

## Less Is More—Solo and Small Firm Practices That Make It Big

by *Becki L. Young, David G. Katona, and Douglas R. Penn*

**Becki L. Young**, co-founder of Hammond Young Immigration Law and head of the firm's Hospitality Practice, is a seasoned business immigration attorney with over 20 years of experience in the field. She has represented more than 100 of the world's most prominent hotels and restaurants, and facilitated the sponsorship of foreign professionals, trainees, interns and individuals of "extraordinary ability." In addition to her hospitality practice, Ms. Young regularly provides immigration law advice to clients in a broad range of industries, including investment banking and securities; information technology; nonprofit; manufacturing; and healthcare.

**David Katona** is a co-founder and partner at Katona & Mir LLP, where he heads the firm's immigration practice. David is also a very active member of the immigration bar. Previously, he served as the Chair of the NY Chapter of AILA as well as the Chair of the New York CBP Liaison and Corporate Practice Committees. Other roles he has held include Vice Chair and Treasurer of the NY Chapter of AILA and the NY Ambassador of the American Immigration Council. David regularly speaks and writes on various immigration related topics.

**Douglas R. Penn** is an immigration attorney in Stamford, Connecticut. Mr. Penn has practiced in the area of Immigration and Naturalization Law since 1997. He opened his own practice in 2010. Mr. Penn has been a speaker at conferences on immigration law at the state and national levels and frequently speaks to community groups on immigration matters. He has guest-lectured on business immigration at Quinnipiac University School of Law and at University of Connecticut School of Law. Mr. Penn has been named in Best Lawyers in America and has been rated by Martindale-Hubbell as Distinguished in the field of Immigration and Naturalization Law.

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Do you want to take your solo/ small practice to the next level? This article provides practical tips to help you do just that – by creating a winning marketing plan, leveraging your personal network, running a lean and profitable practice, and finding your firm's sweet spot, or niche. These tried-and-true methods from seasoned AILA practitioners will be sure to give your practice a boost!

### COMPETING WITH THE BIG FIRMS: DEVELOPING AND IMPLEMENTING A WINNING MARKETING PLAN

At its core, marketing is storytelling. Marketing is the business strategy for telling the firm's story to prospective clients. The story is what is unique about the firm, what differentiates the firm from other firms, what is the firm's area of practice, and should answer the question, "Why hire you?"

The best story will fall flat in front of the wrong audience. Marketing tools such as print media, TV, radio, website (internet), social media and blogging, personal (one-on-one) marketing, and public speaking events are all ways to reach the audiences. However, the firm has to decide which tools will reach the right audiences.

Developing a marketing plan starts with answering a series of questions in detail.

- 1) What kind of clients do you want?
- 2) What can you do for them?

- 3) How do those clients find you?
- 4) Where would you go looking for those clients?
- 5) How will you convey your expertise and your reputation to prospective clients?
- 6) How much money can you budget for marketing?
- 7) How much time can you spend marketing?

The more specific the answer to each question, the more effective the marketing plan will be. For example, in determining what kind of clients are wanted, an attorney may focus on a specific industry (*e.g.*, hospitality, modeling, dancers, or information technology, among others), or perhaps focus on a particular type of case (*e.g.*, EB-5, family based cases, or removal defense), or on a particular ethnicity or nationality. Identifying a niche for your practice will be discussed further below.

Determining how desired clients found the firm helps identify how to find more of those types of clients. This goes beyond just identifying that a client came from a referral or from the internet. Identify how they chose you as well as how they learned about you. That highlights tactics that can be used to reach other similar potential clients.

Identifying why a client chose to hire a firm is essential. An immigration attorney has a huge impact on people's lives, but the amount of work and the quality of the work is mostly intangible. Clients often cannot identify a good attorney for a particular case or even tell when good work is being done. The act of hiring an attorney is an act of faith. The marketing story is telling the clients that the firm is trustworthy and competent. Conveying your expertise and reputation is an ongoing task, and it is the springboard for all other marketing efforts. Establishing a solid reputation for expertise makes the targeted marketing efforts more effective.

Time and money are the biggest restrictions on any marketing plan. A budget and a timeline need to be set early on and adhered to. A good marketing plan is a mix of free/low cost items, reasonable advertising costs, and personal time and effort on the part of the attorney. The exact mix depends on the attorney's or the firm's strengths and weaknesses and the types of clients being sought. One cautionary point about return on investment (ROI): A marketing plan should be effective and it should have goalposts to measure against. However, marketing works best as a long-term strategy and sometimes there is not a direct, dollar for dollar return.

It is a truism that no two cases are identical. Each case and each client is individual, and consequently, results in different cases are also individual. The same is true for attorneys. No two attorneys are identical. Marketing is telling your individual, professional story to potential clients. Make the case that individuates your firm from other firms, and you will find the right clients for your practice.

For more resources on marketing, see [www.aila.org/practice/management/marketing](http://www.aila.org/practice/management/marketing).

## **LEVERAGING YOUR PERSONAL NETWORK**

One of the most effective methods of increasing visibility both for you and for your practice is the use of personal networks.

