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Relationships Between Critical Business Performance Variables and Solo Criminal Law Practitioners Success

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This is to certify that the doctoral study by

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Abstract

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MS, Drexel University, 2007

BS, Chestnut Hill College, 2000

Doctoral Study Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Business Administration

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Abstract

Growing numbers of America's 1,281,432 active licensed attorneys open their own law firms due to strained employment opportunities. With 50% of small businesses failing within 5 years, and solo law offices accounting for 75% of attorneys in private practice, there is a need for preparing solo criminal law practitioners for business success. Some solo criminal law practitioners do not understand the critical business performance variables that impact small business success. The total population for this quantitative correlational study included solo criminal law practitioners from the Philadelphia Bar Association *Legal Directory* and Pennsylvania Association of Criminal Defense Lawyers members. Barney's resource-based theory (RBV) and Lussier's nonfinancial success-failure business prediction model were the foundational frameworks of this study. I used Lussier's nonfinancial success-failure questionnaire to collect data via a self-administered survey. A Kendall tau correlation was used to determine the relationship between Lussier's 16 independent variables measuring success or failure and a single dependent variable of 'level of profits' for the 31 participants. 31 participants (4%) is a very low response rate. Increased participation is needed for better research results. Fifteen of the 16 variables showed no relationships with the level of success. Only 1 hypothesis showed a relationship between the type of start-up plan developed by the firm and the level of success ($\tau = .322$, $p = .032$). The findings from this study support the Small Business Association's definition of a business plan as a living roadmap for business success. The implications for positive social change include the potential to increase employment opportunities by directly impacting the economy in creating economic expansion.

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Dedication

This work is dedicated to ~My Journey

And to my oldest treasure: ~Jason Maurice who bore the worst the brunt and yet we loved on to (re)create and honor and cherish our beloved: Sir Wolfgang.

To my 'favorite' daughter: ~Nile Sahara who always knew when what how and where to say, do, support and HUG me in and through my endeavors. You are my every pumpkin pie flavored shero girl powered inspiration and my biggest supporter.

I am forever indebted to a lifetime of Ike's, My's, Ava's, Jen's, Joe's, Tiff's, Lori's, and Lee's who were 'just' there.

A huge thank you to WAA! (Philadelphia's own Women Against Abuse) for saving my life many moons ago and empowering me from and to and through an emotional journey from 9th grade dropout to todays' Dr. Renee Norris-Jones. ~I remain your humble servant.

And lastly, acknowledgment to self aka and forever John Norris's daughter!

p.s. … and in the end there you were, for every high, low, what the heck, it's ok, oh no, how can I help?, more highs, and way too many disheartening lows, knowing and reminding me of every stage, phase, did you hear anything?, what did they say?, what's next?, faculty, committee, mentor, (nick and) name Thank You Carolyn Elizabeth

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I would like to acknowledge my committee chair, Dr. Arthur Johnson, and committee members, Dr. Peter Anthony and Dr. Janet Booker. Thank you for your continued mentorship and expertise through this process. Thank you Dr. Freda Turner for your advice and support.

A special thank you goes out to Dr. Arthur Johnson, my committee chair, for your words of encouragement, hand holding, chin-up, no tears, checking in, and tough love throughout this grueling (and sometimes maddening) process. Your patience, guidance and support as my committee chair not only grew my expertise as a scholar-practitioner but cultivated a more balanced, calmer (amongst the chaos) individual embracing a restrained serenity.

And for those times when I just needed a reminder to breath, a heartfelt Namaste! Namaste! Namaste! to Dr. Judith Porter and Dr. Rocky J. Dwyer.

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Section 1: Foundation of the Study

Seventy-five percent of all businesses are nonemployer firms without paid employees (U.S. Census Bureau, 2012b). Of the 1,281,432 active United States licensed attorneys, solo law offices account for 75% of attorneys in private practice (American Bar Association, 2014b; Lawson, 2014; Tung, 2013). Legal practice settings are led by solo practitioners at a rate of 48%, followed by firms with 2-5 lawyers at 15% (American Bar Association, 2014b; Legal Directory 135th Edition PA, 2015). Philadelphia, Pennsylvania has 1,290 nonemployer legal services firms without paid staff (U.S. Census Bureau, 2012b).

Background of the Problem

Growing numbers of new law school graduates and unemployed attorneys open their own law firms due to strained employment opportunities (Lawson, 2014; National Association for Law Placement, 2011; Tung, 2013). Philadelphia criminal attorneys have unique opportunities to earn almost immediate income by becoming a court-appointed attorney without any business education, training, or experience (First Judicial District of Pennsylvania, 2014). Outside of demonstrating legal proficiency to the judiciary, barriers to entry in becoming a self-employed court appointed attorney and opening a new law office are low, leading many unemployed Philadelphia criminal attorneys to become court appointed attorneys (First Judicial District of Pennsylvania, 2014). While low barriers to entry exist in the legal industry, some solo criminal law practitioners perform better than others, indicating that some business owners were better prepared to manage their solo practice (Lawson, 2014).

Small business owners from every industry, including solo criminal law practitioners, benefit from business acumen and sound business planning (Herrera, 2012; Lawson, 2014). The capacity to generate income is not the sole goal of successful businesses (Lawson, 2014; Small Business Administration, 2012; Tung, 2013). Success in entrepreneurial ventures is best achieved when astute business acumen is coupled with operational and performance expertise that precedes business ownership (Small Business Administration, 2012).

Problem Statement

Solo law offices account for 75% of attorneys in private practice, yet many solo criminal law practitioners are lack the needed business acumen and little business practice management exists in the law literature to support solo practitioner success and avoid business failure (American Bar Association, 2014c; Herrera, 2012; Lawson, 2014). Although law schools are beginning to address the need for practical operational business skills, most academic coursework and the literature neglect the solo practitioner (Herrera, 2012). With 50% of all small businesses failing within 5 years, a need existed for preparing solo criminal law practitioners for successful business ownership (Herrera, 2012; Small Business Administration, 2012). The general business problem was a lack of knowledge of how critical business performance variables can impact small business success. The specific business problem was that some solo criminal law practitioners did not understand the critical business performance variables that impacted small business success.

Purpose Statement

The purpose of this quantitative study was to examine the relationships between critical business performance variables and small business success. The targeted population used in this study was Philadelphia, Pennsylvania criminal law practitioners that own or owned a solo law office at any time within the past 2 years. Modeled on Lussier's (1995, 2014) success verses failure prediction models, my goal for this study was to determine critical business practices used by the targeted population. Validated in previous studies both globally and in the United States, Lussier's (1995, 2014) prediction models identified 16 variables that improved the probability of success for small businesses. In Lussier's (1995) initial study, he used 15 variables. In 2014, Lussier added Internet usage as a 16th variable. Lussier's dependent variable was successful and unsuccessful firms. Independent variables included (Halabi & Lussier, 2014, Lussier, 1995) start-up (a) operating capital, (b) record-keeping and financial control, (c) industry experience, (d) education, (e) marketing skills, (f) owners age, (g) minority status, (h) number of partners, (i) management experience, (j) business planning, (k) professional consultant usage, (l) quality staff recruitment and retention, (m) stage of products or services (n) whether owners' parents owned businesses, (o) stage of economy, and (p) Internet usage. Positive social change implications was more jobs for the economy.

Nature of the Study

I used a quantitative methodology for this study. Quantitative researchers examine numerical data toward explaining influences of cause and effect of stated variables (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014).

Researchers use quantitative studies to describe mathematical or statistical data and were appropriate for this study. In this study, I sought to understand the nature and strength of the relationships between the independent variables and the dependent variable of the degree of success experienced by the small business leaders. Quantitative research uses numerical characteristics. The numerical characteristics quantify research problems with analytical approaches (Farrokhi & Mahmoudi-Hamidabad, 2012). In contrast, qualitative research is of an exploratory nature, and is used to define and develop approaches to a problem (Gacenga, Cater-Steel, Toleman, & Tan, 2012). A qualitative approach was not appropriate for this study.

Researchers use various quantitative design approaches. One such design is a comparative study. A comparative study searches for comparisons between variables or a phenomenon (Glynn, 2013). A comparative approach was inappropriate for this study because comparisons between variables does not determine the nature and magnitude of relationships. Researchers using correlational designs seek to understand and evaluate relationships of independent and dependent variables (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014). Since the focus of this study was to determine and understand the nature and magnitude of relationships between dependent variables (successful and failing firms) and the 16 independent variables, a correlational design was appropriate for this study.

Research Question

The overarching research question for this study was: Do known business success variables correlate with success experienced by solo criminal law small business practitioners?

Hypotheses

The independent variables (X_i for $_i$ = 1 to 16) in this study were variables from prior studies developed by Lussier (1995-2014) as critical in predicting degrees of success of small firm performance to increase probabilities of success.

Null Hypothesis (H_0): There is no relationship between the 16 known business variables as defined by Lussier and the level of success of solo criminal law practitioners.

Alternative Hypothesis (H_1): There is a relationship between the 16 known business variables as defined by Lussier and the level of success of solo criminal law practitioners.

Theoretical Framework

The theoretical frameworks that grounded this study were theories of both resource-based theory or resource-based view (RBV) and Lussier's success-failure model in predicting business success through resource management, sustainable performance, and competitive advantage (Barney, Ketchen, & Wright, 2011; Fraj, Martínez, & Matute, 2013; Harrison & Wicks, 2013; Lussier, 1995). Integral to organizational strategic management, the theoretical perspectives of RBV and business prediction models included resources, sustainable performance, and competitive advantage (Fraj, Martínez, & Matute, 2013).

Developed by Barney (1991), the RBV is a rigorous strategic model that measures and manages efficiencies and effectiveness of organizational resources. The RBV of the firm included constructs of value, rareness, and competitive advantage toward achieving a sustained level of competitive performance (Barney, 1991). Grounded in strategic management and economics, competitive advantage is the dominate construct of RBV (Barney, 2001a; Barney, 2001b; Barney, Ketchen, & Wright, 2011; Fraj, Martínez, & Matute, 2013). Firms seeking competitive advantage pursue viable sustainability strategies that inform and drive critical performance objectives (Jang, 2013).

Lussier (1995) used RBV as a framework to determine which resources or variables affected business success. Lussier's success-failure model is a frequently cited business prediction model (Lussier, 1995; Lussier & Corman, 1996). Lussier developed a nonfinancial business prediction model to understand why some businesses failed and other businesses succeeded. Lussier identified 16 major variables determining success or failure based on 20 success and failure journal articles. Lussier's initial work identified 15 variables and in 2014, Lussier added Internet use as an additional variable as the 16th variable. Lussier did not address technology in his 1995 success-failure model. Technological acumen is a relevant construct in contemporary times (Boons & Lüdeke-Freund, 2013). In Lussier's (2014) study, business owners described the use of technology in their business.

Adopting a business model affords small business owners opportunities in achieving competitive advantage (Harrison & Wicks, 2013). Business models provide understanding of business functions including critical value creation. A business model represents a unit of analysis in examining a firm's system-wide operational activities in creating and capturing value (Harrison & Wicks, 2013). Strategic business models represent an architectural template toward tactical decision-making for organizational sustainability and growth (Harrison & Wicks, 2013). Business prediction models are used to determine which organizational resources determine success or failure (Kwon, Chung, Roh, Chadwick, & Lawler, 2012). A firm's strategy can be used as an infrastructural base to support its vision. Business leaders employ strategies in building resources toward sustainability and growth (Harrison & Wicks, 2013).

Operational Definitions

Operational definitions employed within this study follow below.

Best Practices: Best practices are demonstrated management applications of successful techniques, methodologies, and or strategic endeavors incorporated throughout industries toward excellence in functionality, reliability, and performance. Best practices are also known as benchmark or processes benchmarking (Jahan-Parvar, Liu, & Rothman, 2013; Khalid & Bhatti, 2015).

Business failure: A business failure is a commercial venture that produces below average performance outcomes compared to their competitors, has not had a profit in the previous 2 years, and fails in achieving envisioned objectives (Lussier & Halabi, 2010; Small Business Administration, 2012).

Business success: Business success is defined as a commercial venture that yields above average performance results in the previous 3 years compared to competitors and has achieved net profits that are equal to greater than profits within their industry (Lussier & Halabi, 2010).

Entrepreneurship: Entrepreneurship is the act of using processes used in value creations in unifying distinct resource groupings of opportunities, evaluations, management, resources, and toward self-employment goals (Cronin-Gilmore, 2012).

Nonemployer firm: The Census Bureau classifies a nonemployer firm as any business that operates without paid employees, produces earnings of $1,000 or more annually, and subject to federal income taxes as nonemployer firms (U.S. Census Bureau, 2012b).

Service Corps of Retired Executives (SCORE): The Service Corps of Retired Executives exists as a SBA partner assisting small businesses from startup through growth. Retired entrepreneurs and business executives serve as volunteers for this nonprofit organization (Small Business Administration, 2013).

Small business: A small business is an independently owned and operated entity with a maximum of 499 employees (Small Business Administration, 2013).

Strategic entrepreneurship: Strategic entrepreneurship involves innovative competitive approaches toward strategies, product offerings, marketing, and internal organizational capacitates, structures, and processes based on established business models (Parker, 2012b).

Startup problem: A business startup problem includes new ventures plagued with perceived lack of minimum business acumen and financial planning and creditworthiness (Parker, 2012b).

