diverse fields of law and many industries. At one time, while I was working at Jenkins & Gilchrist, my bio on the firm's website

said my practice was focused on “securities litigation, complex commercial litigation, NASD arbitrations, and equine law.” As you can tell by my old practice description, I believe this marketing strategy leads to a lack of focus that keeps lawyers from becoming a true expert in the industry in which they really want to practice. Clients want someone who is intimately familiar with their legal problems and issues. Therefore, I also believe that marketing materials touting expertise in numerous, unrelated areas can lead to a lack of credibility.

Of course, most lawyers have to keep serving current clients while they build their new niche practice. The key here is to focus your marketing efforts on your chosen niche, even though you might be doing other kinds of work.

I believe the most important ingredient in developing a successful niche practice is to focus on a field and stick with it. This podcast by law firm marketing expert Cordell Parvin stresses why determination is so important.

II. OPPORTUNITIES AND CHALLENGES UNIQUE TO FEMALE LAWYERS

According to a January 5, 2010 entry on the “Law Consulting Blog” by Cordell Parvin, 46% of large U.S. law firms have no women in their Top 10 Rainmakers. Another third of the firms only have one woman among their Top 10 Rainmakers.

According to the studies cited, lady lawyers are generally more aware, more empathetic and have better people skills than their male counterparts. Male

lawyers are generally more self-confident, optimistic and adaptable, and handle stress better.

Cordell hypothesizes that female lawyers have a huge opportunity when it comes to rainmaking and forging a new niche practice because clients are definitely looking for a lawyer who is aware of their needs and empathetic. And there is no doubt that possessing great people skills will help you network within your chosen industry. You should definitely leverage these strengths in developing your practice.

But self-confidence (a trait that we as a group tend to display less frequently than men) is also extremely important for lawyers. Potential clients will make snap decisions on whether they are confident that you can effectively handle their matter. If you cannot pass the “confidence inspiring” test, you will never get the chance to show your strengths.

What can female lawyers do to become more self-confident? The following are some of the ways Cordell suggests you can improve your self-confidence:

1. Believe you are successful and the right lawyer for your potential client. When you do this, you exude more energy and confidence.
2. Dress well and be aware of your body language.
3. Do not compare yourself to others. Decide what you really want and focus your time and energy on it.
4. Find someone who encourages you and whom you trust so that you can get honest feedback on how you are doing.

5. Pay attention to your self-talk. Instead of saying to yourself “my problem is...” say “my opportunity is...” Instead of saying “I need to...” say “I want to...” Instead of saying “I’ll try to...” say “I will...”
6. Strive to keep learning and become the “go to” lawyer for your clients.
7. Focus on the journey (actions) and the destination (brining in business) will take care of itself.
8. Work on small steps that get you out of your comfort zone. Each time you make a step outside your comfort zone, you gain confidence.
9. Practice, practice, practice speaking in public and one-on-one. Have someone video tape you and get feedback on your body language.
10. Avoid distractions.

One of the things I am going to try to practice my public speaking skills is to participate in Toastmasters. There are 2 chapters in Bryan/College Station, and I plan on attending my first meeting on April 1. I have heard that many lawyers have benefitted from the opportunities these clubs offer people who want to improve leadership and public speaking skills.

A final word on self-confidence: self-doubt is natural and can be healthy in that it can motivate you to be a better lawyer. Gerry Spence, a famous trial lawyer who has never lost a criminal case and hasn’t lost a civil case since the 1970s, says he still gets nervous every time he walks into the courtroom. He feels that anyone who never doubts themselves or fears failure has likely lost touch with who they really are, and will have difficulties relating to and persuading other people.

In closing, I recommend that each of you watch the DVD version of the book, *The Secret*, by Rhonda Byrne. I always watch it when I am feeling discouraged, and it always lifts my spirits and gives me the resolve to keep going for it! Here is a short summary clip from the creators of the DVD.

III. FOR MORE INFORMATION

My website: www.alisonrowe.com

Equine Law blog: <http://www.equinelaw.alisonrowe.com>

FAQ blog: <http://www.txequinelawyer.blogspot.com>

Cordell Parvin Law Consulting Blog: <http://www.lawconsultingblog.com/>