

My Nonpracticing Law Job: Legal Commentary Ghostwriter

By **Wayne Pollock** (August 15, 2024)

Not every law degree leads to a law practice. In this Law360 Pulse series, former practicing attorneys share the stories of how they went from practicing corporate law to using their knowledge and background to carve out a nontraditional career path in the legal industry. If you would like to write about how your law degree led you down an alternate career path, email expertanalysis@law360.com.

There are two things you should know about me. First, I'm a type A person who values my ability to control my time above practically everything else in life. Second, I secured the highest score in my T14 law school's law review write-on competition.

For obvious reasons, I've publicly disclosed the second fact approximately twice in 17 years, including this article. But together, these two statements are why I left my senior litigation associate position at an Am Law 50 firm in 2016 after six-and-a-half years to launch what is now a thought leadership ghostwriting service for law firm partners and legal industry executives.



Wayne Pollock

The Fun Kind of Legal Writing

At my old law firm, the work I enjoyed the most was legal writing and research. Today, the vast majority of work I do for clients is what I call the "fun kind" of legal writing. I don't spend much time on legal research services like Lexis, I'm not drafting any "questions presented," and I'm rarely Bluebooking footnotes.

But I am analyzing interesting and sophisticated legal developments and issues, and writing articles about them for clients who want those articles published in third-party publications, such as the one you're reading now, but who don't have the time to write the articles.

Thought leadership articles are marketing and business development materials that will be read by current and prospective clients and referral sources. When I collaborate with my clients on these articles, I remind them we're not producing memoranda in support of motions, nor are we writing purchase and sale agreements between Fortune 500 companies.

Yes, the vast majority of these articles' readers are attorneys and executives who frequently read legal filings and complex business documents. And yes, these articles must present relevant and valuable insights and takeaways to readers.

But they need to do so in a style that doesn't bore readers to tears or remind readers of a legal document they read earlier that day. The style should resemble the tone we would take at a business lunch with a client and their colleague whom they haven't met before — polished, but with some informality.

On a related note, with the rise of ghostwritten novels, social media posts and articles,

some people are contorting the concept of ghostwriting and equating it to absentee authorship. The former is most definitely not the latter.

Before I ghostwrite an article for a client, I speak with them for about 25 to 30 minutes about their views on the topic and the points they want to make. I also guide them toward an angle through which we will approach the topic.

For example, a topic might lend itself to a "here's what the court said and here's why it matters" article, another could be well-suited for a "best practices" article, and yet another could be most interesting when discussed in a "misconceptions"-style article.

Though I'm guiding the conversation and doing the writing, 85% to 90% of the substantive material in articles I ghostwrite comes from my clients. I give my clients' thoughts structure, come up with compelling introductions and conclusions, add connective tissue between the points they make, and otherwise present their material in an organized and easy-to-read manner. But the substance is predominantly theirs.

I consider myself lucky to have fallen into my role — more on that in a moment — of a thought leadership ghostwriter in the legal industry. I write about a variety of impactful legal topics and those regarding the business and practice of law in a way that both piques my intellectual curiosity and exercises the analytical and writing muscles I flexed daily as a litigation associate.

A Realization About How I Wanted to Spend My Time

I left my old law firm soon after I came back from my second paternity leave. My two kids were 3 -and-a-half years old and 6 months old. Leaving for the office within minutes of one of them waking up, and putting them to bed within minutes of arriving home (on nights when I got home at a reasonable hour) was weighing on me. So, too, was the always-on-call nature of being a litigation associate.

Despite the market salary and bonuses I received, I wasn't loving my job. At a certain point, enough was enough. I wanted more control over my time.

I couldn't foresee continuing to work in a position where my time with my kids was limited to bunches of minutes in the morning and at night during the week, and periods of time on holidays and weekends not claimed by billable matters. This was barely tolerable when my kids were young. I knew it would be intolerable as they got older.

Having had a four-year career in public relations before law school, I decided that a logical next step in my career was to combine my public relations and legal backgrounds and launch a legal communications and services firm.

I would assist clients and attorneys involved in high-profile legal matters. As an attorney, I would provide legal strategy, media strategy and advice on avoiding both defamation issues and ethics issues when clients or their attorneys spoke to the media about pending litigation.