Assumptions, Limitations, and Delimitations

The assumptions, limitations, and delimitations that researchers encounter in quantitative studies require mitigations toward potential risks, weaknesses, and boundaries guiding the scope of the study (Sultan & Tyagi, 2013). Assumed facts driving this quantitative query drove preliminary examinations of phenomena contributing to small business failures. Inherent external and internal limitations of the study existed in limitations from institutional governing bodies and third party participants.

Assumptions

In scholarly research, assumptions are generally accepted as true or plausible given the researcher's research design, populations, and other chosen delimitations (Glynn, 2013). I had three assumptions in this study. The first assumption was that a correlational quantitative design was the best approach for this study. The second assumption was that Lussier's (1995) success-failure prediction model was a reliable and appropriate model for determining business success of variables toward sustaining Philadelphia solo criminal law practitioners. The third assumption was that samples of both all criminal attorneys with email addresses listed in *The Legal Directory of the Philadelphia Bar Association* .and members from the Pennsylvania Association of Criminal Defense Lawyers (PACDL) would provide critical understanding of success sustainability variables generalizable toward solo criminal law practice in the legal industry.

Limitations

Limitations in research studies exist as potential weaknesses and are outside of researcher control (Glynn, 2013). Acknowledging and addressing limitations of scholarly queries may help the researcher address potential weaknesses and may result in outcomes remaining unaffected (Gacenga, Cater-Steel, Toleman, & Tan, 2012). Limitations existed in the chosen samples of all solo criminal law attorneys with email addresses listed in both the *Legal Directory of the Philadelphia Bar Association and m*embers from PACDL Attorney participants from these two groups that own or owned a solo law office at any time within the past 2 years qualified for this study. Responses from these attorney participants provided robust data that can be generalizable to solo criminal law practitioners outside of Philadelphia, Pennsylvania. The second limitation existed in determining if the chosen geographical area would capture findings about lowering business failures and toward social change endeavors. The final limitation was assuming that participants would provide accurate responses to survey questions.

Delimitations

The research controls delimitations in scholarly queries (Glynn, 2013). In limiting the scope and defining the boundaries of a study, a researcher chooses specific objectives, theoretical and conceptual frameworks, research questions, variables, and participant populations (Gacenga, Cater-Steel, Toleman, & Tan, 2012). The scope of this study was limited to determining if known business success variables correlated with success experienced by solo criminal law small practitioners. The focus was limited to solo criminal attorney practitioners in the Philadelphia area with active and or retired law firms. Additional delimitations included (a) chosen methodologies and design, (b) participant and sample sizes, (c) geographical location, and (d) survey questions (with permission) from an earlier quantitative survey developed by Lussier (1995-2014).

I began the study after receiving approval from the Institutional Review Board (IRB) at Walden University. The IRB approval number was 11-22-16-0368435. Study participants received emailed consent forms to participate. The study participants did not receive incentives to participate. All participant and affiliated company information remained confidential. All participants of the study were able to withdraw from the study at any time with verbal notice. I will retain the data in a secure, locked place for 5 years. I will maintain sole access to the data.

Significance of the Study

I designed the significance of the study to detail how contributions to business practice and implications for social change can provide dynamic business knowledge for evaluating, growing, and sustaining optimal performance levels (McLarty, Pichanic, & Srpova, 2012) throughout the life of a business. In this study, contributions to business practice allowed participants the ability to make informed decisions for the growth of their business ventures. Improvements in successful small business best practices can contribute to positive social change in improving social and economic communities (Parker, 2012a; Small Business Association, 2012).

Contribution to Business Practice

Financial, marketing, technical, leadership, and organizational strategic initiatives are among the resources or knowledge areas that small business owners need to run successful enterprises (Halabi & Lussier, 2014; McLarty, Pichanic, & Srpova, 2012). Knowledgeable financial, marketing, technical, leadership, and organizational professionals are critical to business success (Makins, Nagao, & Bennett, 2012). Benefits of this study may also include professionals that support, counsel, train, and finance business owners (Halabi & Lussier, 2014). These professionals are businesses assets as subject matter experts for sustainable businesses (Dahmen & Rodríguez, 2014). Solo criminal law practitioners can then make informed decisions based on the selection and allocation of appropriate resources for the prosperity of their businesses.

The significance of this study is that it may provide growing numbers of solo criminal law practitioners with critical business knowledge for analyzing, growing, and sustaining optimum performance levels. Business owners play a key role in the success of their businesses (Lussier, 1995). In this study, I sought to examine the relationships of business performance variables on solo criminal law practices to determine which variables best supported solo criminal law practitioner business success.

Implications for Social Change

Successful small businesses affect social and economic communities through sound business practices (Haltiwanger, Jarmin, & Miranda, 2013). Small businesses provided 66% of employment opportunities and contributed both positively and negatively to global economic outputs in local, regional, national, and global communities (Haltiwanger, Jarmin, & Miranda, 2013). Successful small businesses support healthy social economic communities through job creation (National Association for Law Placement, 2011; Sakiru, D'Silva, Othman, DaudSilong, & Busayo, 2013; Small Business Association, 2012).

America has 23 million small businesses (Haltiwanger, Jarmin, & Miranda, 2013). Small business failures directly burden social and economic systems. Improvements in successful business practices contribute to positive social change by improving social and economic communities supported by small businesses (Parker, 2012a).

Implications for positive social change included offering solo criminal attorney business owners knowledge resources and best practices responsible for small business success and for maintaining and growing a sustainable practice. Value brought to Philadelphia's solo criminal law practitioners can educate, and cultivate new solo criminal law practitioners entering private practice beyond the greater Philadelphia area.

A Review of the Professional and Academic Literature

Concepts grounding this study included RBV and Lussier's (1995) success-failure prediction model. RBV and Lussier's revised 16-variable prediction model framed the organization of this literature review. A review of the literature in this study included (a) application to the applied business problem, (b) Lussier's use of RBV as a lens in his prediction model, (c) RBV, (d) value, rareness, imitability, and organization as tenets of RBV, (e) an overview of Lussier's studies, (f) Lussier's prediction model, and (g) bar associations resources in law practice management.

Thorough database searches provided literature for the foundation of this study. I accessed peer-reviewed articles from the following databases: ABI/INFORM Complete, Academic Search Complete/Premier, Annual Reviews, Business Source Complete/Premier databases, Emerald Management Journals, Networked Digital Library of Theses and Dissertations, ProQuest Central, SAGE Premier, and ScienceDirect. The specific keywords and phrases that I used in database searches included: *strategy implementation; performance measurement; business models, success-failure models, sustainability, strategic performance, measurement systems, key performance indicators, strategic management, business processes, evaluation, modelling tools, strategic management, entrepreneurial, small business, RBV, entrepreneurship, disequilibrium, capability, strategic management, business process modelling; success or failure, Lussier, new venture, start-up, predicted, new business, prediction model, entrepreneurs, investors, lenders, suppliers, educators, consultants, modelling techniques, predictive ability, enterprise modelling; firm strategy and performance, strengths, weaknesses, opportunities, and threats (SWOT) analysis, resource based view, business development, value, rareness, imitability, organization competitive advantage, correlation analysis, critical success variables, small enterprises,* and *Lussier 15 variable model.*

The literature sources in this study came from research-based peer reviewed journals articles, germinal and contemporary books, and websites. Overall, the references in this study totaled 205. Of these 205 references, 183 (89%) were less than 5 years old. References from all research-based peer reviewed journals totaled 181 (88%). Of the 181 references that were less than 5 years old, 162 (89%) were peer reviewed and 19 (11%) were from germinal and contemporary books. References from all germinal and contemporary books totaled 24 (12%).

Application to the Applied Business Problem

RBV and Lussier's success-failure model in predicting business success through resource management, sustainable performance, and competitive advantage were the theoretical frameworks of this study. Integral to organizational strategic management, the theoretical perspectives of RBV and business prediction models (Barney, Ketchen, & Wright, 2011; Fraj, Martínez, & Matute, 2013; Harrison & Wicks, 2013; Lussier, 1995). included resources, sustainable performance, and competitive advantage

The purpose of this quantitative correlational study was to examine the relationship between degrees of success and business performance variables of solo criminal law practices. In this study, I examined the relationship of business performance variables on solo criminal law practices to determine which variables best supported solo criminal law practitioner business success. The research question for this study was: do known business success variables correlate with success experienced by solo criminal law small practitioners? I used this study to identify variables developed by Lussier (1995, 2014) that were significant in regard to business success. The hypotheses in this study included independent variables (Xi for i = 1 to 16).

Null Hypothesis (H_0): There is no relationship between known business variables as defined by Lussier and the level of success of solo criminal law practitioners.

Alternative Hypothesis (H_1): There is a relationship between known business variables as defined by Lussier and the level of success of solo criminal law practitioners.

Lussier's Prediction model and Research-Based View

I modeled this study in part after Lussier's (1995, 2014) 16-variable success verses failure prediction model. In this study, I sought to understand critical business practices as used by Philadelphia, Pennsylvania criminal attorney business owners. I used RBV as a lens through which solo criminal law practitioners were able to make informed decisions centered on the selection and allocation of appropriate resources for the prosperity of their businesses. Business owners play a key role in driving the degrees of success of their businesses (Lussier, 1995). The significance of this study was that it provided growing numbers of solo criminal law practitioners with critical business knowledge for analyzing, growing, and sustaining optimum performance levels.

Lussier used RBV as a framework for determining which resources or variables determined business success in order to understand why some businesses fail and other businesses succeed. RBV is a rigorous strategic model that measures and manages the effectiveness and efficiencies of organizational resources and capacities (Barney, 1991). The organization of this literature review began with RBV followed by Lussier's (1995) 15-variable prediction model to frame the organization of this literature review. I employed search strategies to search for relevant literature in databases of peer-reviewed journals within the past 5 years. The specific business problem in this study was that some Philadelphia solo criminal law practitioners did not understand the critical business performance variables that had a considerable impact on small business success. I used a theoretical lens of RBV and Lussier's prediction model to examine the business problem stated in this study.

Research-Based View (RBV)

Historically, strategic management sought to understand competitive advantage through SWOT (Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011; Porter, 1980, 1985). Barney (1991, 1995) suggested a need to go beyond just understanding an organization's SWOT. SWOT analysis takes a traditional and structured evaluation approach in gaining competitive advantage (Abdalkrim, 2013; Dobbs, 2014; Porter, 1980, 1985). Porter's (1980) SWOT analysis analyzed a firm's internal variables (weaknesses and strengths) and external variables (opportunities and threats) as a theoretical approach to assessing opportunities to advance key strategic insights and competitive advantages for businesses (Dobbs, 2014; Porter, 1980, 1985).

Using his SWOT analysis, Porter held that to gain competitive advantages, firms can use their (internal) strengths to harness and exploit (external) opportunities to neutralize (external) threats and (internal) weaknesses. Porter's (1980, 1985) five forces model provided a rigorous environmental analysis of industry competitors, potential entrants, buyers, substitutes, and suppliers. SWOT frameworks combined both external and internal attributes critical for gaining competitive advantage (Barney, Ketchen, & Wright, 2011). Prior to RBV, Porter's five forces model and similar frameworks focused externally and dominated the 1980s (Abdalkrim, 2013; Barney, Ketchen, & Wright, 2011). Barney's work of RBV took shape in the 1980s as a new theory that refocused SWOT variables internally within the organization (Barney, Ketchen, & Wright, 2011).

Developed by Barney (1991), the RBV is a rigorous strategic model. RBV can be used to measure and manage efficiencies and effectiveness of organizational resources and capacities (Barney, Ketchen, & Wright, 2011). Barney (1991) argued that the competitive implications of traditional SWOT analysis looks at both internal and external environmental opportunities. Barney described RBV as the deployment of a firm's internal strengths and weaknesses (Barney, Ketchen, & Wright, 2011). It was within the tenets of RBV that the strengths and weaknesses of Porter's SWOT frameworks were known as a firms internal resources and capacities (Barney, 1991, 1995; Penrose, 1995).

While Barney (1991) is widely known as the architect of RBV, earlier work by Penrose (1959), Lippman and Rumelt (1982), and Wernerfelt (1984) laid the initial groundwork concerning the value of the internal core assets of a firm (Barney, Ketchen, & Wright, 2011). Penrose hypothesized that adequate resources within a firm contribute to its growth, Lippman and Rumelt introduced imitability and casual ambiguity as core tenets of RBV, and Wernerfelt underscored value as a strategic resource and created the term RBV (Barney, Ketchen, & Wright, 2011; Lippman & Rumelt, 1982; Penrose, 1959; Wernerfelt, 1984). Barney is widely known for formalizing RBV into what is today recognized as a source of obtaining sustained competitive advantage through organization culture (Barney, Ketchen, & Wright, 2011). The tenets of the RBV of the firm moved strategic management theories toward analytical and evaluation frameworks that describe, explain, and predict organizational relationships (Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011). The RBV of the firm includes core constructs of value, rareness, imitability, and organization (VRIO) for achieving a sustained level of competitive advantage (Barney, 1991; Barney, Ketchen, & Wright, 2011). Wernerfelt (1984) defined RBV strategic assets as synchronously rare, valuable, imperfectly imitable, and nonsubstitutable. The valuable, rare, imperfectly imitable, and nonsubstitutable (VRIN) framework was later revised by Barney (1991). Using VRIO, Barney asked if the organization was ready and organized to exploit their internal resources (Abdalkrim, 2013; Barney, 1991; Wernerfelt, 1984).

