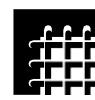


New Lawyer Program



KENTUCKY BAR ASSOCIATION

The Soft Life Lawyer: Billable and Livable



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Presented by:
The Kentucky Bar Association
Continuing Legal Education Commission

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I. INTRODUCTION: WELCOME TO THE SOFT LIFE

First things first. Congratulations! YOU DID IT! You passed the bar. Not for the faint of heart. You got sworn in. Check. (Do they still make you swear not to duel? Just kidding. I know they do.) You maybe cried a little (or a lot). And now you're sitting here thinking, "Oh crap. This is real. Like really real!"

In 2006 – saying it makes me sound ancient – but 19 years ago, when I was sitting where you are, I wish I had someone to share with me what I am about to tell you: **You don't have to choose between being a great lawyer and having a life you actually enjoy.** And maybe they *did* tell me, but everything was so new and overwhelming so I will repeat it so you can actually take it in.

**You can love practicing law, be great at it ...
and not only have a life but have a fulfilling life you love.**

No, it is not a fairytale. It's a reality that does not require rocket science, complex algorithms, selling your soul to the devil, or giving junior to some three-foot Rumpelstiltskin gnome-looking dude.

I know what you've heard; the first few years are supposed to destroy you and that 80-hour weeks are a rite of passage. If you're not exhausted, you're not doing it right. Volunteering for every opportunity shows you are committed. Work-life balance is something you get to think about when you make partner (spoiler: you won't). For those brave souls like me who are hanging their own shingle, to have a business, you must take every case that comes through the door. After all, if you don't kill it, you won't eat.

Here's the truth: Bump that!! There are no badges for burnout. And the "rite of passage" you have been sold is more like a recipe for disaster.

The legal profession has a dirty little secret. And I am a tattletale, a narc, or whatever you want to call it, but if no one else will admit what is glaring, I will.

Attorneys...we...are...suffering! We're suffering. Twenty-eight percent of lawyers struggle with depression. Or at least that is the statistic from those willing to admit it. Nineteen percent admit – I mean, actually report – battling anxiety. Twenty-one percent have problematic alcohol use.¹

¹ Patrick R. Krill et al., "The Prevalence of Substance Use and Other Mental Health Concerns among American Attorneys," 10 J. ADDICTION MED. 46 (2016).

I've personally witnessed great attorneys and friends who seemed to be in the prime of their success commit suicide, struggle with addiction, have multiple failed marriages, and have a full-out mental breakdowns (like psych ward level meltdown). And we lose talented attorneys every year. Many stop practicing because their experiences cause them to say, "No thank you!" and walk away from everything.

But here's what I know after building a practice I love, two decades of mentoring dozens of attorneys, and learning the hard way what works and what doesn't:

You can practice law AND have a life. You can be excellent AND set boundaries. You can make good money AND go home at a decent hour.

Welcome to soft life lawyering. This isn't about working less, *per se*. Instead, it's about working smarter, with intention, taking full advantage of tools available and without sacrificing your health, relationships, or sanity in the process.

A. What "Soft Life" Means (and What It Doesn't)

"Soft life" doesn't mean easy. It doesn't mean lazy or that you're not committed. And it DEFINITELY does not mean you are unethical or give anything short of the high standards the bar requires professionally and ethically.

Soft life means you are strategic and proactive in creating and implementing:

- **Intentional boundaries** that protect your energy;
- **Strategic systems** that eliminate unnecessary stress;
- **Financial wisdom** that allows you to build wealth without burnout;
- **Work that aligns with your values**, not just your student loan payment.

This CLE program is different. I'm not going to bore you with theory. I'm going to give you the **exact frameworks, scripts, and strategies** that will help you build a practice that serves your life, and not the other way around.

Everything in these materials is:

- ✓ **Practical** – You can implement it Monday morning.
- ✓ **Ethical** – It's compliant with Kentucky [SCR 3.130](#).
- ✓ **Tested** – I've used it, my mentees use it, it works.
- ✓ **Real** – No motivational BS or fantastical wishing, just straight talk.

B. IMPORTANT: HOW TO USE THESE MATERIALS

This isn't like a book you read once and put on a shelf. For the wise – which I assume is all of you and definitely those reading this far – this is a **field guide, a reference manual, and a playbook for success all in one. I am giving you the cheat codes.**

Dog-ear it. Highlight it. Come back to it when you're drowning in month three and need a reminder that you're not alone in year 13.

Each section includes:

1. **The real talk** on what you're facing or will.
2. **Ethical considerations** (because we still have to follow the rules; Ignorance is the farthest from bliss).
3. **Action steps** you can take immediately.
4. **Templates and scripts** you can customize (and share with peers like a coveted Torts outline).
5. **War stories** from lawyers who've been where you are.

Here's what I need you to know before we start:

You are enough. Right now. As you are. You don't have to earn the right to have boundaries or take care of yourself. You don't have to wait until you've "proven yourself" to go home at 6:00 p.m. You don't have to sacrifice your mental health to be a good lawyer.

In fact, I'd argue the opposite: **The lawyers who set boundaries, manage their energy, and protect their well-being and [insert gasps and pearl clutching here] say "No." are the ones who have long, successful, fulfilling careers.**

So, let's get started. Let's build you a practice that gets you the bag (aka makes you money), serves your clients well, and doesn't destroy you in the process.

Let's build your soft life.

II. **THE REALITY CHECK: BURNOUT STARTS ON DAY ONE**

Let's start with some real talk: **You probably won't recognize burnout until you're already deep in it.** The best of us don't.

