



**W**hen the editor called and asked me if I'd be willing to write an article about my journey as a solo practitioner, I had two thoughts. First, even after four years, I still have to pinch myself. When am I going to wake up, realize I am dreaming, don a suit, and head back to an office for some "non-billable" meeting? Second, it seemed like it would be such a better story if it had been a life-long dream to someday own my own business and hang out my shingle. I never entertained the thought of either before it became my reality.

### A Little Background

I grew up an Air Force brat, spending most of my formative years in Spain and Germany. After graduating from high school and attending my freshman year at the University of Maryland's Munich Campus, I returned to the United States to study economics at

# Is Your Parachute Ready to Make the Jump



**BY GINNY MIKITA**

the University of Florida. During the course of completing my Bachelor of Science degree requirements, I enrolled in a class entitled "Contemporary Moral Issues." Several weeks and four reading assignments from Peter Singer's *Animal Liberation* later, the course of my life changed forever.

Upon graduation in 1985 and following three years of corporate lending, I returned to Notre Dame Law School to pursue a career in animal lobbying. Two notable things occurred while there. First, I realized my plan was somewhat ill-thought out. A law degree is not a requisite qualification for lobbyists, and, more importantly, if I still planned on eating, this chosen career path would require a Rockefeller upbringing.

Second, I received a highly controversial Student Funded Fellowship to spend a summer working with the Farm Animal Reform Movement in D.C. From the



viewpoint of some members of the committee, only non-human animals would benefit.

Upon graduation in 1991, I clerked for the Honorable Joseph Scoville, a federal magistrate judge in Michigan for two years. Within weeks, I was in his chambers asking if he would have any objections to me responding to a pro-hunting article in the *Michigan Bar Journal's* Northern Michigan edition. He graciously agreed, and my journey as an “animal lawyer” in Michigan began.

Following my clerkship, I served as in-house counsel to PETA and the Animal Legal Defense Fund in the D.C. area for another year and a half.

In 1994, I returned to Grand Rapids to practice law with Smith, Haughey, Rice & Roegge, P.C., a firm of thoughtful, committed attorneys willing to embrace and support me and my ideology. In the midst of defending insurance companies, I continued to accept animal-related cases.

Following a highly publicized animal cruelty case in Ottawa County, I had the privilege of drafting two amendments to the misdemeanor animal cruelty statute. The first set forth a mechanism by which humane organizations could force pre-payment of care expenses for or pre-trial forfeiture by the alleged abuser of companion animals being cared for by the organizations pending trial. The second created stiffer penalties for repeat animal cruelty statute offenders. In 1998, I was honored by *Michigan Lawyers Weekly* as one of Michigan's Top Ten Lawyers for my animal protection work.

In 1996, I had my first baby, and while returning to work was an adjustment, it was doable. What wasn't doable for me, however, was the area of law in which I was practicing. Still grounded in my liberal leanings, I needed more. I felt “called” to provide counsel to and for all voiceless beings, four- and two-legged, including incapacitated individuals, children, and the elderly. At some point, I became the firm's probate representative in minor settlements. The more time I spent in probate court, the more I knew this was where I belonged. Over the course of the next four years, I began developing a probate practice and ultimately joined a smaller firm known for its probate expertise.

## Turning Point

My life changed in unimaginable ways forever in 2000. My daughter, Greta, was born, and, two months later, my 21-year-old step-son, Eric, took his own life. Grieving the loss of a child brought with it an unbelievably urgent sense that time with my children was so very limited not only by youth but unexpected circumstance. I returned to the firm following my maternity leave, and, within a couple weeks, left to start my own business.

## The Business: Details, Details, Details

### Anxiety

To ease the anxiety associated with venturing out on my own, I arbitrarily decided that if in six months it wasn't working (either I was sitting home by the phone waiting for that elusive client to

call or I was making less money than I did in my college days waitressing at Denny's), I'd hit the pavement with my resume in hopes that no one would ask about the six-month blip on my screen. Knowing there was an out had an albeit somewhat irrational, psychological benefit.

### Malpractice Insurance

If I knew nothing else, one thing I knew... I needed malpractice insurance stat. Surprisingly to me, insurance was quite inexpensive my first year out, and has only steadily increased over the years. I approached Paul Goebel Group, and within days was insured and had a name. This was a requirement of the carriers, so I was thrown into office-naming well before my time and, without a shred of creativity, named my office Law Office of Ginny Mikita.

### Incorporation

I fell into incorporation. A colleague in town learned I'd gone out on my own and called to see if I'd be interested in handling a few matters for him. When we got together, he explained the tax advantages to me and then graciously offered to incorporate my business. Ten minutes later, I was on my way to being a Professional Corporation, a decision my accountant (more on that later) subsequently seconded.