Grounded in strategic management and economics, competitive advantage is the dominate goal of RBV (Barney, 2001a; Barney, 2001b; Barney, Ketchen, & Wright, 2011). Barney described the RBV approach as a simple and easy approach for analyzing an organization's internal strengths and weaknesses (Barney, Ketchen, & Wright, 2011). Using the resources and capacities within a firm, critical strategic planning toward creating competitive advantages can be achieved (Barney, Ketchen, & Wright, 2011). The tangible and intangible assets within a firm translate into resources and capacities driving competitive advantage (Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011).

The tangible and intangible resources and capacities of a firm include all physical, financial, organizational, and human assets (Barney, 1991; Barney, 1995; Porter, 1980, 1985). A firm's financial assets include all debt, equity, retained earnings, and related resources. The physical resources of a firm include the structures, machines, and facilities used operationally. The knowledge, wisdom, and experience of everyone linked to a firm are human assets. In addition to the culture, reputation, history, and relationships of all individuals and groups of individuals connected with a firm, the organizational resources of a firm also include formal reporting, compensation, and managerial controls, structures, policies and systems.

Barney (1991) posited that firms possess a diverse collection of tangible and intangible resources that business owners can develop and employ for creating strategic and competitive advantage. Firms seeking competitive advantage pursue viable sustainability strategies that inform and drive critical performance objectives (Barney, 1991; Coleman, Cotei, & Farhat, 2013; Jang, 2013; Lussier, 1995). Tenets of RBV include strategies to identify, manage, and use key internal resources for improving firm sustainability and survival (Barney, 1991; Coleman, Cotei, & Farhat, 2013; Lussier, 1995). Achieving competitive advantage through RBV is in the capacity of business owner's to assemble and apportion resources within the strategic frameworks of the firm. RBV holds that predicting organizational success through strategic resource management requires value, rareness, imitability, and organization (Abdalkrim, 2013; Barney, 1995).

Value. Before evaluating internal resources and capacities for potential competitive implications, key decision makers must first address value (Abdalkrim, 2013; Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011). In order for managers and business owners to exploit opportunities and or neutralize threats, internal resources and capacities must add value and be valuable to customers (Barney, 1995; Wernerfelt, 1984). Adding value requires abilities to recognize, respond to, and create value through increased differentiation or/and decreased production costs (Abdalkrim, 2013; Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011).

Value is not always timeless. Previously created value can become outdated as technology, laws, industries, customer needs, and other variables in completive environments change. The historical strengths, resources, and capacities of a firm can become obsolete over time making it necessary to revisit traditionally held practices (Abdalkrim, 2013; Barney, 1995). Continuous strategic evaluations of resources and capacities ensure that organizational value remains unchanged and appropriated applicable.

Rareness. Within industries, resources owned by a small number of the firms are rare (Abdalkrim, 2013; Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011; Wernerfelt, 2013). Companies are not rare when competitive parity exists and many heterogeneous companies share the same resources and capacities (Abdalkrim, 2013; Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011; Wernerfelt, 2013). While competitive parity is a vital aspect of RBV, every firm is different. Research and practice approaches of RBV seek to determine behavior and strategic differences within firms (Barney, Ketchen, & Wright, 2011). Even when competitive parity exists, endogenously small differences originating within individual firms can potentially grow into larger differences creating rarity (Wernerfelt, 1984). Strategic differences within firms links to why and how imitation of resources and capacities does not always eliminate rarity.

Imitability. In addition to having valuable and rare resources, the ability to achieve sustained competitive advantage mandates that organizational resources also be costly for rivals to imitate or substitute (Abdalkrim, 2013; Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011; Wernerfelt, 2013). Businesses are imperfectly imitable when sustained over time and without duplications by competitors and non-substitutable and without strategic equivalents (Barney, 1995; Wernerfelt, 1984).

Organization. Individually, a firm's value, rareness, and imitability only offer temporary competitive advantages. Barney (1995) questioned the ability, organization, capacity, and capability of firms to achieve sustained competitive advantages through RBV. Strategic resource management affords opportunities to obtain sustained competitive advantages through RBV (Fraj, Martínez, & Matute, 2013). A firm must be strategically structured and equipped to exploit their valuable, rare, and imitable resources (Abdalkrim, 2013; Barney, 1991, 1995; Barney, Ketchen, & Wright, 2011; Wernerfelt, 2013).

The ability to achieve sustained competitive advantage means that the value, rareness, imitability, and organization of a firm's resources and capacities reply on integration and not in isolation (Abdalkrim, 2013; Barney, 1995). Similarly, strategic resource management can only afford opportunities to obtain sustained competitive advantages if the value, rareness, imitability, and organization of a firm's resources as integrated capacities and not attempted in isolation (Abdalkrim, 2013; Barney, 1995). Opportunities to seize and exploit internal resources in gaining sustained competitive advantages lies within the strategic frameworks of the firm.

Lussier's Prediction Model

Resource based view is a prominent and acknowledged strategic theory serving to identify and outline key resources that inform internal organizational strategic approaches (Barney, 1991; Barney, Ketchen, & Wright, 2011; Coleman, Cotei, & Farhat, 2013; Jang, 2013; Lussier, 1995). Business owners play a key role in driving the degree of success of their businesses (Lussier, 1995). Lussier's (1995) prediction model sought to understand why some business fail and others succeed. Lussier’s prediction model used RBV as a theoretical framework. In using Lussier’s success-failure prediction model which is rooted in RBV, the focus of this study was on the capacity of solo criminal law practitioners to analyze, allocate, and utilize critical strategic organizational resources and capacities toward sustainability.

Lussier (1995) developed a business success verses failure prediction model seeking understanding in why some businesses fail and other businesses succeed. Small business owners must remain diligent in preparing for business ownership and in continuous endeavors toward business survivorship, sustainability, and future growth. As failures rates of small businesses continue to plague business owners, Lussier’s business model provides guidance toward documenting best practices for small businesses. To align the objective of the central question of this study, I sought to understand best practices for successful small businesses toward reducing high failures rates plaguing small businesses. Lussier’s success-failure business model informed this research study, adding rich connections in understanding and defining best practices for successful solo practitioner businesses in the legal industry. Constructs used in this study can be relevant to solo criminal law practitioners in Philadelphia, Pennsylvania. Variables identified in Lussier’s success-failure business model were (a) start-up operating capital, (b) start-up record-keeping and financial control, (c) owner prior industry experience, (d) owner’s education level at start-up, (e) owner’s level of marketing skills at start-up, (f) age of owners at start-up, (g) minority status of owner, (h) number of partners at start-up, (i) owner prior management experience, (j) start-up business planning, (k) professional consultant usage (accountants, lawyers, bankers, and similar professions), (l) quality staff recruitment and retention at startup, (m) stage of products and services at start-up (introduction, growth, mature, and decline, (n) whether owners parents owned businesses, (o) stage of the economy at start-up, and (p) Internet (Halabi & Lussier, 2014; Lussier, 1995).

In keeping with modern technological advances, Lussier (2014) added Internet usage to his 1995 study as the 16th factor. With the introduction and growth of the Internet and information technologies, it was critical for firms to incorporate and align business and digital infrastructures, processes, products, and services strategies (Bharadwaj, El Sawy, Pavlou, & Venkatraman, 2013). Halabi and Lussier's (2014) study updated Lussier's 1995 15 variable success versus failure prediction model to a 16-variable model. Halabi and Lussier remained committed to understand, explain, and predict performance toward increased commercial small firm success. The 2014 updated model added Internet usage. The combined models used in this study included the original 15 variables found in Lussier's 1995 model and the 16th variable (Internet usage) from Halabi and Lussier's (2014) study.

Overview of Lussier's studies

In 1995, Lussier developed a business success versus failure prediction model. Lussier's (1995) model presented variables served in understanding and predicting why 50% of businesses fail while other businesses succeed. In the United States, Lussier's (1995) survey instrument was previously validated (Lussier, 1995). The 16-variables identified by Lussier's quantitative study were constructs forming the basis of this literature review. Each of the 16-variables exists within relevant literature. Lussier's studies have used both correlational and regression approaches.

Halabi and Lussier's (2014) model exists as an update from Lussier's 15 variable success versus failure prediction model with the inclusion of Internet usage and remaking variables with high correlation. Halabi and Lussier's (2014) model sought to understand, explain, and predict performance toward increased commercial small firm success in Chile. The 2014 Chilean model used eight variables including (a) Internet, (b) adequate startup working capital, (c) financial and accounting records, (d) planning, (e) formal education of owners, (f) professional advisors, partners, (g) history of parents owning a business, and (h) marketing experience (Halabi & Lussier, 2014). Findings revealed planning and formal education as insignificant.

Lussier and Sonfield's (2012) quantitative study in a seven-country comparison model of family business succession planning sought critical understanding across Croatia, Egypt, France, India, Kosovo, Kuwait, and the USA. Lussier and Sonfield provided international empirical research toward comparable measurable in family succession business planning across family firms. Findings revealed statistically significant succession planning differences in every country except India.

Lussier and Sonfield's (2010) six-country three generational study in family businesses explored management differences, practices, and characteristics in Croatia, Egypt, France, India, Kuwait, and the USA. The six countries presented significant family business demographical, cultural and economical, entrepreneurial differences. Lussier et al. sought to uncover which generation presented the most significant differences. Findings and implications served toward increased progressive understanding of economic and cultural entrepreneurial and managerial behaviors, characteristics, and practices in multi-generational family business.

Lussier and Halabi's (2010) study argued that while theories that included a universally established list of variables contributable to small business success and failure were nonexistent prior to Lussier's 1995 study, prior research offered discrepancies of which variables contributed to success or failure. Capital and management experience exist as two of the more commonly stated distinguishing variables (Lussier, 1995). Lussier and Halabi (2010) developed a three-country comparison of the business success verses failure in the U.S., (North America) Chile (South America) and Croatian (Central Eastern Europe). Findings supported Lussier's 15 variable model in Chile validating the study. Lussier and Halabi's (2010) three-country study sought to predict the failed or successful businesses and their multiple regression model was highly predictive and statistically significant. Lussier's models reliably predicted businesses as failed or successful more precisely than random estimating over 96% of the time (Lussier, 1995-2014). In this three-country comparison, overall accurately was achieved for 63.2% of the businesses, with failure predictions at 73.3% and successful predictions at 50.5% accuracy (Lussier & Halabi, 2010).

Major findings from Lussier and Halabi's (2008) correlational study replicated Lussier's (1995) popular 15 variable United States study. Lussier and Halabi replicated Lussier's (1995) with a sample of 145 small businesses in Chile. In seeking to investigate small business success variables in Chile, Lussier and Halabi (2008) conducted a correlational study using Lussier's 15 success-failure variables that were previously validated in the United States and Croatia. While findings indicated 26 significant success correlations in Chilean firms compared firms in the U.S., Chilean firms, this empirical study indicated Chilean small business owners typically do not use professional advisors and that small business owners can potentially gain benefits from using professional advisors. Lussier and Halabi (2008) indicated this foundational study offered comparative opportunities for further investigation.

In 2005, Lussier tested his 1995 generic success versus failure prediction model in the real estate industry. Lussier’s goal of the study was developing an industry specific real estate model. Variables specific to the real estate model included (a) industry, (b) age, (c) experience, (d) advisors, (e) planning, and (f) capital (Lussier, 2005). Findings of Lussier’s 1995 generic model correctly predicted 84% of successful and failed real estate establishments compared to the newly created real estate model predicting 74%. These findings suggested that Lussier’s predictive model was viable across industries and has different levels of predictive power in various industries. In this study, I sought to explore levels of predictive powers within the legal industry and the need to compete such a study in the legal industry.

Contributing Success Failure Variables

Lussier’s (1995) study and subsequent business failure prediction models in small business failure sought understating in variables contributing to small business success-failure variables. Business failure is a global concern (Lussier, 1995). Lussier’s studies and similar small business success and failure studies across global communities sought to discover why some business fail and others succeed.

More than half of Australian businesses do not survive their first year. In a study by Wolters (2013), he used a survey of more than 1000 Australian owners of small-to-medium enterprises contributing to Australia's problematic business failure rates. Wolters Kluwer, CCH and its global information services company provided financial and legal research services and software. CCH Incorporated, (CCH) a division of Wolters Kluwer Law & Business commissioned a survey of more than 1000 small-to-medium Australian business owners sought explanations of Australia's growing business failures. The Australian Securities and Investments Commission (ASIC) cited 5600 business failures during 2011-2012. Qualitative research surveys approaches administered to participants in two studies identified causal purpose. The first study explored inquiries of decision-making processes, firm responsiveness to expert professionals, and organizational priorities of trust. Within noted business failures, small business owners placed the most trust in their accountants. In a second study, more than 210 accountants were surveyed finding poor business models amongst accounting firms contributing to Australia's problematic business failure rates. Business failures influence overall economies including unemployment and strain social resources. This and similar studies across global communities served in discovering reasoning for business fail rates and in growing past challenging business failure rates.