That's because burnout doesn't announce itself. It creeps in slowly. It starts with "I'm just tired" and ends with you crying in your car before walking into the office or your first Monday motion hour. (Ask me how I know.)

A. Here's the Stats (the Ones Not Shared in Law School)

The National Task Force on Lawyer Well-Being found that lawyers have:²

1. **28 percent** rate of depression (general population: 6-7 percent).
2. **19 percent** rate of anxiety.
3. **21 percent** struggling with problematic alcohol use.
4. **11.5 percent** have had suicidal thoughts at some point.

And here's the kicker: **These rates are HIGHER for lawyers in their first 10 years of practice.**³

Why? Because new lawyers are thrown into the deep end, told to figure it out, and then everyone acts surprised when they're drowning. *Not me.*

B. The Burnout Self-Assessment

Before we go any further, I need you to be honest with yourself. Check any of these that apply to you **right now:**

1. Physical signs:

- Exhaustion even after sleeping.
- Frequent headaches or body aches.
- Changes in sleep patterns (can't fall asleep or can't wake up).
- Getting sick more often.
- Stomach issues, changes in appetite.

2. Emotional signs:

- Feeling cynical or detached from work.
- Irritable or snapping at people you love.
- Feeling like nothing you do matters.

² National Task Force on Lawyer Well-Being, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* (Aug. 2017), available at <https://lawyerwellbeing.net>.

³ *Id.*

- Dreading work (not just Monday morning – every day).
- Crying more than usual (or feeling numb and unable to cry).

3. Behavioral signs:

- Isolating from friends and family.
- Procrastinating on important tasks.
- Drinking/using substances more to cope.
- Skipping meals or eating poorly.
- Can't remember the last time you did something fun.

4. Cognitive signs:

- Brain fog, can't focus.
- Forgetting things you shouldn't forget.
- Trouble making decisions.
- Constant worry or racing thoughts.
- Feeling like an imposter.

I wanted you to do this to get your baseline and check in with yourself on how you are now. In the future, when you do this, the rating scale below is what you can use to measure.

If you checked 0-2: You're doing okay but stay vigilant.

If you checked 3-6: Yellow flag. Time to make some changes.

If you checked 7+: Red flag. You need support NOW. Don't delay. You are valuable.

C. Here's What You Need to Know about Burnout

1. **It's not a personal failing.** It's a systemic issue in our profession. You're not weak. The system is broken. Sadly, I think it starts in law school. My first year of law school, partnered with the pressure and stressors, caused the onset of a chronic (sometimes terminal) illness.
2. **It will affect your ability to practice law.** [SCR 3.130\(1.1\)](#) requires competence. You can't be competent when you're burned out. This is an ethics issue, not just a wellness issue.

3. **It won't get better on its own.** Hoping it will pass is not a strategy. You need to actively intervene.
4. **Asking for help is not optional.** If you now or ever find that you answered the questions above and checked seven or more boxes, please...I'm begging you...reach out and get help. We as Kentucky lawyers are blessed to have at our fingertips the **Kentucky Lawyer Assistance Program** ((859) 312-3956 or kylap@kybar.org). They're confidential. They are free. They are here for you. They exist specifically to help you.

D. Finding Your Non-Negotiables Framework

Here's the most important exercise you'll do:

Identify your non-negotiables. These are the five to seven things in your life that you need to decide early that you will NOT sacrifice for your career. Not for a demanding client. Not for a big case. Not because you think it will earn you a position as partner. Not for anyone! Not for any reason.

Mine are:

1. **Dinner with my family five nights/week** (or eating lunch with the grandson I have custody of or meeting my husband for a walk during his lunch break in the infrequent event missing dinner that night is unavoidable).
2. **Date night with my spouse every Friday at 6:00 p.m.** (Even my own mother won't call after 6:00 on a date night and religiously for 11 years it has been a standard.)
3. **No work calls returned before 10:00 a.m.**
4. **My personal wellness routine is a standing appointment every Wednesday** from 10:00 a.m.-12:00 noon weekly (includes therapy sessions, Vedic Thai stretch massage, yoga, acupuncture, doctor visits, whatever is needed for my well-being).
5. **At least two real vacations per year no less than five days each** (if I do any work on vacation, it has to be creative work "for my benefit" aka what I love to do that brings me joy such as writing a book, optimizing Andy the AI law phone assistant tool I launched recently, or drafting these CLE materials on my car ride back from a weekend in Chicago).

What are yours? Write them down:

1. _____
2. _____

3. _____
4. _____
5. _____
6. _____
7. _____

Now, here's the hard part:

You have to protect these like they are court orders. Put them in your calendar. Block the time. Treat them as immovable. Because the truth is, if you don't protect them, no one else will.

E. The Permission Slip You've Been Waiting For

I'm going to say something that might feel revolutionary:

You have permission to:

1. Leave work at 5:30 p.m.
2. Not check email on weekends.
3. Say no to projects that will overload you.
4. Actually use vacation days to rest and take vacations.
5. Go to therapy, without shame or explanation.
6. Have hobbies and do non "lawyer" things.
7. Be a whole human being.

You don't need to "earn" these things by working yourself to death first. You need them "in order to" do good work.

The lawyers I know who have 30+ year careers they love? They are few but they are the wise ones who figured this out early. The ones who burned out and left the profession? They thought they had to prove themselves first. They drank the Kool-Aid.

Don't be the second group.

III. BOUNDARIES: YOUR NEW BEST FRIEND

Let's talk about the b-word that will either save your career or make you wildly uncomfortable: **Boundaries**.