An obvious place to start is your online networks – LinkedIn, Facebook, Twitter, etc. Identify the people in your networks who are the best connected – they have the highest number of contacts, and regularly post about topics relevant to the business you wish to develop. Don't be afraid to ask them for introductions, if they are connected to someone you would like to meet. In particular, LinkedIn has a great search feature that allows you to search by criteria – for example, you can identify all the people in your network who work in a certain industry, within a certain geographic area.

Also identify individuals who are directly connected to the business you want to target. Follow their posts, and learn about topics that interest them, and events they are attending. Use this information to create a list of the events and places where you can expect to connect with the types of people who are your targeted clients.

Then show up at these events – fundraisers and charity events, business networking events, cultural events, wherever the people you want to meet are most likely to be. Remember this is a cumulative process – you will not get anywhere by showing up at just one event. You need to attend over and over again in order to make an impact, but once you hit that tipping point, the business will start rolling in!

It is important, of course, to realize your own strengths and weaknesses as a networker. Some people are natural extroverts, and will be delighted to attend event after event, while others might better leverage their network through one-on-one introductions. Another option is to hire a PR or marketing firm. Consider the strategy that will match best with your personality.

As you develop your network, be sure to pay it forward by offering to make professional introductions for others. If one of your contacts is looking for a divorce lawyer, use your network to help find a referral. You will not only help them out, you'll help cement your reputation as someone who is well-connected and willing to help when needed.

Of course, not all networks begin online, even in the modern digital age! Make a list of your friends and relatives and think about the introductions they may be able to make, to the types of people you want to be your clients. Go out of your way to help the people you know, building long-term relationships and trust. If one of your clients offers a service (i.e. bookkeepers, accountants, business lawyers, real estate agents, business services, eldercare), refer your other clients to them. Not only will they appreciate the referral, but they will likely remember you when someone they know needs an immigration lawyer.

Finally, never underestimate the value of a handwritten note. Whenever possible, follow up your business meetings with a paper card, sent in the mail. These days, it's nostalgic enough to create a lasting impression.

## **RUNNING A LEAN AND MEAN MACHINE: STAFFING, SPACE, USE OF TECHNOLOGY, AND FINDING YOUR PROFIT POINT**

To ensure that your firm operates as efficiently and productively as possible, you must attain a thorough understanding of your finances and regularly analyze your operations and goals. This seems to be common sense, but as many of us operate in solo or small practices, we often get extremely busy and push administrative matters to the back burner. Yet, we must not forget that we are also business owners and accordingly must set aside time for managing. Calendarizing regular times to review operational and financial matters is a great technique to ensure that you are carrying out this essential part of your work. For example, you could make every Friday morning from 9 AM to 12 PM “administrative time.”

Of course, there is no one-size-fits all formula for running a lean, mean practice. Rather, it’s about what is best for your practice and needs. Let’s take staffing as an example. If you are a solo practitioner who is extremely busy and looking for help, there are several staffing options that you may consider. Some firms hire law student interns; some hire full- or part-time paralegals; some hire writers to help with petition letters; and some outsource their work. Which one of these is best? There is no right answer, but your firm’s business cycles and cash flow will guide your decision-making.

If for example, you are typically extremely busy in the first quarter of the year and then experience declines in business in the summer, then a law school intern for the spring semester or a temporary paralegal might be a better choice than hiring a regular full- or part-time employee, which would eat into your profit margin during the slower summer months. If your practice is heavily focused on business immigration and you need help with preparing petition letters, then a writer might be another hiring option. If, on the other hand, your practice is heavily focused on removal defense and/or family immigration and you are looking to reduce the time you spend attending interviews/court appearances while freeing up your time for business development activities, then hiring an attorney may be a good option for you. Other hiring solutions to consider include forming an of counsel relationship, which would allow you to utilize the services of an outside attorney on an as-needed basis, or outsourcing work to case preparation services. These options tend to be good strategies for those with inconsistent work flow. However, whenever outsourcing work, client confidentiality, document retention, client disclosure and potentially other ethical issues must be considered in light of your state’s ethics rules.

How do you know when it’s time to hire in-house? If you are thinking of bringing on a new full-time or part-time employee, a good rule-of-thumb is that payroll (including wage / salary and fringe benefits) should take up approximately 25 percent of your total budget. Review your profit and loss statements each month, so you know whether your business is operating at a loss, breaking even, or making a profit. If you’re operating at a loss, now is probably not the time to bring a new staff member on board. If you are profitable, remember the 25 percent rule. You will

need approximately \$200,000 in additional revenue for an employee whose total package (salary and benefits) is \$50,000 per year. Of course, there are reasons you may want to hire outside these parameters (an employee is retiring and you need time to train someone to take his or her place; you are ramping up for a new project) but these guidelines should help facilitate the decision-making process.