### Resources

Since I'd done absolutely no planning before opening my practice, I thought it best to begin boning up on home-based businesses and bought *The Complete Idiot's Guide to Starting a Home-Based Business*. I got home, grabbed a cup of tea, and was immediately freaked out by the Table of Contents. “Why You Absolutely Need a Business Plan”... I didn't have one. “How to Eat While Feeding Your Business”... I didn't think I had to choose between the two. “Taxes, Taxes, Taxes” and “Mastering the Hiring Process,” subtitled “Forking Over the Money”... need I say more? And “Accounting Periods: Knowing When to Panic”... how about right now? I didn't open the book again until I sat down to write this article, opting instead to learn from others who had already begun their journeys (I have found other soloists to be amazingly generous with their time and advice) and on the job.

### Equipment

On a beautiful fall day, the weekend after my last day of work, I headed to Circuit City to buy my first office equipment. In one frighteningly expensive afternoon, I bought an HP computer, HP printer/scanner/copier, and a telephone/facsimile machine. I was ready to do business.

### Supplies

Being ever-conscious of my overhead expenses and, given my neurotic tendencies, the possibility I wouldn't be in business long enough to need more than one of everything, I went next door to Office Max and bought just one of everything. This, I found, to not be good business practice. There is simply nothing worse, that is if you don't work next door to a supply store, than running out of

printer ink or facsimile film mid-project. Buy at least two. I now buy most of my supplies in bulk from Sam's Club.

### Communication

On Monday, I called Ameritech and asked them to install a new line. The next day, a portly fellow in a hard hat showed up to do just that. I started to feel legitimacy setting in. To memorialize the occasion, I stepped outside to take a picture of my new line being installed. What I didn't know was my new friend, the installer, was not wearing his proper safety equipment and thought I was a spy for the company. He panicked when he saw the camera and stopped his work. After assuring him I was just a giddy new business owner, he let me take the shot. Silly as it may seem, that picture is worth... okay, enough sentimentality.

I also bought a cell phone, as my mom-mobile (minivan) has become my office away from home. Note: keep tabs on plan changes with your carrier. My cell phone oftentimes is my greatest expense outside of salaries.

### Meeting Space

Because I work from home, I offer clients their choice of meeting space: their homes, offices, and, most often, a coffee shop. To date, this has simply been a non-issue.

### Legal Resources

I have three primary resources: the Grand Valley State University legal library; my own library, which has grown with only those resources I absolutely deem essential, and the Internet. I did invest in an ICLE partnership one year; however, found I wasn't using it often enough to warrant continued membership. I have, however, heard from others that it is invaluable to them.

### Letterhead/Business Cards

I initially created my own, however, opted for professionally-made business cards about six months into my practice.

### Recordkeeping

Two things. First, I retained an accountant almost immediately to assist me in setting up my "system," which continues to evolve. My accountant handles everything. I have no interest (and insufficient time) in preparing quarterly financial reports or receiving rou-

tine correspondence from U.S. and Michigan taxing authorities. It's an expense some forego, but, for me, it's well worth the peace of mind. Second, I opened two bank accounts—an operating account and a trust, or IOLTA, account (be sure and consult with the State Bar regarding to whom interest will be payable).

### Staffing

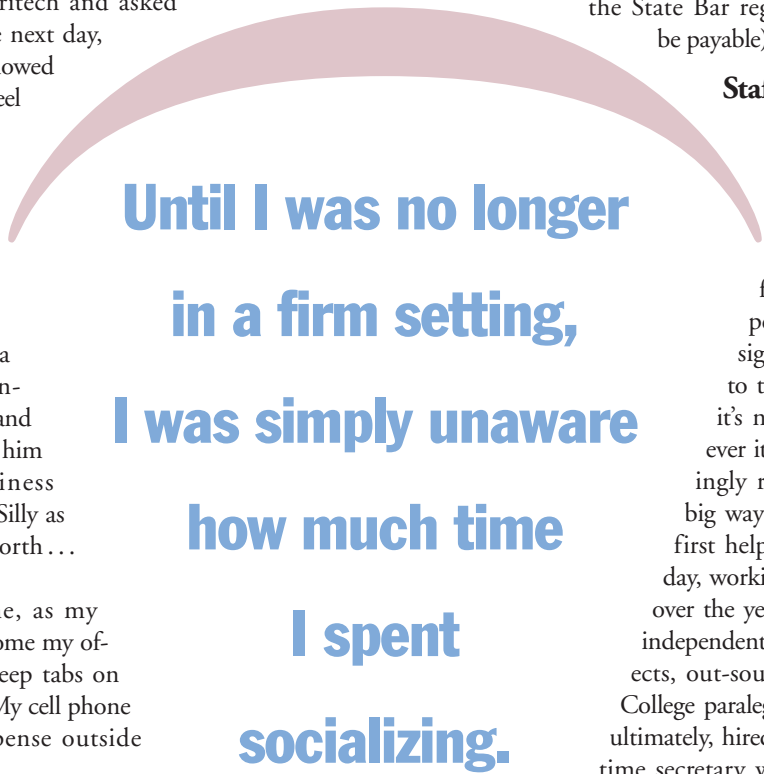
One of the greatest blessings in my venture was the day a 29-year probate court veteran leaned over the counter, shared her retirement plans, and offered her services as an independent contractor. As a not insignificant aside, I am convinced to this day, when one accepts Spirit's nudge to make that leap, whatever it is, it will not be without seemingly relentless support in small and big ways. By February, I had hired my first help. She remains with me to this day, working from her home. In addition, over the years, I have used a temp service, independently contracted out research projects, out-sourced billing, had a Davenport College paralegal intern for the summer, and, ultimately, hired my current and amazing part-time secretary who comes into my home two days per week.

