Low Bono Law Practice

How to Successfully Start, Manage, and Grow a Low Bono Practice in D.C.

D.C. Bar Presentation
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What is Low Bono?

- Individuals with insufficient income – too high to qualify for legal service organizations, but not high enough to retain a traditional firm; and/or
- Claim is too small and will be completely absorbed by traditional attorney's fees.
# Low Bono vs. Pro Bono

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Poverty Level</th>
<th>200% Above Poverty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$11,490</td>
<td>$22,980</td>
</tr>
<tr>
<td>2</td>
<td>$15,510</td>
<td>$31,020</td>
</tr>
<tr>
<td>3</td>
<td>$19,530</td>
<td>$39,060</td>
</tr>
<tr>
<td>4</td>
<td>$23,550</td>
<td>$47,100</td>
</tr>
<tr>
<td>5</td>
<td>$27,570</td>
<td>$55,140</td>
</tr>
<tr>
<td>6</td>
<td>$31,590</td>
<td>$63,180</td>
</tr>
<tr>
<td>7</td>
<td>$35,610</td>
<td>$71,220</td>
</tr>
<tr>
<td>8</td>
<td>$39,630</td>
<td>$79,260</td>
</tr>
<tr>
<td>For each additional person add:</td>
<td>$4,020</td>
<td>$8,040</td>
</tr>
</tbody>
</table>
Low Bono vs. Pro Bono

- Hypo:
  - Middle Class Family of 4
  - 2 working parents
  - $8.25/hour (minimum wage) x 2 b/c “good jobs”
  - 40 hours a week x 50 weeks a year
  - Income = $66,000 a year
  - Taxes = $1,815 + (15% x $47,850) = $8,992.50
  - AGI = $57,007.50
  - Expenses: rent, utilities, food, clothing, etc.
  - Bottom line: maybe doing OK, but not a lot left for attorney’s fees
Reasonable Attorney’s Fees

- **Laffey Matrix**: D.C. Circuit interpretation of “reasonable attorney’s fees”
  - 1 - 3 years of experience: $250/hour
  - Paralegal/law clerk: $150/hour

- The hypothetical family that’s maybe doing OK, probably can’t afford much counsel at $250/hour.
U.S. Income Distribution

- New York Times 1% Map
  - Income of $51,000/year ~ top 50%
  - Income of $89,000/year ~ top 25%
- What income can afford “reasonable attorney’s fees”? 


Practice Management Roadmap

- $$$:
  - Costs
  - Fee Agreements
  - Unbundled Legal Services/Limited Scope

- Technology: case management

- Marketing

- Challenges/Mistakes
  - Opposition Counsel
  - Courts

- Best aspects of low bono practice

- Access to Justice Lawyer Referral Service
$$$: Profiting with Low Bono

- For-Profit Legal Services Organization Mentally
  - Internal mentally not external marketing message

- Limit Costs
  - No office
  - Compare prices (insurance, in particular)
  - Google rocks!
    - Drive
    - Voice
    - Email
    - Calendar

- Organization
  - You must become good at this through practice or software/systems
$: Fee Agreements

- SKL Retainer Specifics
  - No money = no work
  - Anyone can fire anyone for anything at any time
  - Fee Schedule with rates

- Pre-Litigation agreement

- The “right” cases
  - Figure out your practice areas early, based on your interests, and do not stray
  - To specialize or not to specialize…
  - High demand areas for low bono: criminal, family, immigration
Technology

- **Google**
  - Drive -- spreadsheets for accounting and billing
  - Voice
  - Email -- pay the extra money for @yourdomain
  - Calendar

- **Website design** -- drag and click
  - Blog is helpful
Marketing

- In-Person Networking is #1
  - Social media is nice, but usefulness is unclear to me
- Avvo
- Website/Blog
- Online Reviews
- Co-Counseling
- Overflow/Contract work
- Access to Justice Lawyer Referral Service
Challenges/Mistakes

- Wrong cases -- pick your practice areas wisely
  - Criminal; employment; estate planning; family; immigration
- Wrong clients -- if something feels off it probably is off, so trust your gut (fastest 100k settlement ever)
- Not getting paid up front
- Acting like a for-profit firm w/ deep pockets
- Lack of attorney network -- solosez; networking events
- Conveying your message without prejudicing your client
Best Aspects of Low Bono

- Clients’ gratitude;
- Being more selective because volume business;
- Firing Clients; and
- Being part of the solution.
Access to Justice Lawyer Referral Service

- Referral Based Program -- like bar referral programs with flat fee for initial consultation
- Network of Low Bono attorneys
  - Screening process based on commitment, experience, and practice areas (proper distribution)
  - Litigation and transactional
- Outreach to legal service organizations, local bar associations
- Standard fee structure for all attorneys and clients