If you just cringed a little, I get it. Boundaries feel mean. They feel selfish. They feel like you're not being a "team player" or a "good lawyer." And as a new lawyer, how could you ever think about setting boundaries? It feels like you are at the bottom of the attorney totem pole. Who are you to be coming with these demands about what will and will not happen.

I completely understand but here is some of that "real talk" I promised. Here's the truth:

Boundaries are the most generous thing you can do – for yourself, your firm, and your clients. Setting boundaries means you are putting their needs first, no matter how opposite it may feel.

Why? Because a lawyer with boundaries is:

- More focused when they're working, meaning they're more productive;
- Less resentful of their clients, increasing retention and the number of satisfied clients;
- Better rested and sharper, meaning fewer errors;
- Able to sustain their practice for decades;

A lawyer without boundaries is a ticking time bomb.

A. Setting Boundaries the Right (and Wrong) Way

The biggest boundary mistake new lawyers make is not setting expectations early enough.

You think you're being a team player in the firm, nice to your coworker, and an all-star attorney for your client by being available 24/7. In reality, not having boundaries means you are the opposite. You're actually training your clients to have unreasonable expectations that you won't be able to sustain. You are creating an unrealistic workload that soon becomes unmanageable, almost like stacking files of paperwork sky high. The avalanche is inevitable. And in the end, the very people you are trying to please will be the ones ready to file bar complaints and want to see you pay for letting them down.

The stakes are too high. You have sacrificed too much to accomplish what you have. So, here's what to do.

1. Set healthy expectations from day one.

When deciphering contract terms, the first place to check is...within the four corners of the document. That is not just a term of art. Making your boundaries known should first start on day one and in writing. There are a few documents that can do this, and the first line of defense is your engagement letter. Good practice (ethically, for your sake and your professional liability carrier's sanity) is to utilize engagement letters at the start of each attorney-client relationship.

IN YOUR ENGAGEMENT LETTER:

Include a section on communication that looks something like this:

“OUR COMMUNICATION POLICY:

We are committed to keeping you informed about your case. Here's what you can expect:

- *Response Time: We respond to non-emergency emails and calls within one business day (Monday-Friday, 9:00 a.m.-5:00 p.m.).*
- *Updates: You'll receive a status update at least once every two weeks while your matter is active.*
- *After-Hours: If you email or call outside business hours, we'll respond the next business day unless it's a true emergency.*
- *Emergencies: If something urgent arises (you're being served, you have an imminent deadline), call our main line and leave a message marked 'urgent.' We'll respond as quickly as possible.”*

Notice what this does:

- ✓ Sets clear response expectations;
- ✓ Defines "emergency";
- ✓ Gives them a path for urgent issues;
- ✓ Protects your evenings and weekends.

This isn't rude. This is professional. And guess what? **Clients respect it.** Many times, clients are unsure what to expect when hiring an attorney. Depending on why they need an attorney, they may already be on edge and anxious – a fish out of water. Dealing with an attorney may be foreign territory to them. My case studies show that clients actually value it when you explicitly tell them what to expect. It's one less thing they have to worry about. Now that makes

you the hero! They value having a reference to go back to, and most gladly comply.

And those who don't comply? Well, sometimes you may have to reinforce it. Instead of being caught in the moment, unsure of what to do or say, consider having pre-drafted scripts. The old adage is if you stay ready then you don't have to get ready.

2. The boundary-setting scripts you actually need.

You are free to customize these. Here are the exact words to use in common situations:

When a client texts you at 10:00 p.m.:

"Hi [Client], I saw your message. I don't monitor my phone after business hours so I can give my clients my full attention during the day. I'll review this tomorrow morning and get back to you by [specific time]. If this is an emergency [you're being arrested, court deadline in hours], please call our emergency line at [number]."

When a client wants to expand the scope:

"I'd be happy to help with [new issue]. That's outside the scope of our current agreement, so let's discuss whether to handle it as a separate matter or amend our agreement. I want to make sure you understand what you're paying for."

When you're at capacity and need to say no:

"I appreciate you thinking of me for this. I'm at capacity right now with existing clients, and I don't want to take on anything I can't give proper attention to. Can I refer you to [colleague] who does excellent work in this area?"

When a more senior attorney dumps work on you at 4:45 p.m.:

"I want to make sure I do this well. I have [X and Y] due tomorrow that I'm finishing up. Is this more urgent than those, or can I tackle it first thing Wednesday morning?"

(Notice: You're not saying no. You're asking them to prioritize. Most of the time, they'll realize it can wait.)

B. The Ethics of Boundaries

Let me address the elephant in the room: "**But don't I have a duty to be available to my clients?**"

Yes and no.

[SCR 3.130\(1.3\)](#) requires **diligence**. But diligence doesn't mean 24/7 availability. It means:

1. Meeting deadlines.
2. Responding to communications in a reasonable timeframe.
3. Preparing adequately.
4. Not procrastinating to the point of harming the client.

[SCR 3.130\(1.4\)](#) requires **reasonable communication**. But what's "reasonable"? The comments to the rule clarify that it means keeping clients "reasonably informed" and responding to requests "within a reasonable time." You are an advocate, not an indentured servant.

Here's what reasonable looks like:	Here's what reasonable does NOT require:
<ul style="list-style-type: none">✓ Returning calls/emails within one to two business days✓ Providing periodic updates✓ Being available for scheduled meetings✓ Responding promptly to court-imposed deadlines	<ul style="list-style-type: none">X Answering emails at midnightX Taking calls during your kid's birthday partyX Working every weekendX Sacrificing your health for non-emergencies

Lawyer well-being is essential to competent representation. You can't be competent if you're burned out. So no, having boundaries is not unethical. Boundaries help you stay ethical.