Carmona, Momparler, and Gieure (2012) addressed small business failure from a mixed method approach embodying 2007-2009 accounting data of intangible assets against innovation activities. Carmona et al. presented empirical research and firm surveys in a comparative analysis statistical study exploring innovative and non-innovative SMEs. Innovation is a crucial sustainability driver. Carmona et al.'s study embodied accounting intangible assets against innovation activities toward creating viable competitive advantages, economic growth contributing to new products and services, lower prices, and enriched quality. The authors analyzed descriptive and statistical financial data from 2007-2009 presenting empirical research and firm surveys. The statistical study provided a comparative analysis exploring innovative and non-innovative SMEs in service industries through descriptive and statistical analysis. This study relates to my doctoral study topic in presenting sound, convincing, and thorough explanations and documentation with results revealing innovative firms enjoying better economic and financial performance over counterparts. While Carmona et al. noted concepts that were 'close enough', potential limitations existed regarding the geographical location and the author's admittance of less than flawless alliances between intangible accounting assets and innovative activities. Innovative firms reap higher value and net income due to increased activity. While slightly higher financial ratios exist for innovative firms, multivariate and univariate analysis revealed similar profitability findings, and contrasts in substantiate descriptive analysis and multivariate regarding solvency. Of note were distinctive commitments of innovative firms toward continued growth and as going concerns. While limitations of the study and approaches were not included, the authors provided both research and practice based larger contextual current and previous findings toward international audiences. Although this study was conducted with service firms in Spain, competitive environments exist globally. Results noted Spain's tax incentives for innovative initiatives were similar to innovative tax initiatives for United States companies.

The National Governors Association Center for Best Practices (2012) cited external individuals and organizations as critical partners driving successes in small and medium businesses. Findings by Makins, Nagao, and Bennett (2012) called for increased efficiencies in firm infrastructures to assist in restructuring businesses toward successful profitably and capability models. Behavioral change sensemaking processes involved three associated constructs of scanning, interpreting, and learning (Ivanova & Torkkeli, 2013; Paton, Chia, & Burt, 2014; Ucbasaran, Shepherd, Lockett, & Lyon, 2013). Ucbasaran, Shepherd, Lockett, and Lyon (2013) suggested future entrepreneurial research endeavors explored theories of career constraints in better understanding the interrelationships of financial and business failure costs and sustainable financial success. Ucbasaran et al. (2013) argued that research efforts focused on sustainable individual entrepreneurs and their failed business endeavors receive comparatively narrower considerations. Synthesized findings by Ucbasaran et al. revealed a schematic model emphasizing the psychological, financial, and social, costs of business failure through social psychological of sensemaking processes. Paton, Chia, & Burt (2014) examined entrepreneurial failure through a cultural sensemaking lens seeking causation sources from firms' internal operations and external forces. Paton et al. (2014) reviewed 389 accounts of failure via reports from seven major United States newspapers during 1999 to 2001 dtoward developing frameworks of understanding the phenomenon. Findings were dependent on the geographical locale based on entrepreneurial error and external influences and was useful to my study as it addressed small business failures through social tolerances and sensemaking. The focus of Paton et al.'s (2014) study on failed business informed my study in not just viewing small business failures thorough a success lens and related entrepreneurial processes but in utilizing cultural sensemaking toward understanding and identifying business failures causations.

Fernández-Guerrero, Revuelto-Taboada, and Simón-Moya (2012) argued that the entrepreneur or business owner existed as central to organizations, aside and apart from the companies own longevity. In this respect, researchers frequently focused on characteristics of the individual business owner. Small business failures are an international concern in communities around the globe with paralleled definitions, symptoms, and causes. Psychological examinations toward causations continue to refer back to individual business owners (McLarty, Pichanic, & Srpova, 2012). Specific characteristics include age, gender, race, education, previous industry, entrepreneur, and management experiences, and evidence of a self-employed parent or family member.

Startup operating capital. Lussier (1995) identified adequate startup operating capital as critical to business success. Poor access to capital and inadequate startup operating capital has been tied to small business performance toward improving a firm's success probability (Halabí & Lussier, 2014). Practical practice implications for use of Lussier's model include opportunities for creditors and investors offering potential startup operating capital assessments of success-failure predictability. Business ownership is a risky endeavor. New ventures typically fail due to limited financial resources (Bates & Robb, 2013; Fatoki, 2014). Ucbasaran, Shepherd, Lockett, and Lyon (2013) cited insufficient financial capital exists as a major obstacle in funding pre business planning, start-up costs, and during initial organizational growth stages. Resource scarcity encourages bricolage, whereby business owners ineffectively work with limited capital to the determent of current and future organizational success (Fatoki, 2014; Ucbasaran, Shepherd, Lockett, & Lyon, 2013).

Parker (2012b) defined small business startup problems as new ventures plagued with perceived lack of minimum creditworthiness needed for sufficient financial planning. Amel and Akkari (2012) found that younger firms face a host of different problems than more established businesses. Limited financial resources prohibit businesses from accessing competitive financing and achieving operational sustainability toward success. Sufficient startup capital allows for appropriate planning toward meeting sustainable operations (Fatoki, 2014). Appropriate financial forecasting mandates sufficient funding capacities toward addressing organizational needs and risks associated with business ownership (Bates & Robb, 2013). Ucbasaran, Shepherd, Lockett, and Lyon (2013) argued that forecasting uncertainty foreshadowed business failure. The following survey instrument question addressed this construct: This business was started with what amount of operating capital?

Startup Record-Keeping and Financial Control. Expert record keeping and financial control management served as critical contributing variables for small businesses. Lussier (1995) argued for employing expert record-keeping and financial control management in startup firms. Firms must proactively maintain updated records and controls in ongoing financial activities. Inadequate preparation in the management of income and expenses and ineffective and or absent financial record keeping and controls burden businesses of all sizes. Firm financial performance embodies value creation and economic outcomes where lack of financial control existed as a rapid route to business failure.

Innovation, technology, people, and leadership support stakeholder and firm value and overall economic performance. Findings from Amel and Akkari (2012) indicated lack of financial resources coupled with inexperience and poor financial management skillsets plague younger firms while older firm's failure rates were in experienced incidents of financial mismanagement. Increased efficiency in business infrastructures assisted in restructuring businesses toward successful profitably and capacity models (Makins, Nagao & Bennett, 2012). Parker (2012b) identified copious small business startup problems including absent to minimum financial and business acumen and planning tools. Fernández-Guerrero, Revuelto-Taboada, and Simón-Moya (2012) sought to fill gaps in the literature in financial, economic, and organizational constructs. The authors hypnotized if expertly prepared quality business plans with detailed economic, financial, and organizational projections potentially existed as accurate predictors of business success. The following survey instrument question addressed this construct: This business started with what degree of record-keeping and financial control?

Owner prior industry experience. Lussier (1995) argued for business owners needing to obtain industry experience prior to beginning operations. Familiarity of industry-specific knowledge serves the venture prior to startup and general business acumen acquired once operations have begun aiding the venture as a going concern. Strong connections between productivity and experience existed where business owners previously worked in the industry of their venture prior to business startup (Pennsylvania Small Business Development Centers, 2014; Soriano & Castrogiovanni, 2012).

Ucbasaran, Shepherd, Lockett, and Lyon (2013) suggested future entrepreneurial research endeavors needed to explore theories of career constraints in better understanding the interrelationships of financial and business failure costs and long-run financial success. A study by Biemann, Zacher, & Feldman (2012) explored the theory of career constraints and in how individuals became accustomed to new careers. The extension of current theories of career constraints served in understanding the career paths of business owners and long-term financial costs of business failure (Barabasch, 2014; Fritzsche, & Marcus, 2013; Peticca-Harris & McKenna, 2013; Virick, Basu, & Rogers, 2015).

In researching studies containing success-failure variables contributable to small business, I found no predictive and or prescriptive studies focusing specifically on solo criminal law practitioners. While I did not find any studies offering business model and supports specifically for solo criminal law practitioners, the literature provided research that noted critical needs for research designed to grow and sustain solo criminal law practitioners. Herrera (2012) argued the lack of scholarship focusing on contemporary solo practitioners neglects the interests of the majority of attorneys that are solo and small firms with 2-5 attorneys. Studies, curriculum, and policy decisions were consistently made without considering this underrepresented population that represents the majority of firm sizes (American Bar Association, 2014a; Herrera, 2012; Lawson, 2014; National Association for Law Placement, 2011; Tung, 2013). Solo and smaller law firms cannot afford to hire law librarians to conduct research leaving research surveys skewed (Lawson, 2014). One such study cited had 165 respondents but only a single respondent that identified as working with a firm with less than 25 attorneys (Lawson, 2014; Nevers & Armond, 2011). The Academic Law Library created a special task force to identify needed skills and acumen in legal practice. Law librarians provide rich connections to contemporary legal research, practice, and attorney and industry surveys (Lawson, 2014). This special task force conducted a national survey with a population of 600 attorneys but only included 13.77% of solo practitioners (American Associations of Law Libraries, 2013).

As of December 31, 2014, there were 64,161 active and 10,805 inactive paid and licensed attorneys in Pennsylvania (Disciplinary Board of the Supreme Court of Pennsylvania, 2014). Since the Pennsylvania Disciplinary Board began operations in 1972, the number of Pennsylvania attorneys has grown 380%. Pennsylvania attorneys represented 4.9% of all United States attorneys (Disciplinary Board of the Supreme Court of Pennsylvania, 2014).

As of December 31, 2014, The American Bar Association (ABA) (2014b) reported 1,281,432 active licensed attorneys in the entire United States. Of the 1,281,432 active licensed attorneys practicing in the U.S., solo and small attorney firms represent the majority making the legal profession suitable for sustainability studies dedicated to solo criminal law practitioner attorney firms (Lawson, 2014). The ABA (2014a) provided lawyer demographics for years 1980 through 2005. In years 1980, 1991, 2000, and 2005 attorneys in private practice totaled 68%, 73%, 74%, and 75% respectively (American Bar Foundation, 2014a). Attorneys working as private practitioners in years 1980, 1991, 2000 and 2005 were 49%, 45%, 48%, and 49% for solo practitioners and 22%, 15%, 15%, and 14% for offices with two to five attorneys (American Bar Foundation, 2014a). Attorneys working in law firms in years 1980, 1991, 2000, and 2005 were 81%, 75%, 76%, and 76% for law firms with two to five attorneys and 12%, 13%, 13%, and 13% for law firms with six to ten attorneys (American Bar Foundation, 2014a). As seen from these representative demographics, most attorneys worked in private practice as solo practitioners and small law firms with two to five attorneys. The population in this study represented all Philadelphia, Pennsylvania attorneys operating as solo criminal law practitioners. My goal in this study was in understanding critical variables toward offering new knowledge for the legal industry. It was in this vacancy that I propose learning opportunities for challenged and inexperienced business owners and or in identifying levels of learning where business owners exist in intellectual and cognitive capacities. The following survey instrument question addressed this construct: Years of industry experience the owner/CEO had prior to running this firm.

Owner's education level as start-up. The education of business owners existed as a critical variable in Lussier's 1995 study. Lussier identified minimum education of more than 2 years of college verses less education. Educated business owners bring a wealth of intellectual assets to the firm. The more business education and specific industry education owners obtained prior to the startup served in the sustainability of the organization as a going concern. In their 2013 study, Goetz and Rupasingha found entrepreneurial determinants where more college graduates were responsible for new establishment creation than their high school dropout counterparts. Fernández-Guerrero, Revuelto-Taboada, & Simón-Moya (2012) argued that the education of an organizations owner was a core aspect of an organizations intellectual asset. The growing number of business failures was attributable to the lack of tactical business expertise, knowledge assets, and preemptive planning (Cope, 2010). Lessons learned from professional experience and educational endeavors prepared future business owners with necessary acumen for the rigor of business ownership. The following survey instrument question addressed this construct: Years of management experience the owner/CEO had prior to running this business.

Owner's level of marketing skills as startup. Lussier (1995) cited marketing experience as critical to organizational success. Interdependences between aligned marketing initiatives and firm capabilities were critical to business success. Successful marketing endeavors included strategic marketing plans used by the firm (Brouthers, Nakos & Dimitratos, 2015).

An extensive interdependent history existed between critical marketing and entrepreneurship constructs driving fundamental responsibilities within firms (Cronin-Gilmore, 2012). Market growth strategies employed intensive, integrative, and diversification approaches for existing and new product and service portfolios (Jhang, Grant, & Campbell, 2012). Knowledge of market and product or service development strategies served in growing sustainable businesses (Cronin-Gilmore, 2012). Market development included attracting new market members where product and service development offered new advances for existing markets (Ryan & Silvanto, 2013). Integrative growth approaches were feasible in robust supportive industries allowing for firms forward, backward, and horizontal movement. Marketing goals existed within overall organizational objectives. Cultivating goal related portfolio assessments existed within four strategic marketing options of hold, harvest, divest, and growth strategies where (a) hold strategies reserved present market shares, (b) harvest strategies increased product related cash flows regardless of outcomes, (c) divest strategies involved liquidating and using resources in alternate manners, and (d) growth strategies served in increasing profits and market shares (Cronin-Gilmore, 2012; Gjini, 2014; Lin & Wu, 2014; Pogutz, Micale, & Winn, 2013).

While marketing and entrepreneurship roles were complementary, researchers had typically examined marketing and entrepreneurial activities and processes as separate constructs (Cronin-Gilmore, 2012). Research questions related to the identification of customer needs and new product developments had limited marketing scholars in exploring interrelated exploitations into entrepreneurship processes (Cronin-Gilmore, 2012). Similarity, entrepreneurship scholars had primarily focused on entrepreneurial behaviors influencing the acknowledgment and implementation of innovative exploitations of business and marketing opportunities (Gupta, Guha, & Kgrishnaswami, 2013). The following survey instrument question addressed this construct: The owner/CEO’s level of marketing skills prior to starting this firm was: Low/Unskilled - High/skilled.

Age of owner's at startup and current age of owner's. Findings by Lussier (1995) determined younger owners present greater chances of failure of new ventures. In 2013, a study by Goetz and Rupasingha found that while propensities for self-employment endeavors among younger adults was lower than older individuals, people with more workforce experience tapered off over time. According to Goerz and Rupasingha, the median age of entrepreneurship was 38.2 and 38.8 in rural and urban areas, respectively.