My Education From the School of Hard Knocks

I officially launched my business in September 2016. When I did, I didn't know I was simultaneously enrolling in the "School of Hard Knocks."

Since launching my business, I've learned lesson after lesson about what it means to be a business owner.

In the spirit of helping you avoid prolonged enrollment in the School of Hard Knocks, here are four — of many — lessons I've learned that I wish I'd known before I left my associate position to launch a business within the legal industry.

1. Start marketing before you take the leap.

I left my law firm and started my business with a perfect combination of naivete and ignorance. I assumed that people who knew me would send me business. Few did.

I didn't appreciate the need to network like crazy in the weeks and months before launching my business, nor the need to come out of the gate with a strong marketing and business development effort. Had I done so, I would have avoided many sleepless nights worrying about whether leaving my associate position was the right decision.

If you're going to launch a business, including your own law firm, start your marketing and business development efforts while you're still at your soon-to-be-former job. Those efforts should include networking, building a social media presence and publishing thought leadership.

Sure, you'll need to walk a fine line while you're still employed. But investing time and resources in marketing before you launch your business can help you get off to a fast start.

2. You're a full-time marketer, even when you're serving clients.

On a related note, once you market your services before you officially launch your business, never stop. Customers or clients are oxygen for your business. If you stop your marketing and business development efforts, your business will suffocate.

Don't consider yourself a full-time attorney, legal marketer, consultant, adviser or whatever service provider you become who occasionally markets their services. Consider yourself a full-time marketer for a business that provides legal services, legal marketing, consulting, advisory services, etc. With that mindset, you can avoid the temptation we all feel to pause our marketing and business development efforts when we're busy with substantive client work.

Build marketing and business development efforts into each day. Whether it's a short post on LinkedIn or a "just checking in" email to a contact you haven't spoken with recently, your daily marketing and business development efforts will compound.

3. There's nothing wrong with pivoting.

After about three years, I pivoted my business from a legal communications/services firm to a thought leadership ghostwriting business. It was a necessary pivot, as I simply could not build up enough ongoing "court of public opinion" work to sustain a business. Though I still occasionally do that work, the vast majority of my client work is thought leadership ghostwriting.

Your initial idea for your business might not work out. That's OK.

We attorneys are trained to think failure is a sin. It's not. It may be tempting to get down

on yourself for having to change plans on the fly, but that's life.

The people you think are judging you harshly for your pivot either aren't paying attention or are so unhappy in their everyday life that they're envious of your decision to go out on your own and don't care that you've pivoted.

4. Prepare for the entrepreneurial ups and downs by building a support network.

Day-to-day ups and downs are par for the course as an attorney: a favorable ruling one day, an unhappy client the next; an all-nighter one day thanks to obnoxious opposing counsel, a happy client the next who'd like to bring you in on more matters.

You'll face ups and downs as an entrepreneur, but they're more existential than what you'd experience as a practicing attorney. For example, there are few moments as exciting as scoring that first big client, or finally earning enough revenue that you can quit your full-time job and pursue your side hustle as your full-time job.

On the other hand, there are few moments more painful when you're out on your own than suffering a client- or revenue-related setback and wondering if your dream of being a business owner is over for now — and whether you'll need to apply for a job.

Prepare for these ups and downs by building a support network made up of other entrepreneurs. Once you become a business owner, only a small portion of the population will understand the trials and tribulations you're experiencing.

Get to know other business owners, regardless of the business they own. They'll help keep you grounded when you have your head in the clouds thanks to recent triumphs. They'll also be a sorely needed source of rational advice when recent letdowns have you questioning whether you made the right move going out on your own.

An Unexpected — But Life-Changing — Journey

Since leaving my Am Law 50 firm to go out on my own, I've made mistake after mistake. Perhaps that's because I never had business owner on the list of things I was hoping to accomplish in life.

But this journey has opened my eyes to a parallel world I didn't know existed outside of an office in which I spent an embarrassingly large number of hours reviewing documents and drafting motions, briefs and discovery responses.

It hasn't been easy, and there are still plenty of existential ups and downs, but I wouldn't trade my experience for anything. If you decide to take your own entrepreneurial leap, I hope the above four lessons help prepare you for what lies ahead.

Wayne Pollock is the founder at Copo Strategies and the Law Firm Editorial Service.

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