C. When (and How) to Fire a Client

1. Sometimes, despite your best efforts, thorough vetting, a well-drafted engagement letter and scripted responses, you still get a client who:
 - a. Repeatedly violates your boundaries.
 - b. Is verbally abusive to you or your staff.

- c. Lies to you or asks you to do unethical things.
- d. Treats you like a slave and your bar license like their personal weapon.
- e. Refuses to pay despite repeated attempts to collect.

You muster your best confidence, swoosh your hair and do “The Donald.” Confidently tell the client “You’re fired.” Okay, not quite like that. *Just wanted to make you smile. This is good info but can be daunting.* Seriously, here is what you need to know: **You can fire clients.** (But there are some important caveats to know.)

2. [**SCR 3.130\(1.16\)**](#), which governs withdrawal, says you **must** withdraw if:
 - a. Continuing representation would violate the Rules of Professional Conduct.
 - b. Your physical or mental condition materially impairs your ability to represent the client.
3. You **may** withdraw if:
 - a. The client persists in a course of action you find repugnant.
 - b. The representation has been rendered unreasonably difficult.
 - c. Other good cause exists.
4. How to do it:
 - a. Send written notice (certified mail).
 - b. Give them reasonable time to find new counsel.
 - c. Return unearned fees and client property.
 - d. If you’re in litigation, get court permission to withdraw.
 - e. Do NOT trash talk the client (even if they deserve it).

5. Sample withdrawal letter:

Dear [Client],

After careful consideration, I must withdraw as your attorney in [matter]. [Brief, professional reason: "Our communication styles are not compatible" or "I cannot in good conscience pursue the strategy you're requesting."]

You should secure new counsel immediately. [If there are deadlines, list them.] I will cooperate with your new attorney in transferring your file.

I am refunding \$[X] of unused retainer. Your file will be available for pickup or can be sent to your new attorney upon request.

Sincerely,

[You]

I will be the first to tell you. Firing a client is never fun. But keeping a toxic client will cost you more, in mental health, reputation, and potential ethics issues, than letting them go. The costs increase exponentially the longer you just try to "get through it."

IV. TIME, ENERGY & PRODUCTIVITY: WORK SMARTER, NOT DEADER

Most attorneys have far more time than they think. The problem is that they are not spending it wisely or optimizing it.

I know what you are likely thinking, "Nichole, I already feel like I'm drowning. I don't have time to figure out how to optimize my time." I hear you. And THAT is exactly my point! If you don't have time to figure out how to manage your time, you'll stay drowning forever. And for those who are not "there" yet and this isn't an issue, I am glad. But over the years, I have seen even the most optimized schedules still have at least one leaky area.

A. Time Management vs. Energy Management

Most productivity advice focuses on time, promoting how to "Do more in less time! Hack your day! Hustle harder!"

That sounds great on an affirmation poster or bootcamp flyer but is far from the truth. What really matters is energy management. Take the time to assess your personal cadence, including what times of day you are most productive and in your "flow."

On average, people have one or two blocks of four to six hours per day for high-quality cognitive work. That's it. After that, your brain begins to fry and you're eventually just moving papers around.

Stop asking "How do I work more hours?" when the goal should be trying to determine **"How do I protect my best hours for my best work?"**

Here's how:

1. **Identify your peak performance time.** Are you a morning person or an afternoon person? When is your brain sharpest?
2. **Block that time for deep work.** When your brain is “on point” and firing on all cylinders, this is when you should:
 - a. Draft important motions.
 - b. Do legal research.
 - c. Prepare for depositions.
 - d. Handle complex client issues.
3. This is NOT when you should:
 - a. Check email.
 - b. Attend meetings.
 - c. Do admin tasks.
 - d. Scroll social media (be honest).
4. **Batch the rest.** Switching between tasks slows progress. Grouping similar tasks minimizes that. To optimize, group similar tasks together:
 - a. Check and respond to emails: 9:00-9:30 a.m., 2:00-2:30 p.m., 4:30-5:00 p.m.
 - b. Return calls: 10:00-11:00 a.m. and 2:00-3:00 p.m.
 - c. Admin: Friday afternoons.

B. Your New Decision-Making Secret Weapon, the Eisenhower Matrix

Every task falls into one of four categories:

	URGENT	NOT URGENT
IMPORTANT	DO NOW <i>Court deadlines, client emergencies</i>	SCHEDULE <i>Prep for trial next month, business planning</i>
NOT IMPORTANT	DELEGATE <i>Someone else can handle it</i>	DELETE <i>Stop doing these entirely</i>

There will be caveats and exceptions, but this chart is a great guide to determine which tasks to prioritize.

The problem: New lawyers typically think everything is urgent and important.

The solution: Get ruthless about what actually matters.

***Pro tip 1:** If you can't decide if something is important, ask: "*Will this matter in six months?*" If no, it's probably not important.

***Pro tip 2:** With few exceptions, rarely ever is anything in law a true life or death "emergency."

C. Use the Tools that Actually Help

1. **For time-blocking:** Get a calendar such as Google Calendar or Outlook that can send reminders and syncs between phone, tablet, laptop and/or desktop.
 - a. Block your deep work time in color (I use hot pink or red, so people know it's sacred).
 - b. Set email and cell phone to "do not disturb" during those blocks.
 - c. Schedule EVERYTHING, even lunch and exercise.
2. **For task management:** Use Todoist, Trello, Asana, or even a paper planner.
 - a. Weekly planning on Sunday or Monday morning.
 - b. Daily top three: What are the three things that MUST get done today?
 - c. Everything else is gravy.
3. **For focus:** Freedom, Cold Turkey, or Screen Time.
 - a. Block social media during work hours.
 - b. Turn off non-essential notifications.
 - c. Put your phone in another room.

