

Ladies of Justice

The legal minds behind INC. Legal discuss winning strategies.

BY JEANNIE FERRIS



An imposing lady stands in front of most judicial buildings. She is not security. She is not a bailiff. She is an icon of fairness and judgment. In her right hand, she holds a suspended set of scales symbolizing truth and fairness, upon which she measures and balances the strengths of a case's support and opposition. In her left hand, she wields a double-edged sword, symbolizing reason and justice. They call her Lady Justice. This icon may date back to ancient Egypt, however one can't help but conjure it up when talking to Debra Lewis and Sara Compton, the business attorneys behind INC. Legal, APC. The mother-daughter team is proud of its partnership, which helps them foster long-term professional relationships.

Lewis is a 30-year veteran of small business law, which includes litigation, contracts, trade secrets, start-ups, landlord and tenant services, employment, buy and sell agreements, shareholder disputes and real estate. She served as the mayor of Rancho Santa Margarita in 2000 and in the kitchen cabinet of Orange County Supervisor Tom Wilson.

Lewis' daughter, Compton is a graduate of UCSD and University of San Diego Law. She is a certified mediator and has actively served on several jury trials, including serving as second chairperson and assisting in jury trial. Her mediating skill has been successful in resolving disputes without the necessity of going to trial.

An added benefit of having the two women combine their understanding of how legal requirements intersect with business practicality and reality is that a client gets billed for only

one attorney. It is this caring quality which differentiates them from just being attorneys, to also serving as invaluable business and legal advisors.

The chief tenet in their philosophy is to operate with a preventative strategy to avoid potential expensive courtroom battles. But both are fearless champions of truth and fairness, and have the strength to brandish the sword of reason and justice if need be. It's no chance that the symbol of their logo is a knight chess piece, representing strategy and strength.

Lewis and Compton recently sat down with FINE to discuss their success and philosophies on small businesses.



FINE: What is the success rate of your mediations versus going to trial?

INC: Success in a lawsuit depends heavily on legal strategy. We school our clients early on in the process. As anyone knows, it can be an emotional roller coaster. Managing expectations is key, along with honestly assessing how each piece of newly acquired information impacts a client's position, for better or worse. Therefore, the strategy is to be in the strongest position possible to win at trial, which in turn allows the greatest potential for a good settlement before trial.

Lewis: In the overwhelming majority of cases, in my 30 plus years of doing this, I am able to avoid trial and settle the case on terms satisfactory to the clients.

FINE: How do you stay current with new legislation between Orange County and San Diego?

Lewis: We are active in the business community [and] we regularly meet with business owners and other professionals that service the business community. I am co-editor of the

North County Bar Association's (San Diego) monthly publication, which gives me access to authors writing about legal topics and new development. Both Sara and I have authored articles for the magazine. We [also] attend continuing legal education classes to keep current on the law that impacts our clients. We read numerous publications [and] maybe most importantly, we listen to our clients.

FINE: Do you find San Diego to be more prevalent in one practice area than Orange County and vice versa?

INC: Many of our Orange County clients are in the construction industry. They range from design professionals to trades people such as civil engineers, flooring, window coverings and tile contractors. San Diego has a very prominent technology community. But both counties have a strong entrepreneurial base or privately held corporations or limited liability entities, many still run by original owners. This is the type of business we service.

FINE: With heavy taxations and liabilities in California, have you seen a decline in small business startups?

INC: On the contrary. The past few years have seen people laid off from jobs starting new businesses. People who may never have had the courage or resources to pursue their entrepreneurial dreams have been forced to do so by the economy. New businesses and growing businesses need good legal advice from the beginning. Too often, we have to help the do-it-yourself client clean up a mess because they did not appreciate the longer-term ramifications of legal decisions early on. We meet too many people who started up corporations or LLCs through an Internet site, and have no clue why they chose the entity they chose, and more importantly, what they need to be doing on a day-to-day basis to make sure the corporation or LLC is there to protect them in a lawsuit or against creditor demands. Or they have incorporated in another state only to find that they didn't avoid the California taxes or liabilities, but rather now have exposure in two states. Too many times, we have seen business owners who have surfed the web, used a contract and found that it didn't protect them as they expected.

FINE: What are the top three important considerations for a small business startup, and how would your firm differ from others in expertise?

INC: From a legal perspective, we would say: Have a good business plan. [A lot of businesses] fail because someone is turning a hobby into a business without any idea of what it takes to make a success of it. [Such as,] what is my product or service? Who are my target customers? Do I have enough or do I need investors?

Once you decide the business idea is viable, have a clear understanding of why you are taking a specific action, which may have legal ramifications. For example, why am I incorporating vs. choosing an LLC?

Get a good legal advisor early. Staying out of trouble is so much easier and cheaper in the long run than cleaning up a mess. Looking for anyone, [whether] a lawyer, a dentist, or a doctor in crisis is not the best decision.



FINE: How do you handle (if any) prejudices from male clients or contemporaries?

Lewis: When I started practicing in the early 1980s, it was common for me to be the only woman in the room. At one deposition I was taking, before I could ask the first question, the male deponent threatened me, jumping up with a lit cigar in his mouth just inches from my face and shouted, “Don’t think because you’re a woman, I won’t hit you!” He thought he could bully me because I am a woman. He did not know I had a green belt in karate, and that I had been training with my husband and two daughters—Sara being one of them. I grabbed the cigar from his mouth, threw it in the garbage and got into a karate stance. “Go ahead.”

Throw the first punch, but I'm throwing the last punch!" I will never forget the look of shock on his face. He sat down and the deposition went forward without any interruptions.

Now I'd say almost half the lawyers are women; it is so much different. We still run into that kind of prejudice from time to time. We handle it by being extremely knowledgeable and confident in our positions. When an opposing party can see that we are serious professionals and not just blustering, that is usually sufficient.

FINE: Which charity organization does INC. Legal stand behind?

Compton: We are huge supporters of the military, and in particular, the Marines. My husband is gunnery sergeant in the Marines and stationed at Pendleton. We understand firsthand the extreme financial and personal sacrifices military families make to protect the rest of us. We also help former Marines in their new business ventures.

Another cause we support is Amniotic Fluid Embolism (AFE). This is a rare and deadly condition and the second leading cause of maternal death in the U.S. We give our legal services to the AFE foundation.

FINE: What inspires you every day?

Lewis: How lucky I am to have a great family that I love and that loves me. To have a daughter that actually wants to practice with me. My four grandkids that I love to pieces and my husband [of 41 years], Steve. Not many people have all that and live in this great California climate.

Compton: Helping people find solutions to legal problems. I am inspired to be a role model to my two daughters. I want my daughters to be strong, independent and self-sufficient. I want them to see that education and hard work are what will allow them to be productive and give them the freedom to choose a career path that is fulfilling. I also want them to see that a woman can achieve balance between having a fulfilling successful career and a great family life. Additionally, since their father is a career Marine, he is gone for months at a time. While he is gone, they inspire me to stay strong. I want to show them that even though daddy is not with us for a while, he is still in our hearts and he loves us and even while he is away, we are still a family.

FINE: How did you come to choose the knight (chess piece) in your logo?

Lewis: Through brainstorming with Sara. She thought of the name, "INC. Legal." We wanted our name to say who we are at a glance. We [also] wanted a logo that evoked the image of strength and being strategic, since that is how we practice. We thought about the queen, but we did not want to confine our image to strictly female. The chess horse piece often makes the opening move, and it is used strategically to take opponent pieces and protect its own pieces. And the horse is a strong animal.

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