Another very important factor to consider in running your practice is your office space. Whether your firm is growing and you are looking for space options, or you are now starting your own practice, there are several options to consider. One would be working from home. This is generally a good way to minimize overhead, but consider that you will have to meet clients, have a place to store files, and change your address with U.S. Citizenship and Immigration Services (USCIS), Executive Office of Immigration Review (EOIR), and/or U.S. Department of Labor (DOL) if you subsequently move to a commercial space. For these and other reasons, having a business address is generally a good idea. This could come in several forms. If you are initially starting a practice, you may consider leasing a virtual office with a company that also rents conference room space on an as-needed basis. This would allow you to maintain a consistent address for your immigration filings, potentially gain access to a receptionist, and have a professional space to meet clients, all without having to incur office rent. Many companies that offer virtual office leases also rent office space so that you can access an office as your firm grows. Another option is to sublease from an established law firm. This allows you to develop your network, potentially develop new referral sources from non-immigration attorneys, collaborate on immigration matters if you share space with another immigration firm or attorney, etc. Taking on your own office lease is yet another option to consider, but this often comes with enhanced liability, as commercial leases are often for multi-year terms. Also, direct leasing can often be more expensive, unless you lease a space larger than your needs and sublease the additional space.

Aside from having the right space and staffing model, it is important to take advantage of technology if you want to run an efficient practice. Case management systems are a key starting point. Many such systems are developed specifically for immigration practices, and the costs for these are generally very reasonable. These systems can vary considerably in terms of functionality and user friendliness, so shopping around and asking for demonstrations is key to deciding which system is right for you. Regardless of the system you choose, you will experience gains in efficiency and control over your workload after implementation.

If you are in the process of choosing a case management system for your firm, you might want to listen to the podcast “Selecting the Right Case Management System for Your Practice” (available on AILA AGORA at <http://agora.aila.org/Product/Detail/1316>).

Other technology solutions to consider are file sharing and/or cloud storage systems. These systems allow clients to digitally transfer files to you and for you to store files digitally. Not all clients, however, are tech savvy. So this may not work for everyone, and may put a burden on you or your staff to spend resources on scanning documents.

You can also leverage technology to boost your marketing efforts. Most are aware that social media and networking sites are great ways to build your network; however, consider using technology solutions that allow you to post updates, blogs or other communications simultaneously across multiple platforms to make your marketing process more efficient. There are also technology solutions to help with operational efficiency, such as one that helps prioritize projects or matters virtually in a platform that can be shared with staff, which can minimize inefficiencies inherent in some staff meetings. Ultimately, technology can be used by a firm in many ways to improve efficiency and control, and therefore it is well worth your time to research and learn about available options.

Once you have implemented the right operational model for your firm, it is extremely important to continually evaluate your business, cycles, cash flow and similar factors to ensure you are maximizing your profits. Business can fluctuate, even for the most established law firms, and it is important to adjust your business strategy to adapt to changing circumstances.

For further resources on firm finance, see [www.aila.org/practice/management/finance-fees](http://www.aila.org/practice/management/finance-fees). For technology tips, go to [www.aila.org/practice/management/technology](http://www.aila.org/practice/management/technology).

## **FINDING YOUR NICHE**

One final tip to take your solo/ small firm from good to great is to focus your practice on a niche market.

While many immigration practitioners cover a broad range of topics, or limit their practices generically to “business” or “family” immigration, some of the most successful immigration attorneys and firms have targeted a more specific clientele.

Some attorneys focus on a particular type of case, such as EB-5 immigrant investors, J-1 waivers, or same sex marriage cases. Some work only in a specific venue i.e. consular processing, border practice, litigation. Others have an occupation-specific focus i.e. artists, athletes, diplomats and international organization employees, or students. Still others concentrate on an industry (*i.e.*, financial services, information technology, defense) or on a particular nationality or ethnicity.

A niche practice offers many benefits. It enables you to do the work that is most interesting to you. By focusing on a particular area, you can realize economies of scale and increase profits. And, it makes it easy to identify your firm’s unique value proposition – to prepare that all-important elevator speech that will enable you to quickly convey to someone whom you’ve just met what you do, and how you can help them.

The primary drawback of niche practices is that they can be more subject to market fluctuations, than general practices. For example, if you represent luxury goods manufacturers and there is an economic recession, your practice will surely suffer. For this reason it is important to find a way

to diversify within your niche – or to focus on several areas that are complimentary but not necessarily impacted by the same economic factors. If you are focusing your practice on a sector like luxury goods manufacturers that is extremely dependent on economic ups and downs, try to find a second niche practice that is not so impacted by the economy (some examples are medical and dental care, nursing, accounting, and childcare).

To select a niche, take a hard look at your professional and personal interests and your strengths. Then think about where to reach your target clients, and conduct market research as needed to buttress your findings. Next put in place your marketing plan, tap into your personal network, and make sure that you have the infrastructure (employees, office space, technology) to service the clients when the phone starts ringing.

## **CONCLUSION**

The tips in this article are intended to help you “kick it up a notch” in your solo/ small firm, – creating and implementing a strong marketing plan; systematically leveraging your network; making good decisions regarding office space, staffing, and technology; and identifying your ideal niche. Applying discipline and structure to firm administration and operations will unquestionably result in a practice that is more enjoyable, sought-after, and profitable!