4. **For energy:** Prioritize your basic human needs.

- a. Sleep seven to eight hours (yes, really).
- b. Eat actual food (not just coffee and adrenaline).
- c. Move your body.
- d. Take breaks.
- e. Do whatever builds you up spiritually.

I know you think you don't have time for these things. **These are the things that give you the capacity to have time.**

D. When to Say "No" or "Not Now"

You will get asked to do things you don't have bandwidth for. Here's your new response:

"I'd love to help, but I'm at capacity this week. Can I [alternative]?"

Alternatives:

- 1. Get back to you next week.
- 2. Refer you to someone else.
- 3. Take this on after [current priority] wraps up.

Remember: Every yes to something is a no to something else. Make sure you're saying yes to the right things.

***Pro Tip 3:** "No." is a full sentence. It is okay to say no.

V. MONEY MATTERS: BECAUSE SOFT LIFE LAWYERS AREN'T BROKE LAWYERS

Let's talk about the thing nobody wants to talk about but everyone's thinking about: **money.**

You have student loans. You have bills. You maybe have a partner or kids or aging parents depending on you. And you're looking at your paycheck (or lack thereof if you just started your own firm) and thinking, "How is this supposed to work?"

You can't have a soft life if you're financially stressed. Money problems will destroy your boundaries faster than anything else.

So, let's fix it.

A. For Associates: Know Your Worth.

1. **STEP 1: Calculate what you're actually worth.**

a. Take your salary and divide by 2,080 (hours in a work year):

i. \$50,000 salary = \$24/hour.

ii. \$65,000 salary = \$31/hour.

iii. \$80,000 salary = \$38/hour.

b. Now compare that to:

i. What your billable rate is to clients.

ii. What comparable positions pay in your market.

iii. What you could make if you went solo or moved firms.

c. If there's a big gap, you have leverage.

2. **STEP 2: Document your value.**

Keep a running list of:

a. Cases you won or resolved favorably.

b. Money you brought in or saved the firm.

c. Processes you improved.

d. Clients who specifically requested you.

e. Positive feedback from clients or opposing counsel.

3. **STEP 3: Ask for a raise strategically.**

WHEN: After 12-18 months, after a big win, or during annual reviews.

HOW: "I'd like to discuss my compensation. Over the past [time period], I've [specific achievements]. Based on my research of comparable positions and the value I'm bringing, I believe a salary of \$[X] is appropriate. Can we discuss this?"

If they say no, maintain positivity and professionalism. Ask: "What would need to happen for us to revisit this in [three to six months]?"

B. For Associates: Student Loans (the Elephant in Every Room)

1. You have several options. Let's break them down:
 - a. Income-driven repayment (IDR).
 - i. Payments based on your income (10-20 percent of discretionary income).
 - ii. Forgiveness after 20-25 years (though that forgiveness is taxable).
 - iii. Best if: You're in public interest law or making under \$60k.
 - b. Public service loan forgiveness (PSLF).
 - i. Work for government or 501(c)(3) for 10 years.
 - ii. Payments based on income.
 - iii. Forgiveness is tax-free.
 - iv. Best if: You're in public service and can handle the paperwork.
 - c. Refinancing.
 - i. Get a lower interest rate through private lenders.
 - ii. Lose federal protections (forbearance, forgiveness options).
 - iii. Best if: You have good credit, stable income, and private loans.
 - d. Aggressive payoff.
 - i. Pay extra toward principal.
 - ii. Best if: Your interest rate is high, and you have extra cash flow.
2. IMPORTANT!! These pro tips apply to everyone.
 - a. **Pro tip 1:** Seek financial guidance always. Start with IDR to keep payments manageable while you build your practice/career. Then decide if you want to aggressively pay them off or seek loan forgiveness.
 - b. **Pro tip 2: ABSOLUTELY DO NOT allow your loans to go into default.** That will destroy your credit, close doors and potentially compromise

your law license. I have never done so but have helped many who have.

- c. **Pro tip 3:** Never ever, and I mean, NEVER dip into your IOLTA or client escrow and “borrow” or take money unearned for anything under any circumstances! It does not matter how tight money is or if no one will know and you put it right back! I know of attorneys who have done it. They were playing with fire. That is unethical and asking for a reprimand or even disbarment.

C. For Solo/Small Firm

Pro Tip 3 in the Section above. Price your services like you mean it and like you earned it!

One of the biggest mistakes new solo practitioners make is underpricing because they're scared no one will hire them.

Here's what you need to charge to survive: YOUR MINIMUM HOURLY RATE:

1. Calculate your annual expenses (personal + business).
 - a. Personal expenses (rent, food, insurance, etc.): \$_____.
 - b. Business expenses (malpractice insurance, rent, software, etc.): \$_____.
 - c. Total: \$_____.
2. Add your desired salary/profit: \$_____.
3. Add taxes (approximately 30 percent of salary for self-employment): \$_____.
4. **TOTAL ANNUAL NEED: \$_____.**
5. Divide by realistic billable hours.
 - a. If you work 50 weeks/year at 20 billable hours/week = 1,000 hours.
 - b. Total need ÷ 1,000 = **YOUR MINIMUM HOURLY RATE.**
- c. **Example:**
 - i. Expenses: \$60,000.
 - ii. Salary: \$50,000.

