

# Changing Pace

## An Opportunity to Redefine Ourselves

By Victoria A. Vuletich

**M**any of us find the pace of our work changing. Whether we are voluntarily slowing down because of semi-retirement or adapting to changes in our practice brought on by the restructuring of the legal profession and economy, a change of pace presents both professional and personal challenges.

Though change brings challenges, it also brings opportunities, which we do not always see because we are so focused on the change. A wise woman once told me, “When my husband and son died within a year of each other, I knew I had the opportunity to redefine myself.” I try to carry her comment close in my heart and head as a reminder of the opportunities life presents rather than the tremendous challenges it occasionally foists on us. My friend went on to explain that by nature, she had always been an introverted person focused on hearth and home. She chose to redefine herself by becoming consistently involved with outside activities and groups. This surprised me because I assumed she had always been the woman I knew—outgoing, engaged, and involved with many different interests, groups, and activities.

Though the legal profession is changing significantly, it presents opportunities to work in the world in ways never before possible—often more suited to our preferences and our “authentic selves” (to use an apt but sometimes unctuous term). All of us are presented with the opportunity to redefine ourselves, the only limits being our creativity and personal tolerance for switching gears.

Here are the main drivers I see, which, either alone or together, open up amazing ways to redefine our work.

### The Internet

When I was in law school, my PC was this great big box that took up most of my desktop. Westlaw/Lexis was just coming in, and I remember waiting, waiting, waiting, waiting in awe for the data to download over my dialup

connection. I was amazed I could read any case from any state in any year while sitting in my jammies at home.

Little could I foresee that the same tool would allow me to practice law remotely. It does not matter whether I am physically in Michigan or Colorado or England—if I have a phone and an Internet connection, I can serve my clients (and I have, from all three places).

If you have a transactional practice and are not tied to the courthouse, you are presented with a tremendous opportunity to create a work schedule that allows you to spend more time in the locales near and dear to your heart. A successful estate planning lawyer I know reserves certain days of the week for meeting with clients in her office and uses the other days to work remotely from wherever she wants to be. Another attorney I know recently semi-retired and will work remotely from his dream home—on the other side of the continent.

The hardest part is conceptualizing a structure and then making the commitment to stick to it. As our client base continues to get younger, working remotely becomes more acceptable and comfortable to them—and is standard operating procedure among young people. It is usually harder for *us* to make the change in how we conceptualize the practice of law.



Tools like online video conference platforms (Zoom is my favorite), executive office spaces providing a brick-and-mortar address without the high monthly rental fee, virtual receptionists and secretarial services, and cloud-based law office management programs make working remotely easy and affordable.

### Breakdown of jurisdictional boundaries

Just as the Internet has made cross-border commerce an everyday reality for consumers, state lines are increasingly becoming less of a barrier for lawyers seeking to practice in host jurisdictions.

Most every state, either by caselaw, ethics rule, or court rule, has a federal exception. As long as your practice is strictly confined to federal law matters, you can practice in a jurisdiction that is not your home jurisdiction of licensure.<sup>1</sup> Though advertising limitations—which can vary the extent and nature of your presence in a host jurisdiction—still apply, you have the potential ability to have a nationwide practice in a federal-law-based practice.

Geographical boundaries will continue to blur, eventually diminishing altogether. Washington, Oregon, and Idaho have entered into an agreement in which an attorney can be admitted to practice in all three states via one application for reciprocity.<sup>2</sup> Only a handful of states continue a no-reciprocity admissions policy.<sup>3</sup>

Attorneys can also expand their specialties nationwide. You can be a nationally recognized expert in a particular industry and practice across the United States, provided your practice does not involve state law and you comply with all advertising and pro hac vice rules.

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### Business structures

We are all seeing incursion by nonlawyer providers into the legal marketplace. Whether we agree with this development or not, we will not be able to stop it, as the providers are driven by market demand. Attorneys will fare best in states amending their regulatory structures to allow attorneys to create new business models to better serve consumers. For example, Washington state specifically allows attorneys and limited license legal technicians to partner in a business providing legal services directly to the public. This is clearly nonlawyer ownership of a law firm—and it is here to stay, along with limited licensure of nonlawyers, like the legal technician model.

Smart attorneys will be thinking about how they can work with, not in competition against, nonlawyer legal service providers to better serve consumers. I recently heard of an attorney who advertises that he will amend the will a client obtains from LegalZoom, tailoring it to ensure it meets the client's needs and goals.

Your ability to create innovative practice structures will depend entirely on your state of licensure and how rapidly the legal leadership in your state responds to these market changes. Long-held taboos against nonlawyer ownership of law firms need to wane for innovation to occur. In states where leadership is slow to embrace change, entire segments of the legal market will be displaced by nonlawyer legal service providers, leaving lawyers who dutifully comply with ethics rules at a disadvantage in the marketplace.

How will you use these existing and emerging opportunities to redefine yourself? To change pace or create a way of working in the world that better suits your soul? We will see many attorneys doing just that over the next decade. Best wishes in your endeavor to become one of them. ■



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### ENDNOTES

1. MRPC 5.5; see also ABA Model Rule 5.5.
2. Fucile, *Reciprocal Admissions and Related Licensing Issues*, 1 Ethical Oregon Lawyer 19 (2006).
3. See NCBE, *Comprehensive Guide to Bar Admission Requirements 2015* <<http://www.ncbex.org/pubs/bar-admissions-guide/2015/index.html#p=49>> (accessed September 11, 2015).