The age demographics of practicing attorneys was included in the American Bar Association (2012) Lawyer Statistical Report (American Bar Association, 2012, 2014a). The latest data available was for years 1980 through 2005. In years 1980, 1991, 2000, and 2005 the medium age for attorneys was39, 41, 45, and 49. The following survey instrument question addressed this instrument question: Age of the owner/CEO when first managing the firm? Table 1 provides age data for years 1980-2005.

Table 1

American Bar Association Lawyer Statistical Report

Age	1980	1991	2000	2005[a]
29 yrs. or less	15%	10%	7%	4%
30-34	21%	16%	12%	9%
35-39	15%	18%	14%	13%
40-44	9%	18%	15%	13%
45-54	16%	18%	28%	28%
55-64	12%	10%	13%	21%
65+	13%	10%	12%	13%

Note. From “Lawyer Statistical Report,” by American Bar Association, 2012. Reprinted by permission of the American Bar Association.

[a] Data from the Lawyer Statistical Report has not updated annually and was last updated in 2005.

Owner’s minority status. Research on gender and ethnicity supported Lussier’s (1995) findings that minorities were more likely to experience workplace inequalities and entrepreneurial business failure (Barney, 1991; Hill, Upadhyay, & Beekun, 2015; Richard, Kirby, & Chadwick, 2013). The Census Bureau classified minority-owned firms as businesses that self-disclose a minority status of at least 51% (U.S. Census Bureau, 2012a). Fairlie and Marion (2012) argued that affirmative action programs positively influenced entry to business and firm survival for minorities and women.

Hill, Upadhyay, and Beekun (2015) questioned if minority statuses of gender and ethnicity forced imbalances in compensation and greater job exits for CEOs. In a resource-based longitudinal study, Hill et al. found workplace significant differences for female and ethnic minorities (Hill, Upadhyay, & Beekun, 2015). Wage and income disparities existed in traditional labor-economic practices that typically favored certain groups (white males) over women and minorities (Le & Raven, 2015; Richard, Kirby, & Chadwick, 2013). Disparities against ethnic minorities and women were not a phenomenon found in the United States (Ahl & Marlow, 2012; Le & Raven, 2015; Watson, 2012). Carter, Mwaura, Ram, Trehan, & Jones (2015) found similar discourse in the United Kingdom. The United Kingdom was examining its own enterprise policy because marginalized societal groups did not receive equal entrepreneurial support. Government policy-makers in the United Kingdom were making rigorous efforts toward increasing the enterprise levels for ethnic minorities and women (Carter, Mwaura, Ram, Trehan, & Jones, 2015). Driven by a research question asking, “How does the discourse on women's entrepreneurship in policy in Sweden and the United States position women and their entrepreneurship?” Ahl and Marlow (2012) compared female entrepreneurship policies in the United States and Sweden. Ahl and Marlow used a discourse analysis approach through historical policies relating to entrepreneurship programs for women. Ahl and Marlow found that historically, policy discourse in both countries reinforced a global viewpoint where women were secondary citizens, entrepreneurship for women was less of a priority, and that economic development took precedence above gender parity.

Lussier (1995) argued that minority-owned businesses had fewer changes of success that non-minority owned businesses. Many disadvantaged groups including minorities and women explored entrepreneurial options to create business opportunities and advancement when labor markets were tight (Fairlie & Marion, 2012). Parallels existed between increased local unemployment rates and individuals starting new businesses (Fairlie, 2013). Annually, American family businesses had higher sales than their non-family owned firms do. These higher sales represented 50% of the total Gross National Product, 35% of Fortune 500 firms, and 70% of new employment opportunities (Fatoki, 2014; Mahto, Davis, & Khanin, 2013).

Bates and Robb (2014) sought understanding in entrepreneurial occupational choices with a focus on identifying what barriers potentially impeded the creation of small business development in minority and immigrant environments. Findings from Bates and Robb (2014) argued that only serving customers in local, urban, and minority areas were strongly correlated to low profitability and eventual firm closure. Many United States minority and immigrant entrepreneurs argued that they only had access to least desirable clustered markets in urban and minority areas, Bates and Robb (2014) argued that viability and longevity were poor for these business owners.

Van Auken and Horton (2015) found that minority owned firms that had trouble in obtaining opening capital were more likely to experience operational problems based on their financial standing. A firm's initial and ongoing capital structure directly related to the degree and amount of risk exposure a firm experienced (Van Auken & Horton, 2015). Van Auken and Horton found that minorities and women had trouble raising startup capital and that discrimination in credit markets further hindered access to startup capital. The following survey instrument question addressed this instrument question: What is the minority status of the owner?

Number of partners at start up. Each individual owner of businesses brings unique business acumen to the firm. Lussier (1995) asserted that businesses started with more than one owner increased opportunities for success as increased intellectual assets exist. Soriano and Castrogiovanni (2012) found performance connections where partners shared a sphere of advisors. The following survey instrument question addressed this question: How many owners started the firm?

Owner prior management experience as start up. Knowledge assets served in increasing organizational performance toward small business success. Intellectual knowledge assets assisted business owners in leveraging their own strengths and opportunities for growth (Al-Aali & Teece, 2013). Lussier (1995) included management experience as vital to firm success.

Social cognitive theory drove surviving and non-surviving organizations. Gudmundsson and Lechner’s (2013) regression model sought to explain connections between cognitive biases, differences in entrepreneurial cognitive characteristics, and effects on businesses and sustainability. Using a regression model, Gudmundsson and Lechner’s quantitative study viewed small business failures through a lens of an entrepreneur's cognitive biases. Gudmundsson et al. cited cognitive and optimism biases of distrust, overconfidence, and optimism as positive and negative entrepreneurial indicators of success and failure based on a multilevel theoretical model. While entrepreneurial confidence and optimism appeared as positive drivers influencing startup success, cognitive biases of distrust, overconfidence, and optimism potentially acted as counterproductive and detrimental in contributing toward failure. Cognitive biases became culprits against success when biases were ungrounded misrepresentations of actual acumen. Gudmundsson et al. recommended business owners critically examine potential cognitive biases. Cognitive biases coupled with overconfidence in business acumen presented critical limitations toward organizational survival. Parker (2012a) investigated entrepreneurial learning and serial entrepreneurs. Serial entrepreneurs bring increased knowledge and valuable experiences to new ventures. Hamrouni and Akkari (2012) found evidence revealing proactive approaches in garnering critical business acumen led to more successful small business endeavors. Paton, Chia, and Burt (2014) argued that while ventures may fail, entrepreneurs embodied capacities to learn forward. Paton's et al. findings suggested a need for new empirical research on venture failure that addressed the psychological characteristics and perceptions of entrepreneurs.

Reliance on previously learnt experiences serves novice and emerging business owners in new ventures. Previous experiences of a firms' owners serves in adding to overall knowledge assets. The following survey instrument question addressed this question: Years of management experience the owner/CEO had prior to running this business.

Start-up business planning. The success of businesses and their goals as going concerns exists in business planning (Lussier, 1995; Small Business Association, 2012). Lussier (1995) argued that firms without specific business plans were more susceptible to failure. Lack of proper business planning, core competencies, and business acumen, were cited in historical and current research. The Small Business Association (SBA) (2012) described the business plan as a living roadmap for business success with projections 3-5 years into the future. Overwhelming numbers of small businesses fall victim to the lack of business acumen and business planning leaving them susceptible to becoming one of the 7 out of 10 ventures that fail each year (SBA, 2012). Business planning initiatives were prescriptive toward growing sustainable organizational infrastructures. Parker (2012b) argued for critical strategic entrepreneur formation principles focused toward successful planning processes (Parker, 2012b). Findings from a study by Fernández-Guerrero, Revuelto-Taboada, and Simón-Moya (2012) evaluated predictive capabilities of quality business plans toward business success. While findings did not cite business plans as sole contributors of successful businesses, the authors concluded that business plans played fundamental roles for businesses seeking financial and informational assistance from government and financial institutions. In a comparative study, Cotterill (2012) explored experiences of business owners with failed ventures in three geographical locales. Findings from the United States, UK, and Germany phenomenological study allowed Cotterill to further develop the work of Cope (2010). Cope argued toward applying qualitative psychology in exploring entrepreneurial attitudes and experiences in the United States and across global communities. Cope's interpretive phenomenological analysis addressed entrepreneurial learning from failure and related recuperative and reemerging tactics for healing and learning from failure. Findings from Cope highlighted continued needs in understanding organizational behavior coupled with applied psychology in an interdependent learning continuum of entrepreneurial failure, causes, and preventions. The growing number of business failures was attributable to the lack of tactical business expertise and preemptive planning. Paton, Chia, and Burt (2014) argued that trends, causes, assumptions, and varied perspectives fueled practice-based theories converting participant failure experiences into academic theories.

Business owners employed planning strategies in building resources toward sustainability and growth (Harrison & Wicks, 2013). Robust business planning strategies were beneficial to small businesses in driving key business outcomes for firm success. Paton, Chia, and Burt (2014) further cited business failures and opportunities for future learning toward new business ventures. Business planning and the related causal strategic thinking and planning roles were critical aspects for organizations large and small (Shah & Pahnke, 2014; Small Business Administration, 2012; Zanakis, Renko, & Bullough, 2012). Williams (2014) examined 13,000 UK failed firms between 1999 and 2009. Findings by Williams revealed that the lack of resources alone was not a function of failure, but in how firms inappropriately managed resources.

The planning strategy used in a firm supports its infrastructure and vision. Strategy informed operational processes, operations, marketing, mechanisms, expansive boundaries, completive advantage, goals, governance, market share, culture, logistics, and business development. The following survey instrument question addressed this question: What type of start-up plan was developed by the firm?

Professional consultant usage (accountants, lawyers, bankers, and similar professions). A business consists of business acumen, intellectual assets, and a support network of experts supporting fundamental underpinnings of firm strategy and firm performance. Intellectual assets comprise of a network of experts, people, innovation, and technology supporting the firms' operations and goals. Harris and Moffat (2013) argued toward interdependencies of knowledge assets and firm performance. Firm usage of professional advisors assists in small business sustainability.

Lussier's (1995) model offered predictive constructs toward relative business performance. The model served in improving probabilities of success (Halabí & Lussier, 2014). Halabí and Lussier suggested public policy makers provide professional advisors and assistance similar to services offered by the Small Business Administration (2013). Practice implications for Lussier's model for both business owners and professional advisors included addressing and implementing identified resource variables contributable for improved firm efficiencies. Intellectual knowledge assets including professional advisors assist business owners in leveraging their own strengths and opportunities for growth (Al-Aali & Teece, 2013).

The growing number of business failures was attributable to the lack of tactical expertise, knowledge assets, and preemptive planning. Organizational multidimensional knowledge assets and knowledge value chain grounded Swart and Kinnie's (2013) study. Inadequate knowledge, utilization, and implementation of key core business competencies lead to growing business failures. Antràs and Chor (2013) cited knowledge assets as directly linked to firm performance. Hamrouni and Akkari (2012) found evidence revealing proactive approaches in garnering critical business acumen led to more successful small business endeavors. The use of professional advisors by business owners served in supplementing specific business acumen within the organization. Soriano and Castrogiovanni (2012) found evidence of positive performance links between business owners and advisors. Soriano et al. further cited evidence of positive relationships existing where advisors actually experienced venture failure and negative when advisor’s venture background was limited to successful ventures. Findings from Lussier and Halabí’s (2008) small business study in Chile replicating Lussier's validated USA model in that successful firms held advantages in using professional advisors.

Barbera and Hasso (2013) explored relationships between firms using external accountants. While findings provided evidence that external accountants provided positive influences in overall survival outcomes, sales growth remained dependent on accountants strategic planning practice recommendations. Knowledge assets existed as internal and external intellectual organizational assets. Strategic alliances with accountants, lawyers, bankers, and similar professionals offered opportunities for increased firm strategy and firm performance. The following survey instrument question addressed this question: As a start-up firm, what amount of professional advice (accountants, lawyers, bankers, etc.) did your business use?

Start-up quality staff recruitment and retention. The role of business owners and management was in understanding workplace dynamics. Employers invested in human capital and human resources in gaining competitive advantage in alignment with established business strategies. The roles and heterogeneous relationships of human resource assets and employers existed as a main construct of RBV (Wernerfelt, 2013). Job ownership and satisfaction motivated staff and benchmarked training toward increased productivity served as integrated policy and practice human resource approaches in sustainability firms (Fraj, Martínez, & Matute, 2013; Torp & Vinje, 2014). Lussier's (1995) models for success and failure determine abilities for startup firms to acquire and retain quality staff as key indicators for failure. Talent management was critical in firm survivability and sustainability (Cappelli & Keller, 2014). Staff recruitment and retention existed as constructs of human capital. Soriano and Castrogiovanni (2012) examined SME entrepreneurial performance measures based on human capital. In examinations of human capital links to productivity, performance, and revenue, Soriano and Castrogiovanni found performance measures based on profits per employee. Staff acumen serves as a construct of intellectual capital.

Attrition of intellectual capital was linked to inefficient or absent succession planning when exiting staff left businesses (Durst & Wilhelm, 2012; Gilding, Gregory, & Cosson, 2015). Small business knowledge management and succession planning existed as critical constructs in staff recruitment and retention. Long-term staff absences also led to losses of intellectual capital. Business owners must take care in preparing for human capital and related staff recruitment and retention. Findings from Cappelli & Keller, (2014) determined only 10% of businesses had formalized succession plans, 38% had informal plans, and 52% of businesses were without succession plans.