- iii. Taxes: \$15,000.
- iv. Total: \$125,000.
- v. Divided by 1,000 hours = **\$125/hour**.

That's your BASELINE/MINIMUM. You should charge more to account for non-payment, write-offs, and business growth. Keep in mind this is one rule of thumb. There are other ways to calculate this, and you have other considerations. This example should be a good start.

Most new attorneys in Kentucky will be charging \$150-250/hour depending on practice area and location.

D. For Solo/Small Firm: Get Paid (or Don't Do the Work)

Golden Rule: Pro bono is a good thing...but your choice. Be intentional. Never do work you won't get paid for.

- 1. Require retainers for hourly work.
 - a. Minimum: \$2,500-5,000 depending on the matter.
 - b. Use "evergreen" retainers that auto-replenish.
 - c. Sample language: "Client agrees to maintain a minimum retainer balance of \$[X]. When the balance falls below \$[X], client will replenish within five business days."
- 2. Offer payment plans with auto-pay.
 - a. Use services like LawPay.
 - b. Get a credit card on file.
 - c. Charge automatically on the first of each month.
- 3. Send invoices immediately.
 - a. Ideally, you should bill within seven days of work performed; 15 days is more realistic, but do not wait more than 30.
 - b. The longer you wait, the less likely you'll get paid.
- 4. Follow up promptly on unpaid invoices.
 - a. Day 7: Friendly reminder.

- b. Day 30: Firmer reminder plus late fee.
- c. Day 60: Payment plan offer or withdrawal letter.

5. Terminate non-paying clients. The grocery store does not let you continue to get food without paying for it. Neither does the gas station or utility company. Neither should you. Treat your business like a business.

- a. You are not a bank.
- b. You are not a charity (unless you explicitly agreed to pro bono).
- c. Follow withdrawal procedures in [SCR 3.130\(1.16\)](#).

6. Sample collections email (Day 30):

Dear [Client],

We noticed that your payment of \$[X] which was due on [X] has not been received.

We understand things happen, and we are here to help.

If this was a simple oversight, please send payment at your earliest convenience.

Thanks,

[You]

7. Sample collections email (Day 30):

Dear [Client],

I'm reaching out about your outstanding balance of \$[X] from [date]. I know things can get busy and life happens. I'm here to help make this easier.

Would setting up a payment arrangement help? I can split this into [X] payments of \$[X] over the next [X] months to be paid on the [X] of every [week or month].

Please let me know by [date] how you'd like to proceed. If I don't hear from you, I'll need to withdraw as counsel on your matter.

Thanks,

[You]

Remember: Clients who respect you will pay you. Clients who respect you respect your boundaries. Clients who respect you pay you and respect your boundaries, see your professionalism, and will refer other clients who will do the same. Clients who don't respect you aren't worth keeping.

VI. YOUR 90-DAY ACTION PLAN

Okay. You've read all this. Your head is spinning. You're thinking, "This is great, but WHERE DO I START?"

The answer: **One small thing at a time.**

Perfection requires effort and time. So does your soft life practice. If you commit to implementing just one or two things per month, you'll be light years ahead in 90 days. Below is a sample plan.

A. Days 1-30: Foundation & Assessment

1. **WEEK 1:**

- Complete the Burnout Self-Assessment (Section II).
- Identify your three to five non-negotiables.
- Block them in your calendar for the next three months.
- Create a chart or checklist of milestones to track your wins.
- Calculate your hourly worth (Section V).

2. **WEEK 2:**

- Draft your communication policy for clients.
- Add policies to your engagement letter template.
- Record voicemail recording that reiterates your policies.
- Share it with your next three clients/consultations.

3. **WEEK 3:**

- Do a time audit: Track everything you do for one full week.
- Identify your peak productivity hours.
- Block those hours for deep work starting next week.

4. **WEEK 4:**

- Set up your task management system.
- Create your weekly planning routine (Sunday evening or Monday morning).
- Identify one thing you can delegate or eliminate.

****For a Quick Win:** Pick ONE boundary script from Section III and practice it this week.

B. Days 31-60: Implementation & Testing

1. **WEEK 5:**

- Implement time-blocking for your peak hours.
- Turn off non-essential notifications.
- Practice saying "not now" to one non-urgent request.

2. **WEEK 6:**

- If you're solo: Review your pricing and adjust if needed.
- If you're an associate: Start your "value documentation" list.
- Review your budget and identify one expense to cut or negotiate.

3. **WEEK 7:**

- Audit your client list: Any red flags?
- Address one boundary violation with a client (use your scripts!).
- Review your student loan situation and make a plan.

4. **WEEK 8:**

- Mid-point check-in: What's working? What's not?
- Adjust your systems as needed.
- Celebrate one win (seriously, celebrate).

****For a Quick Win:** Take ONE full day off (no email, no work) and notice how the world doesn't end.

C. Days 61-90: Refinement & Scaling

1. **WEEK 9:**

- Review your time-blocking: Is it working? Adjust as needed.
- Add one more automated system (document templates, email templates, etc.).
- Schedule a coffee with a mentor or peer for accountability.

2. **WEEK 10:**

- Financial check-in: Are you on track with your money goals?
- If solo: Follow up on any outstanding invoices.
- If associate: Update your value documentation.

3. **WEEK 11:**

- Assess your boundaries: Which ones are holding? Which need reinforcement?
- Have one difficult conversation you've been avoiding.
- Update your non-negotiables if they've changed.

