

FOCUS ON

RUNNING YOUR PRACTICE

Going solo

Lawyer took risk in starting own practice

BY KENNETH JACKSON

For Law Times

With the province stuck in a deep recession, Andrew Feldstein opened his own practice in Markham, Ont., a day after his call to the bar.

It was 1994 and the son of a chartered accountant from North York had no interest in going to work for the firm he had been articling at for a year. They had him doing personal injury law, which wasn't something he enjoyed.

Those who knew Feldstein weren't surprised. People describe him as someone who's decisive and likes to make his own choices.

Feldstein himself says opening his own office was an easy decision to make. Still, he notes that doesn't mean it was an easy thing to do.

"When you are starting out, you have no clients, you have very limited knowledge, and you have to take lots of time to do things," says Feldstein, 43, who runs the Feldstein Family Law Group.

He rented out office space in Markham from his father. While the rent was free for the first three months, he had to pay fair market value for everything after that, even for postage to mail a letter. He notes his father always made him work for things.

He hit the ground running and started marketing himself right away while waiting for files to come in.

For a while, he was all there

was at the firm.

"I was the payable clerk; I was the receivable clerk; I was the filing clerk. It was just me," he says, adding it was daunting at first. "But to me, if you're going to do something, you have to make a commitment to it. That's what I did."

Then he got his first client. "When I landed my first client, I was very concerned when I realized the buck stopped with me and I had to make a decision," he says.

"When you article, you're used to bringing all your work to someone else to review, approve, and they make the decision. I remember a certain sense of panic and fear."

Feldstein spent long hours trying to get clients and find other lawyers to work at the firm while offering services in everything except criminal law.

"I found more and more people wanted to hire me as a family law lawyer," he says. "I felt I needed to make a decision. Watching the way the world was becoming then, I could tell clientele wanted lawyers who did one area of law. The greatest reluctance I had of being hired by clients was they thought I was doing too many things."

As time progressed, he started to focus on two areas of practice: corporate commercial and family law.

Some time around the turn of the century, he made the decision to focus only on family law.

By then, his firm was growing. He had moved into his current location on Crown



Andrew Feldstein did everything at first, including the accounts and filing.

Photo: Kenneth Jackson

Steel Drive and has since gone from one unit to four presently. He also has offices in Toronto, Vaughan, Whitby, and Mississauga, Ont.

"We went from just me to within four or five years I had my first associate and two or three clerks working for me," he says.

He now has 12 lawyers, including himself, as well as two articling students, three administrative staff, and six clerks.

Fellow lawyer and friend Jordan Dolgin went to law school with Feldstein. He couldn't imagine Feldstein working for someone else. "I think he had that in his blood to take that sort of risk," he says. "Working for someone would never have been satisfying for him. In this world, either you work for someone and you're selling your time, which is great and a lot of people do that, or you work for yourself and try to build something. He's pretty decisive and he knows what he wants."

Dolgin notes the fact that Feldstein comes from a family of chartered accountants helps him in family law because many of the cases involve financial statements. It helps to be able to discern when someone has manipulated them.

"He's a great lawyer," says Dolgin. "He knows what he's doing and he gets results, but what's really interesting about Andrew is he's got a really wonderful business sense, which really comes from the fact he was the youngest of four boys. By the time he was in his teens, his father was a little older and he had a lot more face time with his dad as a teenager than most of us did."

Dolgin says that even though they went to school together, Feldstein has been a bit of a mentor to him. Dolgin opened his own office in 2009.

For his part, Feldstein says family law is stressful but also

rewarding. When asked for the keys to his success, Feldstein doesn't take long to answer.

"Number 1: you have to work hard. Number 2: you have to be able to take risks."

"I remember when I used to have to look at my bank position before I wrote every cheque to make sure there was enough money to cover the cheque. That's part of the risk. Even if you're a professional, there is an element of being a risk-taker to go start your own practice, having the entrepreneurial spirit, because you have to meet payroll, you have to meet obligations, and you have

to be very nervous that you're going to be able to do that."

He says that was probably the most stressful part of it all. "I remember I'd go out with my wife and we'd be walking around a mall and she'd look at something for \$20 and I say, 'We can't afford that now.'"

Looking back at the past 18 years, Feldstein doesn't know any other way of doing it and can't imagine sitting in a partnership committee meeting to make decisions.

"If you decide you want to try a new advertising campaign, you make the decision," he says.

"You don't have to go and persuade people."

Of course, he'll listen to key staff members for their input on some matters but then he makes the decision.

"Succeed or fail — it's your choice, your decision, and you have to live it," he says. **LT**