Ahmadi, Ahmadi, and Abbaspalangi (2012) described talent assessment and discovery processes via a Site Meter scale tool. Employee evaluations through talent assessment and discovery processes recommended specific hiring criteria toward quality staffing acquisition. Specific hiring criteria include (a) anti-stress and anti-ambiguity skills, (b) general management skills, (c) high intelligence, (d) organizational market and policy knowledge, (e) inter-personal skills, (f) oral and written communication skills, (g) leadership ability, (h) organizational skills, (i) perseverance, (j) planning and prioritizing skills, (k) product knowledge, (l) select and promote employees, (m) team making skills, and (n) technical competence (Ahmadi, Ahmadi, & Abbaspalangi, 2012). Talent assessment and discovery competence categories include (a) high-potential, (b) promotable, (c) horizontal mobility, (d) the last candidates, and (e) non-promotable and employees as later categorized as (a) successful, (b) excellent executors, (c) high fliers, and (d) talented (Ahmadi, Ahmadi, & Abbaspalangi, 2012). The following survey instrument question addressed this construct: What level of difficulties did this firm have recruiting and retaining quality employees as a start-up business?

Stage of products or services at start-up (introduction, growth, mature, and decline. Lussier (1995) argued firms with mature goods and services stood greater survivor changes than firms with newer and or older goods and services. Hamrouni and Akkari (2012) argued toward interdependencies between causes of failure and business life cycles. Product and service life cycles mirrored firm paths of service. Lussier identified life cycles as introduction growth, maturity, and decline. A fifth and final stage exists when a business failure occurs. From slow introduction and growth cycles to a brief maturity stage, firms, products, and services enter a speedy decline stage (Doha, Das, & Pagell, 2013). For firms closing due to business failure, the triggering of a fifth and final stage in the life cycle exists. In contrast, Hamrouni and Akkari (2012) cited ambiguity among researchers in the number and specific name of business life cycles. Hamrouni and Akkari described five life cycles as birth, growth, maturity, decline, and revival. Damaggio, Hull, and Vaculín (2013) identified seven stages beginning with a seed stage where conceptual ideas through exit stages in selling or closing a business. Damaggio et al.'s other five stages included (a) startup, (b) growth up, (c) growth, (d) established, (e) expansion. No matter the number and or titled life cycle, each stage came with its own unique set of operational and financial requirements, challenges, and implications (Lussier, 1995; Parker, 2012b).

Needs to determine and evaluate fundamental variables of small business failure included understating how company life cycles required specific resources, responses, and actions (Cope, 2010). Hamrouni and Akkari (2012) sought to expand existing research toward analyzing both entrepreneurial failure and company life cycles toward understanding how business life cycles drove current and future operational stages including potential challenges, reorganizational, and financial approaches (Damaggio, Hull, & Vaculín, 2013). Some researchers argued that each life cycle phase lasted for approximately 6 years (Howlett & Newman, 2013). The first 6 years of any venture carried the greatest risk across organizations of all sizes (Fernández-Guerrero, Revuelto-Taboada, & Simón-Moya, 2012). As businesses moved through each life cycle stage, business owners had opportunities in gaining new knowledge toward sustainability and success. A prime example was seen in how younger firms typically failed in the initial phases of organizational life cycles as they adapted in transiting into risker situations associated with new business ventures (Amel & Akkari, 2012).

The initial development or seed stage involve turning ideas into business plans that determine profitability, existence of favorably market receptions, appropriate business and legal structures, and accounting administration (Damaggio, Hull, & Vaculín, 2013). As firms enter the startup stage, marketing, selling, and evaluating products or services commence based on market demands (Hamrouni & Akkari, 2012). As the business venture continues, ongoing adaptions occurs based on marketplace and customer feedback (Howlett & Newman, 2013). Organizational challenges during this phrase include management of cash flow, accounting, and sales outlooks (Hamrouni & Akkari, 2012). The establishment and solidification of a strong customer base and a robust market presence round out the startup phrase of the life cycle (Amel & Akkari, 2012). As firms stabilize, they enter the growth and survival stages of the life cycle.

Established firms over 6 years old progress into growth, survival, and maturity phases (Hamrouni & Akkari, 2012). The expansion, growth, or survival stage finds firms continuing with adapting business operations to established business plans as revenue generation and operating expenses provide new prospects toward continued growth (Amel & Akkari, 2012). Increased organizational growth present opportunities to build upon customer base. Growth of the organization requires continuous abilities in adjusting to operational changes due to increasing revenues and customers. Operational changes due to firm growth include the effective management of intellectual assets, accounting functions, human resources, and competitive advantages (Howlett & Newman, 2013).

The determinates in how businesses manage the final stages of maturity and or decline is in how they address challenges in growing past stagnant markets, declining sales and faltering cash flows.

Business owners either make needed changes toward sustainability and maturity or operations cease and the business enters a final exit stage (Amel & Akkari, 2012). It is in the maturity and or decline phases that small businesses struggle. Unfavorable market conditions coupled with economical and or societal changes can potentially result in diminished sales and profits. Signs of entry toward the maturity or decline stage include cultivation of industry respect and market share, expansions into new markets, and further operational adjustments and stabilizations along life cycle continuums (Howlett & Newman, 2013).

Each phrase of the business life cycle continuum presents renewed opportunities to refocus, overcome challenges, and redirect financial and operational resources toward best practices and sustainability (Howlett & Newman, 2013; Lussier, 1995). It is critical for businesses to continuously adapt, learn, and grow based upon their initial and revised business planning tools (Amel & Akkari, 2012; Lussier, 1995). The following survey instrument question addressed this construct: In what stage were your products or services when the firm was started?

Owner's parents owned business. In a study by Wyrwich (2015), positive relationships existed between parental self-employment and entrepreneurial start-ups. Lussier (1995) argued that business owners whose parents previously owned business had greater chances of success than business owners whose parents did not own businesses. American family businesses enjoy higher annual sales than non-family owned firms and represent 50% of the total Gross National Product, 35% of Fortune 500 firms, and 70% of new employment opportunities (Fatoki, 2014; Mahto, Davis, & Khanin, 2013).

In their 2010 six-country study of first, second, and third-generation family businesses Lussier and Sonfield found variations in managerial practices and characteristics. Managerial practices and characteristics change with each generation. Despite varied economic, cultural, and demographic differences exist across countries, findings concluded only minor generational variances existed. Implications included an increased consideration of the generational and cultural managerial and behavior characteristics and practices of entrepreneurs in Croatia, Egypt, France, India, Kuwait, and the USA. In an earlier study, Sonfield, Lussier, Pfeifer, Manikutty, Maherault, & Verdier (2005) compared first, second, and third-generation family businesses across four countries, (United States, Croatia, France and India) and found that owner and managers shared similar management practices and characteristics.

Just as some businesses succeed and other businesses fail, family businesses have unique concerns regarding why and how some family owned businesses effectively accomplish succession planning while others family owned businesses do not. Succession planning involves the knowledge acquired through staff, owners, and internal intellectual assets. Lussier and Sonfield’s (2012) seven-country comparison model of family business planning sought critical understanding across Croatia, Egypt, France, India, Kosovo, Kuwait, and the USA. Lussier and Sonfield analyzed measurement and comparative findings in understanding passage problems in family business planning. Significant statistical inconsistencies existed in family owned business succession planning in every country except India. The controlling variables in the study included the industry and ownership type, how long the firms were in business, and the number of employees. The development, transfer, and the retention of intellectual assets existed with effective succession planning initiatives (Durst & Wilhelm (2012).

Puri and Robinson (2013) examined attitudes of entrepreneurial risk, benefits, optimism, and mode of entry in family firms. Optimism, risk, and nonfinancial benefits were the same for family business owners and other entrepreneurs. Individuals that inherited their businesses were significantly less tolerant for risk than non-entrepreneurial wage earners and enjoyed more nonfinancial benefits than all others (Puri & Robinson, 2013). Regardless of mode of entrepreneurship entry, traits possessed by small business owners transformed into activities and work hours than non-entrepreneurs.

Organizational commitment typically is in how employees identified and connected with their employer firms. Singh and Wyrobek (2013) argued that American family firms were dominant in industrial landscapes. In family owned businesses, continuation commitment constructs existed as sustainability drivers (Sonfield, Lussier, Pfeifer, Manikutty, Maherault, & Verdier, 2005). The following survey instrument question addressed this construct: Did the owner/CEO's parents own their own business?

Stage of the economy as startup. Economic environments influenced the strategic plans and growth of businesses. Business success and failure variables identified by Lussier embodied both internal and external causes. Economic threats included recessionary influences that threatened to reduce consumer spending. While recessionary influences always existed as a threat, current reports of upturns in the economy appeared positive. Lussier (1995) strongly recommended firms aiming toward opening a new venture during recessionary periods for greater opportunities for success (Biehl, Gurley-Calvez, & Hill, 2014; Fairlie, 2013; Lussier, 1995). Parallels exist between increased local unemployment rates and individuals starting new businesses (Fairlie, 2013, National Association for Law Placement, 2011). During recessionary periods, indications reveal that regression estimates point to high local unemployment rates and conditions in local labor markets consistently contributing to increases in entrepreneurship (National Association for Law Placement, 2011). Upward trends in entrepreneurship consistently track to periods of recession where unemployed workers started more new businesses than employed workers (Biehl, Gurley-Calvez, & Hill, 2014; Fairlie, 2013; Lussier, 1995). Recessionary periods decrease available job opportunities. This means that unemployed individuals can and do open new businesses with less startup costs. Variables associated with recessions include lower operating expenses, office space, equipment, and overhead (Biehl, Gurley-Calvez, & Hill, 2014; Fairlie, 2013; Lussier, 1995). Conversely, periods of growth do not offer the same opportunities, as jobs are more plentiful and the costs of opening a new business is much higher (Biehl, Gurley-Calvez, & Hill, 2014; Fairlie, 2013; Lussier, 1995). This trend holds for unemployed and underemployed Philadelphia solo criminal law practitioners (Martindale-Hubbell, 2015). In a 2000-2009 study of self-employment determinants, Goetz and Rupasingha (2013) found small business owners responded realistically to economic indicators including inherent self-employment risks, and investment returns. The National Association for Law Placement (2011) reported that economic downturns affect employment rates within the entire legal field from big law firms to solo practitioners. Since 2008, opportunities for new attorneys have steadily declined (National Association for Law Placement, 2011). From 1999 to 2010, unemployment rates for (a) solo practitioners increased from 3.9% for men and 2.2% for women to 6.9% and 4.1% respectively, (b) firms with 2-25 attorneys increased from 39.1% for men and 35.9% for women to 45.7% and 45.4% respectively, and (c) firms with 500+ attorneys increased from 9.9% for men and 10.9% for women to 21.3% and 23.8% respectively (National Association for Law Placement, 2011).

Well-documented interdependences of entrepreneurship value and innovation, economic development, and job creation exists (Ucbasaran, Shepherd, Lockett, & Lyon, 2013). The condition of the economy falls outside of internal failure parameters and beyond owner governance. In the United States, new businesses play a strong role toward economic development (Campbell, Heriot, Jauregui, & Mitchell, 2012). With 7 out of 10 American small businesses failing each year, improving firm survival rates is significantly vital to United States economies (Small Business association, 2012). The ability to achieve economic stability exists in understanding the root causes and differences between successful and failing businesses (Zhi & Clyde, 2012). Parker (2012b) asserted that sustainable entrepreneurshipwas in preservation based supportive communities fulfilling initiatives toward societal, individual, and economic gains. Globally, researchers sought understanding why and how some business succeed and others fail (Gjini, 2014). Bankruptcy resulting from business failure is an expensive and disruptive burden to business owners, stakeholders, and communities (Lussier & Sonfield, 2010). Lussier and Sonfield's (2010) six-country three generational study sought understanding in which generations presented the most significant differences regarding economic and cultural entrepreneurial and managerial behaviors, characteristics, and practices in multi-generational family business.

The strength and or weakness of economic environments significantly influence the success of business startup endeavors. Successful firms create jobs and improve social economic environments (Bates & Robb, 2013). While United States and global economic climates change over time, small businesses contribute to social economic environments through employment opportunities, price competition, and increased innovations of new products, services, and processes (Carayannis & Stewart, 2013; Gupta & Muita, 2013). Parker (2012a) noted fundamental differences of current economic conditions for startup firms compared to the late twentieth century. Parker stressed a need to adapt venture creation and development processes toward changing economic climates. Recent crowdfunding and alternative funding opportunities serve in counteracting economic conditions (Poudyal, Siry, & Bowker, 2012). Economic failures of small businesses include wider implications toward communities at large. The following survey instrument question addressed this construct: In what stage was the economy when the firm was started?

Internet. Lussier (1995) did not address Internet usage in his 1995 success-failure model. Technological acumen is a relevant construct in contemporary times. In a more recent model, Halabi and Lussier (2014) model updated Lussier's 15 variable success versus failure prediction model to include the Internet.

Carmona, Momparler, and Gieure's (2012) quantitative correlation study explored the innovative and non-innovative practices of SMEs through a comparative analysis in service industries. Findings illuminated the need for increased innovation activities in creating viable competitive advantages and economic growth toward creating new products and services, lower prices and enriched quality. According to Carmona et al. (2012), innovative firms enjoy better economic and financial performance over counterparts.