4. **WEEK 12:**

- Complete another Burnout Self-Assessment.
- Compare to Day 1: What's better? What still needs work?
- Set three goals for the next 90 days.
- CELEBRATE YOUR WINS: You did this!**

D. Answer These: Your Monthly Check-In Questions

Every 30 days, sit down with yourself, be honest, reflect and ask:

1. **Am I honoring my non-negotiables?** If no, why not? What needs to change?
2. **Am I working my target hours or exceeding them?** If exceeding, what can I delegate, eliminate, or say no to?
3. **Am I getting paid fairly for my work?** If no, what's my plan to address it?

4. **How's my energy?** If low, what needs to change about my schedule, workload, or boundaries?
5. **What's one thing I'm proud of this month?** (Write it down!)
6. **What's one thing I want to improve next month?** (Pick ONE, not 10.)

E. The Accountability Piece

Here's the truth: **You're more likely to stick with this if you have accountability.**

1. Find an accountability partner.
 - a. Another new lawyer from your law school.
 - b. Another lawyer in 2nd Chair Legal's Community or Smart Lawyer Cohort.
 - c. Someone from this CLE.
 - d. A mentor who gets it.
2. Set up monthly 30-minute check-ins. Share your wins, your struggles, and your goals. Hold each other accountable.

Sample structure:

- a. 10 min: What went well this month?
- b. 10 min: What was hard? Where did I struggle?
- c. 10 min: What's my one focus for next month?

Remember, this is not group therapy and definitely not meant to add stress or another task without rewards. This is strategic business planning with someone who understands the struggle.

VII. CONCLUSION: YOU'VE GOT THIS

Listen. I know this is a lot.

You're sitting here with a stack of materials, a head full of information, and maybe a little voice saying, "Yeah, but this won't work for me because [insert random doubts or an excuse here]."

Let me tell you something I wish someone had told me 19 years ago:

You don't have to be perfect. You just have to be intentional...and consistent.

You don't have to implement every single thing in these materials next week, nor do I expect you to. You also do not have to have it all figured out, nor do I think you immediately can. You don't have to be some superhuman lawyer who bills 2,000 gazillion hours, wins every case, makes partner your first year, runs marathons while dancing on TikTok and winning Kentucky Bar Lawyer of the Year awards for the most pro bono hours, has a spotless house, 2.5 kids with a dog and perfect marriage with your spouse, sings in the choir at church, and volunteers at the food pantry every weekend. For someone with an interesting outlook, that may be what success looks like. And that is fine and well. What matters and what you have to decide is:

What kind of lawyer do I want to be? What kind of life do I want to have?

What does SUCCESS look like to me? (And not what everyone else says or what you “think” or have been told it should be.)

Once you honestly answer those questions, then you have to make small, consistent choices that move you in the direction of that.

- **Will you mess up?** Yes. You will! And know now Nichole said, “It’s okay.” Give yourself grace and keep it moving.
- **Will there be weeks where you work 60 hours?** Most likely. Sometimes it is unavoidable.
- **Will clients push your boundaries?** Absolutely.
- **Will you doubt yourself?** Constantly. Your doubts should be temporary... and are normal. Again, Nichole says “You got this!!”
- **Will you outgrow what you define as success over time?** I hope so. If you live long enough and life happens, your maturity will refine what true success is for you.

But just know this one truth:

- **You're not alone.**

Every lawyer you know or admire, every lawyer who came before you, every lawyer who'll come after you – we have **ALL** been where you are. We've all felt the overwhelm, the imposter syndrome, the fear that we're not good enough or smart enough or tough enough. Choose to be one of the ones who does not just survive. Thrive!

The soft life isn't about having it easy. It's about having it all by being intentional.

It's about building a practice that serves your clients well AND serves your life well. It's about making good money without selling your soul. It's about being excellent at your job AND being present for your people. It is about a practice that is billable and a life you love that is livable.

It's about looking back in 20 years with One Republic playing "I Lived" in the background as you sigh with accomplishment and smile to yourself thinking, "I'm proud of the career I built, the mark I made on the world, and the life I lived."

So, here's your assignment:

Pick ONE thing from these materials. Just one. Implement it this week.

It does not matter which. Maybe it's:

- Adding a communication policy to your next engagement letter.
- Blocking off Thursday evenings for dinner with your person.
- Calculating your actual worth and deciding if you're being paid fairly.
- Practicing one boundary script with a difficult client.
- Taking one full day off without checking email.

Just one thing. Then next week, pick another one thing. Then another. And one more. Until before you know it, you'll have built something remarkable:

A law practice that doesn't destroy you.

A career you actually enjoy.

A life that feels so great you feel lucky it's yours.

Welcome to the bar and now the soft life lawyer club, counselor. Now go be great.

VIII. RESOURCES & TEMPLATES

A. Kentucky-Specific Resources

1. Kentucky Lawyer Assistance Program (KYLAP).
 - a.  (859) 312-3956
 - b.  kylap@kybar.org
 - c.  <https://www.kylap.org/>.
 - d. Services: Confidential support for mental health, substance abuse, stress management. FREE for all Kentucky attorneys.

2. Kentucky Bar Association.
 - a. Available resources to help with practice, technology, and more.
 - b.  kybar.org.
3. Kentucky Rules of Professional Conduct.
 - a.  kybar.org ([SCR 3.130](#)).
 - b. Key rules for this CLE:
 - i. [SCR 3.130\(1.1\)](#): Competence.
 - ii. [SCR 3.130\(1.3\)](#): Diligence.
 - iii. [SCR 3.130\(1.4\)](#): Communication.
 - iv. [SCR 3.130\(1.5\)](#): Fees.
 - v. [SCR 3.130\(1.6\)](#): Confidentiality.
 - vi. [SCR 3.130\(1.16\)](#): Declining or Terminating Representation.
 - vii. [SCR 3.130\(5.3\)](#): Non-Lawyer Assistants.