### Marketing

My clients are, for the most part, repeat clients and/or referrals from previous clients and other attorneys. One of the most interesting phenomena I've experienced is the sub-culture of solo practitioners that exists and thrives in my legal community. We are all in this solo thing together and support one another tremendously in many ways, including referring work to one another. I think this surprised me having come from a firm culture. Firms, by their very nature, breed competition even amongst attorneys within the same firm, all vying for those month-end numbers.

### What Motivates and Sustains Me

One of my initial fears and something I believe many share is lack of sufficient self-motivation. If left to my own devices, would I spend my days watching soaps and eating bon-bons? My experience has been unequivocally no. First, I only do work I enjoy, and, for the most part, believe it to be meaningful. I'm no longer subject to inane or tedious assignments from above. Second, every dollar that comes in the door is mine, so to speak. It's human nature. The power of the almighty dollar is pretty darn compelling, and the first



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time I opened an envelope with a check in it and realized I didn't have to share was a motivating occurrence.

On a related note, I routinely receive payments tucked inside thank you cards amidst photographs. I have a wall of nothing but pictures of children and animals, the interests of whom I have represented.

It just isn't the same as a partial payment from an insurance carrier with a note regarding why certain time entries like travel across the state are not payable.

### Advantages and Disadvantages

Admittedly, there are disadvantages. My business, I've learned over time, has a natural ebb and flow. Every once in awhile, I experience a lull that, given my neurotic tendencies, to this day instills an urgent sense to do more marketing. But I'm learning, with some continued trepidation, to take advantage of those down times because inevitably business does pick up again. Another obvious disadvantage: I am it. If I'm having trouble with equipment or need supplies, I can't pick up the phone and call another department. If I'm sick or want to take a week's vacation, I can't leave my files with someone else. If I need to bounce something off another attorney, I can't step next door or catch someone walking by my office.

Finally, working from home presents boundary challenges, both physical and emotional, as well as background noise challenges. We were having our bathroom remodeled and, just as the phone rang for me to join a conference call, the workman started drilling.

The advantages, by far, outweigh the disadvantages. First, it's my practice, and I get to make and break the rules. Sometimes I wear sweats all day long. Sometimes I attend conference calls basking in the sun. Second, I am no longer under any obligation to attend those nonbillable, energy-zapping meetings I spoke about at the beginning. And for that matter, I don't think I've used the terms “billable” and “non-billable” since leaving the firm environment.

Third, until I was no longer in a firm setting, I was simply unaware how much time I spent socializing. My days are so much more efficient now, leaving me time for errands and exercise during the day.

Fourth and most importantly, I have time for my children. Time to work in their classrooms and attend field trips. Time to see them

off each morning (when I was working in a firm, there were times I would leave the house before they were out of bed, get to work, and weep quietly in my office). And time to be there when they get home from school. A few weeks ago, Spencer, my third-grader, stepped off the bus, took one look at me and melted into my arms. His gym teacher, Sgt. Jonathan Bates, had just let the kids know he was headed for Iraq. Those moments make all of the hassles, every single one of them, worthwhile.

### Epilogue

As president of the now four-employee firm, Mikita Kruse Law Center, I continue to manage all aspects of the firm's business in addition to maintaining a full-time case load and being a mother of two. My practice has since evolved to providing legal counsel to health care facilities, private individuals, and families with probate matters—guardianships, conservatorships, and decedent estates—as well as serving as guardian ad litem in matters in which minors are proposed beneficiaries of settlement proceeds. I also serve as one of Kent County's court-appointed attorneys in child protective cases and continue to represent animals and their human companions in protection-related issues.

When James Hillman describes his “acorn theory” in *The Soul's Code*, in which he theorizes each life is formed by a particular image, an image that is the essence of that life and calls it to a destiny, I understand. I believe somewhere deep in my soul I've been “called” to do the work I do from the place I do it. My prayer for each reader is she will find hers. ♦



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