Innovative firms reap higher value, financial ratios, and net income. Analytical institutional perspectives of firm size and competition exist as critical underpinnings of economic development and SMEs. Economic value is in specific technology, labor, and management resources (Bharadwaj, El Sawy, Pavlou, & Venkatraman, 2013). In many small and medium businesses, economies of scale are unachievable due to limited firm size and output. Businesses unable to effectively achieve economies of scale lose lowered cost advantages. Similarly, adoption of technological advances and related software and hardware limit SME's in successfully achieve competitive advantage (Bharadwaj, El Sawy, Pavlou, & Venkatraman, 2013).

Technology and an Internet connection allows attorneys to access vast law libraries, research, legal code books, and documents with a laptop, smartphone, tablet and other mobile devices from any location around the globe (Gillers, 2012). Bar associations in Philadelphia, Pennsylvania and other jurisdictions, offer options to purchase mobile versions of law libraries, research, legal codebooks, and documents (Gillers, 2012; Legal Directory 135th Edition PA, 2015; North Carolina Bar Association, 2014b; Philadelphia Bar Association, 2015).

Larger companies are able to take advantage of profitability gains due to greater resources and organizational scale and size (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014). Lis and Neßler's (2014) described word-of-mouth (WOM) as a classical phenomenon constituting distinctive social influence practices in consumer behavior. WOM is frequently termed virtual marketing in scholarly literature. Classical information diffusion methods, digital word-of-mouth (eWOM) and eWOM systems, and eWOM in social networks exist as vigorous constructs in virtual marketing. WOM exists as an established approach in providing product information (Kietzmann & Canhoto, 2013). Published provider-relevant information exchanges via Internet based eWOM is of critical importance for businesses of every scale (Cheung & Lee, 2012).

The Small Business Administration (SBA) (2012) supports Internet and technology toward growing competitive advantages. Businesses that maintain an online business presence maximizes exposure allowing new customers to discover them through online search engines. The SBA strongly recommends that business owners comprehend and use innovative technologies to automate and expand operations that are more efficient. According to the SBA, software programs that are essential for business owners include software for accounting, planning, time tracking, email management, and mobile Internet access.

Traditional mass media advertising is ambiguous in modern milieu. Findings from Luo, Vincent, and Zhou's (2015) comparison of viral marketing seeding strategies discovered evidence indicating traditional marketing instruments were actively avoided by consumers. Success variables of viral seeding marketing campaigns identify three categories of users including hubs, fringes, and bridges. Hubs are well-connected individuals. Fringes are poorly connected individuals. Bridges unite unconnected network fragments (Luo, Vincent, & Zhou, 2015). Critical cost efficient viral marketing success variables include (a) attractive memorable content (Berger & Milkman, 2012; Berger, 2014); (b) a social network structure (Luo, Vincent, & Zhou, 2015); (c) recipient motivational behavioral characteristics (Luo, Vincent, & Zhou, 2015); (d) targeted viral seeding strategies (Luo, Vincent, & Zhou, 2015; Nejad, Sherrell, Babakus, 2014); and (e) exploitation of individual social characteristics (Luo, Vincent, & Zhou, 2015).

Luo, Vincent, and Zhou (2015) argued that more than 65% of consumers feel overwhelmed by excessive marketing messages and 60% view advertising as not applicable to their needs. Implications for business owners are in approaching viral marketing as an art rather than a science (Kearney & Zuber-Skerritt, 2012; Luo, Vincent, & Zhou, 2015). Recommendations by Luo et al. included improving campaigns in incorporating the sociometric data or metrics that captures social status in seeding viral marketing campaigns. Mutually shared information is descriptive of viral marketing phenomenon embodying online communications, blogs, e-mails, website user-generated content, and online social networking (Luo, Vincent, & Zhou, 2015; Nejad, Sherrell, Babakus, 2014).

Adapting social media and Internet budgets to mirror technological trends in promotional, direct mail, and viral and marketing efforts produce more enhanced outcomes than traditional mass media campaigns (Aral, Dellarocas, & Godes, 2013; Kearney & Zuber-Skerritt, 2012). The past few decades have brought technological explorations into the relative significance of environmentally and socially motivated initiatives shape the attitudes and behaviors of consumer (Kearney & Zuber-Skerritt, 2012; Schaupp & Bélanger, 2014). Successful social marketing lies in distinguishing environmental and socially motivated outcomes that influence consumer views of a firm toward increased competitive advantage (Kearney & Zuber-Skerritt, 2012, Schaupp & Bélanger, 2014). Continuing commitments of innovative firms serve in maintaining continued growth as successful going concerns (Bharadwaj, El Sawy, Pavlou, & Venkatraman, 2013; Douglas, 2013). Social media and information technologies represent significant transformative influences in how businesses converse, work in partnership, consume, and produce both internally and externally within business environments (Aral, Dellarocas, & Godes, 2013; Schaupp & Bélanger, 2014). Schaupp and Bélanger (2014) argued that if ignored, the social media phenomenon has the power to substantially change an organizations reputation and survival. The following survey instrument question addressed this construct: Use of Internet in your business.

Bar association's resources in law practice management. Most new solo criminal law practitioners have limited financial capital leaving little monies to join their local bar association. Solo criminal law practitioners and similar entrepreneurs wear many hats and have too little time to effectively manage and grow their businesses.

Making time to read a single resource book is a momentous task and offers limited business acumen. Potential business owners should consult a variety of sources to obtain the required know how of opening and operating a successful business. In reviewing three bar associations in an eastern, southern and western states, similar findings revealed prohibitive costs and more importantly scant services were available that directly support newly formed and existing solo criminal law practitioners.

The North Carolina Bar Association (NCBA) (2014a) and bar associations around the United States offer books and CDs for solo attorneys covering what is described as a compilation of sample checklists, forms, job applications and related human resources hiring and firing checklists, an accounting chart of accounts, and more. While the book offers a sample chart of accounts, business owners should be consulting with accounting professions verses thinking that they can handle all aspects of a business including accountants, human resources, and other specialized professionals. Presented as a must-have resource in what was not taught in law school, the book offers info on how to operate a solo law office (North Carolina Bar Association, 2014a). Unfortunately, this book is over 1000 pages. The 2010 edition of North Carolina's Small Law Office Resource Manual is the most recent edition. Annual membership for the NCBA starts at zero dollars for your first year and goes up to $275. Attorneys who join the NCBA receive membership to a free section for the first year. In subsequent years, attorneys are charged an additional fee for each section of the bar association. Books and other resources like the Small Law Office Resource Manual cost additional fees. This particular book costs $185 for $185 for Law Practice Management & Technology Section members, $220 for North Carolina Bar Association (NCBA) Members, and Non-Members pay $255.00 (North Carolina Bar Association, 2014b). In short, there is a need for predictive models that better address the needs of solo criminal law practitioners and at fewer costs for a single book with over 1000 pages.

Similarly, membership for the Philadelphia Bar Association (PBA) (2015) varies based on when an attorney was first admitted to practice in any court of record. First Year Attorneys receive a free 1-year membership but section dues are not included. Sections are areas of special interest including information for new and solo criminal law practitioners. Between years 1 and 2, the annual cost is $92. Years 2 and 3 is $186, and 4 to 10 years is $329, and 10 years and more is $383 (Philadelphia Bar Association, 2015). The Philadelphia Bar Association (PBA) (2015) does not have a section of for solo practitioners. A 2010 Law Practice Management newsletter offering two pages of general information including vendors for fax and email, shipping, legal research, court forms, virtual assistants, legal research and writing services and executive and shared rental suites. Solo criminal law practitioners and other entrepreneurs need more than a few resources. Business predictive models offer solutions in growing and sustaining firms. The PBA does have a standing solo, or small and mid-size firm management committee. While this committee may offer solutions, attorneys must apply to join committees and new solo law practitioners would better spend their time in establishing and growing their offices. Under business law, the Small Business Committee of the PBA meets periodically throughout the year. In viewing there website on May 28, 2015, the calendar of committee events, happy hours, and panel discussions date from March 7, 2013 through September 10, 2014. This section of the PBA does not offer enough relevant and consistence support for new solo law practitioners. The Philadelphia Bar Association cited that in response to result upheavals in the legal industry, a new section was created titled, Lawyers in Transition. This document was dated summer 2009. *Lawyers in Transition* was described as a thorough initiative toward assisting attorneys who experience sudden and or anticipated unemployment. The PBA claims that the Lawyers in Transition was an inclusive umbrella encompassing all of the Bar Association’s resources including programs and online tools for attorneys designed in assisting with finding employment, building their practices, and preparing new solo practitioners in opening new businesses. The 4-page document dated 8 years ago will not assist a new solo law practitioner in starting and growing a successful business. More formal and tested models are needed to support this vulnerable population. The Lawyers in Transition site offers generic information on social media, relocating, retiring and miscellanies topics that are not directed toward starting a new company. As of today, May 29, 2015, the latest newsletter was dated September 2014 (Philadelphia Bar Association, 2015).

Transition

Presented literature was structured toward emergent themes informing this research project and the specific business problem in this study in that some Philadelphia solo criminal law practitioners do not understand the critical business performance variables that have had a considerable impact on small business success. Literature documented herein was toward adding rich connections in this study toward understanding critical business practices as used by Philadelphia, Pennsylvania solo criminal attorney business owners and constructs of RBV and Lussier's (1995) 15-variable prediction model. Concepts grounding this study were tied to Lussier's success-failure business model supporting small business initiatives and goals based on tenets from RBV. Lussier's success-failure business model served in defining constructs identified in this study using RBV as a theoretical lens. As failure rates of small businesses continue to plague business owners, strategic business models provide guidance toward documenting best practices in the knowledge assets, business planning, and support network of small businesses and the solo criminal law practitioners identified in this study. Small business ownership entails a mixture of emotional costs and related lessons learned and complex interconnections including financial, emotional, physiological, social, professional, and entrepreneurial variables. Small business owners must remain diligent in preparing for business ownership and in continuous endeavors toward business survivorship, sustainability, and future growth. Successful business environments consist of knowledge assets, business planning, and a support network of experts supporting fundamental underpinnings of firm strategy and performance.

As failure rates of small businesses continue to plague business owners, strategic business models provide guidance toward documenting best practices owners and the small businesses they operate. Ucbasaran, Shepherd, Lockett, and Lyon (2013) examined life after business failure. Ucbasaran et al. argued that entrepreneurs learn from their failed ventures. Similarly, current and future business owners can use this same knowledge as learning opportunities toward growing sustainable growing enterprises.

Solo criminal law practitioners and other small business owners must remain diligent in preparing for business ownership and in continuous endeavors toward business survivor, sustainability, and future growth. Lussier's business model constructs informed this research study, adding rich connections in understanding correlations between solo criminal law small practitioners and business success variables and defining best practices for solo criminal law practitioners. Constructs in this study were relevant to solo criminal law practitioners in the Northeast Pennsylvania. Researcher approaches to topics in successes experienced by solo criminal law small practitioners within this study's research question. I sought to determine best practices for solo criminal law small practitioners toward reducing high failures rates plaguing small businesses. In this study, I sought to examine the relationship of business performance variables on solo criminal law practices to determine which variables best supported solo criminal law practitioner business success. This significance of this study was in providing growing numbers of solo criminal law practitioners with critical business knowledge for analyzing, growing, and sustaining their business. Business owners play a key role in driving the degrees of success of their businesses (Lussier, 1995).

Sections 2 and 3 follow. In section 2, the proposal stage is introduced, followed by the proposed research methodology, identification of the researcher's role, participants, research method and design, population and sampling, and data collection instruments, techniques, analysis. Section 3 includes the results of the study, a presentation of the findings, and applications for professional practice.

Section 2: The Project

In Section 1 I presented an introduction and groundwork toward understanding variables contributable to small business success and failure for solo criminal law practitioners. Understanding contributing variables plaguing America's 23 million small businesses is imperative for reducing failure rates and in discovering best practices toward success and increased sustainability. United States small business failure rates average 50% annually (Small Business Administration, 2012). I sought to understand best practices for successful small businesses in decreasing failure rates plaguing small businesses. Lussier's (1995) success-failure model provided a framework suggesting 15-variables predicting why some business fail and other business succeed.

Section 2 includes the purpose statement, role of the researcher, participants, research method and design, population and sampling, ethical considerations, data collection and analyses techniques, reliability and validity. This section concludes with an overview of the next section

Purpose Statement

The purpose of this quantitative study was to examine the relationships between critical business performance variables and small business success. The targeted population used in this study was Philadelphia, Pennsylvania criminal law practitioners that own or owned a solo law office at any time within the past 2 years. Modeled on Lussier's (1995, 2014) success verses failure prediction models, my goal for this study was to determine critical business practices used by the targeted population. Validated in previous studies both globally and in the United States, Lussier's (1995, 2014) prediction models used 16-variables that improved the probability of success for small businesses. In his initial study, Lussier (1995) used 15 variables. In 2014, Lussier added Internet usage as a 16th variable.

Independent variables included start-up (a) operating capital, (b) record-keeping and financial control, (c) industry experience, (d) education, (e) marketing skills, (f) owners age, (g) minority status, (h) number of partners, (i) management experience, (j) business planning, (k) professional consultant usage, (l) quality staff recruitment and retention, (m) stage of products or services (n) whether owners parents owned businesses, (o) stage of economy, and (p) Internet usage (Halabi & Lussier, 2014, Lussier, 1995). Dependent variables were successful and unsuccessful firms. Lussier determined the success of firms based on their level of profits. Participants of this study identified their level of profits (Halabi & Lussier, 2014; Lussier, 1995) as (a) above industry average profits, (b) at least industry average profitable for last 2 years, (c) at least industry average profitable in the last year, (d) below industry average profits, and (e) currently not making a profit. Positive social change implications include more jobs.