B. National Resources

1. ABA Commission on Lawyer Assistance Programs.
 - a. Resources on well-being, mental health, and substance use.
 - b.  americanbar.org/groups/lawyer_assistance.
2. National Task Force on Lawyer Well-Being's Path to Well-Being Podcast
 <https://lawyerwellbeing.net/podcast/>.
3. 2nd Chair Legal LLC.
 - a. Empowers solo and small law firms with enterprise-level AI technology, community, resources and business advising – turning your practice into a model of efficiency and profitability.
 - b.  2ndChairLegal.com

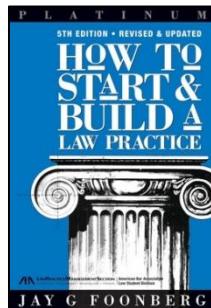
C. Financial Resources

1. Student Loan Planner.
 - a. Consultants who specialize in student loan strategy for lawyers.
 - b. studentloanplanner.com
2. YNAB (You Need A Budget).
 - a. Budgeting app specifically for managing irregular income.
 - b. ynab.com

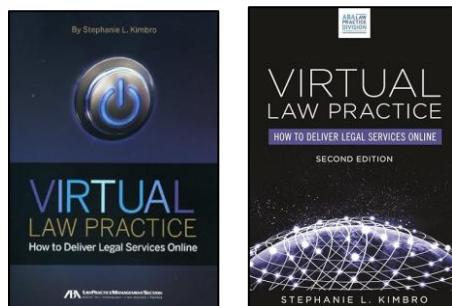
D. Recommended Reading

As an avid reader, my entire list would bring back the feeling you had when you received the 150-page per class reading assignment you were supposed to have completed before your first day as a 1L even started. Instead, I am including only a few helpful resources. Some I wish I had sooner. Many of my 2nd Chair Legal consulting clients also report that this list helped them tremendously. Because this is a short list, if you need more resources, visit 2ndChairLegal.com for more recommendations and other goodies.

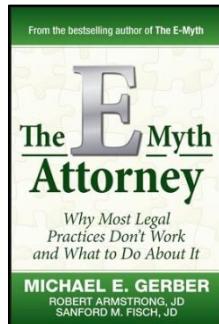
1. *How to Start and Build a Law Practice, Fifth Edition* by Jay Foonberg (I used to say if there were a sacred text for solos, this is it!).



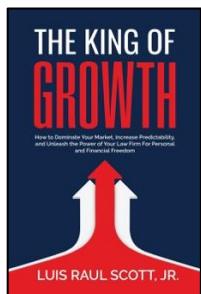
2. *The Virtual Law Practice: How to Deliver Legal Services Online* by Stephanie L Kimbro (I have the original, but there is a 2nd edition).



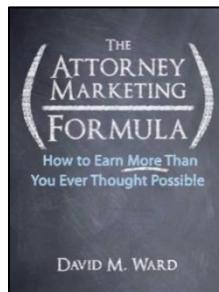
3. *The E-myth Attorney* by Michael E Gerber.



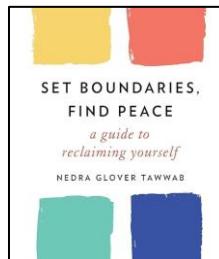
4. *The King of Growth: Unleash the Power of Your Law Firm for Personal and Financial Freedom* by Luis R. Scott.



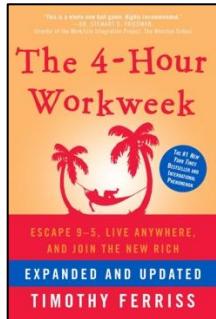
5. *The Attorney Marketing Formula: How to Earn More Than You Ever Thought Possible* by David M. Ward.



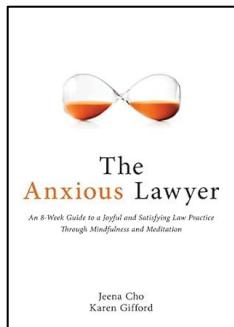
6. *Set Boundaries, Find Peace* by Nedra Glover Tawwab.



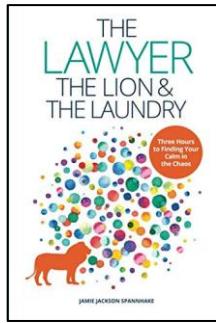
7. *The 4-Hour Workweek* by Tim Ferriss (take the principles, not the gimmicks).



8. *The Anxious Lawyer* by Jeena Cho and Karen Gifford (mindfulness).



9. *The Lawyer, The Lion, & The Laundry* by Casey Truffo (my current read).



E. Practice Management Software (for Solo/Small Firm)

1. All-in-one options.
 - a. Clio (most popular, robust features).
 - b. MyCase (user-friendly, good for small firms).
 - c. PracticePanther® (affordable, good mobile app).
 - d. HighLevel (all of the above with crazy features and AI automations).

2. Specialized tools.
 - a. LawPay (payment processing that's bar-compliant).
 - b. Calendly or TidyCal (scheduling without the back-and-forth).
 - c. Zapier, n8n or Make.com (automate repetitive tasks).
 - d. Andy by 2nd Chair Legal (the best AI law phone assistant built by an attorney for attorneys – handles inbound and outbound calls, client intakes, scheduling, messaging, invoices, onboarding and social media communications plus more. <https://ailawphone.com/>).