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Feature Story

Vacation 101 for lawyers

Lawyers find extended time off helps them build their practice

By *Sylvia Hsieh* Contributing writer

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Family law attorney Cynthia Swanson was flipping through a friend's travel photos one day in 2005 when her friend offered her the chance of a lifetime.

"We're going to Africa next. Wanna come?"

"Africa? Yes!"

Within three days, Swanson had purchased her plane tickets and committed thousands of dollars to a

vacation she hadn't really thought out. There was no turning back.

Like many sole practitioners, Swanson, who has been practicing for 25 years, had never taken a real vacation, one where she would have no phone calls, no e-mails, no contact at all for *two whole weeks*.

How would her office operate without her? Who would take over her cases? Would she lose clients? What about emergencies? What was she *thinking*?

For the next few months, Swanson prepared her two associates and paralegal - going over checklists for each file, notifying clients, enlisting an experienced attorney friend as an emergency contact and dusting off neglected projects to keep her paralegal busy.

Swanson personally called opposing attorneys and notified the court of her absence.

"I didn't want any sneaky things going on while I was gone," she said.

A few months later, Swanson was on the plains of Tanzania watching a pride of lions wrestle a cape buffalo to its death.

Since then, she vowed to take similar vacations every year.

Last month was her second - she spent two weeks in Costa Rica with the same group of friends.

"It's a personal refresher to get away from everything. At the same time, running through the back of my head is long-term planning and what I want to focus on in the future," said Swanson, who practices in Gainesville, Fla.

For example, the vacations gave her time to bounce around ideas on marketing, such as ways to improve her website and attract higher-end cases - steps she has taken since returning from Africa.

Had she not taken time off, she would "never have time to think about that stuff," she said.

Good for your practice

A no-contact-with-the-office vacation is a luxury most small firm and sole practitioner owners say they can't afford.

"It's very much incorporated into the legal culture that working yourself to death is the preferred way to operate," said Shawn McNalis, co-founder and senior practice advisor of Atticus, a law practice management firm in Mt. Dora, Fla.

But McNalis said taking time off can be good for your practice too.

"We believe taking two weeks vacation is vital to anyone's creative approach at work. You come back refreshed and all kinds of interesting things bubble up in your brain when you come back. You become a more creative and better lawyer," McNalis said.

Lucas Fleming, a criminal defense attorney who owns his own firm in St. Petersburg, Fla., takes two to three *months* off every year for adventure travel.

After going through a divorce in 2004, Fleming took the opportunity to clear his mind with a ten-week trip to Asia, where he climbed part of Mt. Everest, lived in a monastery with Tibetan monks and road horseback across Mongolia.

He has since built these vacations into his firm's culture by encouraging his associates to take four to six weeks off per year.

"If somebody is not willing to take time off, they really can't work here. We want people who want a balanced life," he said.

Fleming said he no longer gets angry over small things and sees his role as a counselor to his associates.

"I used to get so mad if someone made a mistake, let's say a pleading had a typo, because it wasn't perfect. Now, I don't take things so personally. My place is to help train them to be better lawyers, and you can't do that if you're reactive and angry," he said.

Yes, he loses money.

As the main rainmaker, he estimates the ten-week Asia trip cost him \$60,000 in income. But he says he makes enough money and has always met the annual financial goals he sets for himself.

"What these trips give me far outweighs the economic loss," he said. "I love being a lawyer, and it's more affirming to me when I come back."

His annual adventures, which include scuba diving in Greece and Turkey, a South African safari and plans to run with the bulls in Spain this year, primarily give him peace and calmness and recharge his battery.

Not so for Mark Chinn.

Chinn, who owns the largest family law firm in Mississippi, said "legitimate business reasons" motivated his first vacation in 28 years.

"I got sold on the idea of taking a lengthy period of time off, not on the concept of recharging, but on the idea that if my practice is truly running as well as I thought, I had to create a practice that runs without me," he said.

To test whether the firm could survive in his absence, last year he agreed to take off the month of August - a five week period.

Not that he didn't need to be coerced.

Chinn's friends forced him, a registered Republican, to write a \$1,500 check to the Hillary Clinton presidential campaign. If he backed out of his promised vacation, the money was hers.

To his delight, he found that his four associates, paralegals and support staff learned how to work together during the five week period.

"The advancement of the team was dramatic. They learned how to rely on each other and pull together like never before," he said.

This was tested one day during his absence when the bookkeeper suddenly announced the firm had a shortfall of \$10,000 which they needed in 24 hours to cover bills.

The team started working the phones and collected all of the money from clients.

"Accounts receivables are something they never had to deal with before, but when they were on the line, they knew what to do and got it done," said Chinn.

Perhaps because of their new-found confidence, the firm began showing record numbers.

Surprisingly, the month after he returned, Chinn had a record month, opening three times the normal number of files and grossing two and a half times what he normally does.

Another unexpected consequence of his vacation: self-discovery.

After a paradise-like two weeks in Hawaii, Chinn returned to Mississippi with three weeks left of his vacation.

"It was torture," the 53-year-old said. "My entire identity comes from sitting here in this chair at my computer and the power I have to make things happen. This is my power center and a large part of my identity."

Spending three weeks at home without going to the office "caused me to question what my identity is besides being a lawyer," he said.

After struggling to figure out how to fill the time, Chinn realized nothing made him happier than spending time with his wife and four children.

"It suddenly dawned on me that all those things like playing golf, working out, none of that seemed to appeal to me. All I really wanted to do was run errands with my wife and pick up my kids from school," he said.

Chinn is aiming to take two months off this year, but admitted he may have to write another check to keep his promise.

Systems-based practice

One of the main obstacles to taking a vacation for lawyers is giving up control and trusting

your staff.

The key to preparing for a leave is building a systems-based practice: procedures and checklists and sharing of files.

Swanson holds weekly meetings with her staff to go over each file and talk about what decisions have been made and what remains to be done with them.

Chinn spent nearly a full year working up to his vacation - taking three-day mini-vacations as "dry runs."

During this period, he realized that his staff was merely "putting off things until Mark gets back."

So he worked with them on letting them make decisions and take actions on their own.

"Instead of associates coming to me and saying 'What do I do?' now they tell me what they plan to do and seek my permission to do it," he said.

Fleming said one of the biggest mistakes small firm owners make is under-hiring.

"Attorneys like me fail most when we hire an associate we can control, who doesn't have much skill but enough for us to be able to manage their actions and pay them less," he said.

Fleming is a strong believer that his sabbaticals build confidence in his associates and staff.

"When I'm not sitting here they start taking on responsibility. It's a gift I can give them to grow as professionals. They get empowered by doing more and knowing that I trust them more," he said.

Chinn agrees. "They view it as a wonderful challenge to be owners of the business while you're gone, and they don't want to let you down," he said.

Chinn is confident that if he had to be out of the office for an emergency, such as a medical condition, his team could take over for him.

"I view this as my disability policy. It's easy to get knocked out of the office for six weeks, so why not prepare your office in a controlled way?" he said.

Both Chinn and Fleming have moved away from hourly billing, using flat fees or charging by the month or by the project.

"Value pricing makes it easier to take time off," said Chinn. "Otherwise, every hour you could be billing, and every hour you're not billing you're losing money."

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bill.ibelle@lawyersusaonline.com

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