

Chapter 3: Your Office

Congratulations! If you made it through Part I, you've doubtless established that you are indeed credible as a mediator. Now it's time to establish your legitimacy. Legitimacy is, I think, easier to establish than credibility. Let's be honest. If you've never taken a single class as mediator, have virtually no case experience, and look like you just escaped from a federal penitentiary, you're a long shot to ever achieving credibility. Legitimacy, in contrast, is something anyone can achieve by making a few smart business decisions.

This chapter talks about the first of those decisions — the physical place in which you conduct mediation sessions. Chapter 4 addresses the elements of marketing collateral that will further support (or undermine) your legitimacy.



The conduct of business is a process of exploration. You might have a hunch about who's going to want your services and how much they're willing to pay, but you're only going to know by testing your ideas in the marketplace. From this, a choice arises: You can either bet the farm that your hunch is right, or you can place small bets. Small bets allow you to inexpensively acquire knowledge of your business environment — knowledge that you'll use to place subsequent small bets. In this way, you'll keep exploring and learning to the point that you know when an investment is going to be worthwhile.

Let me be plainspoken in reference to this choice. If you choose to bet the farm, you are insane. You're betting that, from nothing, you have divined the secrets of your particular market — a market that is as unique as you and your particular services. If this is your choice, I wish you luck, for you will need it.

The other choice, small bets, is the only systematic way to succeed. Apply it to every business decision — for example, when incurring an advertising expense or when changing your fee schedule. Indeed, you should always try to expend the fewest possible resources in determining whether you've discovered a path to greater profitability. Only if you conclude that the path is profitable should you increase your investment to a higher level.

Identify Your Needs

If you already practice as a psychotherapist, attorney, or financial planner, you probably already have office space. However, you should still ask yourself whether that space is suitable to serve mediation clients you'll be targeting. A focus on, say, elder mediation will require a room that comfortably seats several people (maybe four or five adult children and their spouses), whereas a divorce mediation practice won't need a room that large. If your clients are insurance companies, claimants, and their respective counsels, an upscale office will be necessary to enhance your legitimacy. If, on the other

hand, you need to keep your costs to a minimum in order to serve a price-conscious clientele, that ritzy corner office in the downtown high-rise may deprive you of any chance to make a profit from your labors. So, step one is to identify your needs.

- ❑ **Location.** How far is the office from your home? Can clients park nearby? Is it accessible via public transit? If you're conducting mediations in the evening or on weekends, is the neighborhood safe during those hours?
- ❑ **Size.** Is your office big enough? If not, does it include access to a shared conference room that you can book when needed?
- ❑ **Configuration.** Is there a reception or waiting area, which you'll need for clients who arrive early and when conducting private meetings (caucuses). Especially if serving an elderly clientele, does access to the building entail a lot of stairs.
- ❑ **Amenities.** If you plan to offer tea and coffee, is there a kitchen or kitchenette? Will you need Internet access, fax capability, etc? (See Chapter 15 for guidance on smart technology solutions that will save you a lot of money.)
- ❑ **Furnishing.** Table, desk, or neither? A practice oriented to commercial or complex multiparty disputes probably needs a table, whereas a desk with two or three guest chairs may be suitable for other cases. Divorce, custody, and family mediation might need neither.
- ❑ **Décor.** High end, low end, or in between? Clients paying a king's ransom for your services will expect a Class A office facility. But don't assume that more affluent clients won't happily sacrifice trade gold-plated faucets for a lower hourly rate.

Evaluate Your Options

Now you have an idea of the type of space to best serve your target clientele, you can evaluate your options for securing that space. Again, the incumbent attorney, psychotherapist, or financial planner likely has suitable space already. For everyone else, here are your options.

LEASED OFFICE

I've identified this option first because it's the one most people first consider, but it's one I would rarely recommend because it usually requires a big bet — signing a lease. I like small bets. Big bets put your business in jeopardy, especially during its early months when it's most vulnerable.

The appeal of signing a lease is quite compelling, which explains why so many people do so. In exchange for a legally binding contract that obligates you for typically twelve months or longer, you'll gain the instant gratification of feeling legitimate. You can also now print business cards and letterhead for your new office address, and you can invite family and friends to opine on the most tasteful furnishings and décor for a mediation practice.