Role of the Researcher

My role in the data collection process included the assurance of validity (Glynn, 2013; Yilmaz, 2013) and was a vital facet of the study. My role as researcher was in administering the survey instrument to collect data and to organize and analyze findings. Valid data collection instructions allow researchers to summarize, compare, and generalize findings (Glynn, 2013). The credibility of quantitative studies were driven within the scope of is established through methodical data collection instructions, triangulation, member checking, varied data sources, and processes for generating trustworthy data (Glynn, 2013; Yilmaz, 2013).

Study participants received and agreed to consent forms prior to participation. Walden University's informed consent form is a statement of understanding for adult participants 18 years of age and older. The final study will include participant responses as documentation for my findings. Participants in this research study received no incentives to participate. All participant information including specific representative companies concerning the study were private and classified. All participants of the study could withdraw from the study at any time with verbal notice. I will maintain all data in a locked and password protected secure location for 5 years where I retain sole access. After 5 years, I will shred all hard copies and delete all electronic data.

With a professional background as a business consultant, accountant, board member, previous business owner, and operations and accounting director for my partner's law firm, I encountered business professionals embarking on business endeavors without minimum business and operational expertise and business planning. While employment at a law office allows opportunities for courtesy professional associations with some local law firms, members of my employer's business were not participants this study. As an accountant, I have witnessed lack of adherence to standard accounting principles and related controls. While my professional career drives my interest in understanding variables that contribute to business failure and success and, I minimized my assumptions and biases by using frameworks from Lussier's (1995) highly acclaimed success-failure prediction model and interview questions. Per the Belmont dReport (1979), and in following the three basic ethical research principles involving human participants (respect of persons, beneficence, and justice), I adhered to all applications of informed consent, assessment of risk and benefits, and selection of participants.

Participants

The specific criteria for participation in this study was that individuals be solo criminal law practitioners in private practice in Philadelphia, Pennsylvania. To ensure that there were adequate eligible participants for this study, I used two different professional law organizations. Initial participants were sourced from the 2015 the Legal Directory of the Philadelphia Bar Association . After several weeks of low survey participation, I contacted to Intuitional Review Board and was approved to add an additional group of attorney participants to my study. The second professional legal association was PACDL. Both the PACDL and the Philadelphia Bar Association have members that are criminal defense attorneys.

The PACDL has a membership of 850 private criminal defense lawyers and public defenders. Membership to the PACDL is limited to Pennsylvania criminal defense lawyers who are actively engaged in the defense of criminal cases in both state and federal court. Criminal attorneys are either defense or prosecutors. Only defense attorneys are eligible to join the PACDL and many Philadelphia criminal defense court appointed attorneys are members. The public listserv of the PACDL is sortable by city and county. Judges and prosecutors are not eligible to join or remain in PACDL. Access to PACDL is important to this study because many court appointed attorneys go on to become solo practitioners as documented in my study. Although public defender attorneys are included on the PACDL mailing list, these attorneys were easily removed from the PACDL listserv because their email addresses ended in 'defender.org'. The PACDL membership had 530 members that met the criteria for this study.

The 2015 legal directory listed 738 criminal attorneys (Legal Directory 135th Edition PA., 2015). Of the 738 attorneys, 515 (70%) attorneys were identified as government and nonprofit attorneys. The 515 government and nonprofit attorneys did not meet the specific criteria of this study and were not invited to participate. The remaining 223 (30%) criminal law attorneys were identified as working in private practice. Of the 223 criminal law attorneys that were identified as working in private practice, one of these attorneys was my previous employer and was not invited to participate in the study to avoid any conflict of interest or bias. The final total of criminal law attorneys working in private practice that meet the criteria of this study and included in the 2015 legal directory was 222.

I used SurveyMonkey’s web based survey services to administer and manage this study. The final combined total of participants invited to participate in the study was 752. Two hundred and twenty-two participants were from the Philadelphia Bar Association and 530 from PACDA.

I used SurveyMonkey to collect the data using Lussier’s (1995, 2014) self-administered survey questionnaire. Emails sent to the attorneys included a cover letter in the body of the email noting the purpose of study, the informed consent form, and four criteria based if-then questions to determine eligibility for the study (see Appendix C).

SurveyMonkey's tracking processes monitored eligibility and nonrespondents. Monitoring nonrespondents allowed me to follow up with any non-respondents. Employing initial if-then statements served in eliminating attorneys that did not meet the criteria of the study. I included if-then statements to verify that each attorney participant was a Philadelphia, Pennsylvania solo criminal law practitioner in private practice. The if-then process was a single email recruitment process. The if-then statements were if the participant was (a) operating in Philadelphia, Pennsylvania, (b) a solo practitioner, (c) a criminal attorney, and (d) operating in a private practice environment.

Participants had to respond yes to all four if-then questions to participate in this study. Attorneys that met the if-then specific criteria moved on to a link taking them to the survey instrument. Attorney participants that responded no to any of the four if-then questions, were not included in the study and the survey ended thanking them for their time, and exited them from the survey.

The final participant phase of this study included finalizing data collection and analyzing findings. Within 30 days after the dissertation was approved, I emailed a follow-up letter to the respondents offering thanks and information on how to request a summary of the findings of the study. Findings from this study are generalizable to other solo criminal law practitioners outside of Philadelphia, Pennsylvania.

Houghton, Casey, Shaw, and Murphy (2013) argued that trust was needed to establish a working relationship with participants. Trust was achieved through informing participants of the intended purpose of the study, and assurances of anonymity and confidentiality (Rowley, 2012). Strategies for a working relationship with study participants required cooperative two-way interactions between inquirers and the object or participant (Houghton et al. 2013; Moxley, Deacon, & Thompson, 2013). Strategies for establishing a working relationship with study participants included informing participants that they would receive a summary of findings and proposed generalizations to the legal industry. An empowering humanizing approach for establishing strategies for working relationships with study participants served to maximize opportunities in assisting solo criminal law practitioners in understanding and resolving issues they saw as important (Moxley et al., 2013; Zuber-Skerritt, 2015).

The research question for this study was: Do known business success variables correlate with success experienced by solo criminal law small business practitioners? Participatory action research encourages inclusions of local stakeholders in solving real world problem solving (Edmonstone, 2016; Zuber-Skerritt, 2015). Selected solo criminal attorneys in this study had a one-owner criminal law practice at some point in time. Practice generated knowledge served my goals for this study. Pennsylvania solo criminal law practitioners were appropriate participants for this study because no research studies have focused specifically on this population (Lawson, 2014).

Research Method and Design

In Section 1, I introduced the nature of the study and brief descriptions of research methods and designs. In this section, offers expanded explanations, resources, and justifications of the chosen methodology and design are presented. The scope of this quantitative study was the nature and strength of the relationships between dependent and independent variables as identified by Lussier (1995, 2014). The research design I used in this study sought to analyze the relationships between Lussier's 16 independent and dependent variables.

Research Method

The three types of research methods are quantitative, qualitative, and mixed-method (Goldkuh, 2012). Quantitative research allows researchers opportunities to explain phenomena through prudent design, data collection, and analysis procedures (Farrelly, 2012; Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014). Numerical data in quantitative studies are the result of quantifying the thoughts, behaviors, and emotions typically found in qualitative methods (Farrokhi & Mahmoudi-Hamidabad, 2012; Wahyuni, 2012).

By using business prediction models researchers seek to determine which organizational resources and actions determine success or failure (Kwon, Chung, Roh, Chadwick, & Lawler, 2012). Correlational designs provide a way to understand and evaluate relationships (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014) of independent and dependent variables. My goal in this study was to determine and understand the nature and magnitude of relationships between dependent variables (successful and failing firms) and Lussier's (1995, 2014) 16 independent variables.

Studies by Lussier (1995) employed both regression analysis toward predicting the success or failure of businesses and correlational approaches in determining the nature and strength in which relationships exists between two or more variables. In modeling in part after Lussier's (1995, 2008, 2014) studies, I employed a correlational approach toward determining the nature and strength in which relationships existed between variables used in Lussier's (1995, 2014) studies. One justification for using a quantitative approach was that I modeled in part after established studies by Lussier (1995, 2014), and all variables were known and should be applicable to solo criminal law practitioners businesses in Philadelphia, Pennsylvania. This quantitative study existed as most appropriate in understanding the collective characteristics and perspectives of solo criminal law practitioners in Philadelphia, Pennsylvania. Knowledge of known variables lent itself to a quantitative approach (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014).

Lussier used quantitative methodologies in testing his success-failure models. One of the main differences in this study that differs from Lussier's (1995, 2014) studies was in the population choice. My goal in duplicating Lussier's (1996, 2014) success-failure quantitative study was in using a different population than Lussier because no research success-failure studies had focused specifically on this population to determine if known business success variables correlated with success experienced by solo criminal law small practitioners (Miettinen & Littunen, 2013). Quantitative queries use descriptive and inferential statistics (Zivkovic, 2012). In modeling this study in part after Lussier's (1995, 2008, 2014) success and failure correlational study, the proposed statistical analysis of this study also employed quantitative descriptive and inferential statistics.

In examining the relationships between variables using numerical data, a quantitative statistical mathematical approach was more appropriate to explore the research question for this study (Zivkovic, 2012). My goal of using a quantitative nonexperimental survey design in this study could not be obtained from the inductive qualitative methods that pull inferences from more descriptive data collection methods. Qualitative studies use semistructured interview questions toward receiving rich participant responses not feasible in quantitative research (Goldkuh, 2012). Qualitative methodological approaches provide glimpses into the rich lived experiences of participants (Gacenga, Cater-Steel, Toleman, & Tan, 2012; Venkatesh, Brown, & Bala, 2013). While the use of a qualitative methodology for this study could haveprovided rich descriptive experiences and perceptions of the solo criminal law practitioners used in this study, a qualitative approach would not allow for testing the hypothesis of this study through a quantitative statistical mathematical approach (Venkatesh, Brown, & Bala, 2013). Qualitative approaches were not appropriate for this study.

While Delphi studies provide superior projections from surveys, practitioner input is absent making Delphi studies inappropriate for this study (Gacenga, Cater-Steel, Toleman, & Tan, 2012). Qualitative case studies remain inappropriate for this study as they provide singular perceptions. Ethnography methodologies remain limited to explicit cultural groups (Muskat, Blackman, & Muskat, 2012). Ethnography methodologies were inappropriate for this study.

The numerical data collected in quantitative queries employ closed ended questions that were more suitable for statistical analysis (Goldkuh, 2012). Quantitative correlation approaches explore variable relationships (Gacenga, Cater-Steel, Toleman, & Tan, 2012). Correlation methods were most appropriate for this study. Other methods did not explore variable relationships from participant population making them inappropriate for this study.

Research Design

The purpose of this quantitative study was to examine the relationships of performance variables on small business performance and success in solo criminal law practices. Modeled in part after Lussier's (1995, 2014) 16-variable success verses failure prediction model, in this study, I sought understanding of critical business practices used by solo Philadelphia, Pennsylvania criminal attorney business owners. Lussier's studies have used both correlational and regression approaches. The research design to be employed in this study was in seeking to analyze the relationships between independent and dependent variables. Specifically, in the goal of this study, I sought to analyze the strength and nature of relationships between variables. The most appropriate statistical model to test Lussier's (1995, 2014) models and understand the strength and nature of the relationships between variables was a correlational model (Bansal & Corley, 2012).

Quantitative research explores numerical data and often uses closed ended questions or statements (Bansal & Corley, 2012; Dworkin, 2012). Regression and correlation are frequently used techniques in quantitative research (Yilmaz, 2013).). In quantitative studies both regression and correlation approaches look for relationships between variables, but regression is predictive (Irvine, Drew, & Sainsbury, 2013; Patel & Conklin, 2012). Correlational coefficients state the strength and nature of relationships between two variables (Bagozzi & Yi, 2012; Farrelly, 2012).Prediction studies use regression in an effort to predict a dependent variable from other independent variables

(Glynn, 2013; Hanmer, & Ozan Kalkan, 2013). The purpose of this quantitative study was to examine the relationship of business performance variables on small business success in solo criminal law practices in Philadelphia, PENNSYLVANIA . Modeled in part after Lussier's (1995, 2014) 16-variable success verses failure prediction model, in this study I sought understanding of critical business practices as used by Philadelphia, Pennsylvania solo criminal attorney business owners. In exploring the nature and strength of the relationship between variables, opportunities existed for business owners to know and understand which resources correlate most highly with the success of their businesses in their specific industry (Lussier, 1995; Uchida, Udell, & Yamori, 2012). Participatory action research encourages the inclusion of local stakeholders in solving real world problems (Zuber-Skerritt, 2015).

Population and Sampling

Quantitative studies must demonstrate that the population aligns with the overarching research question (McGrath & O'Toole, 2016; Moxley, Deacon, & Thompson, 2013). My goal of this study was in understanding critical business variables for achieving business success for solo criminal law practitioners and the legal industry. The research question in this study was: Do known business success variables correlate with success experienced by solo criminal law small practitioners? Business owners serve vital roles in providing accurate data for business prediction studies (Lussier, 1995, 2014). Criminal solo law practitioners in Philadelphia, Pennsylvania served as the population in this study and aligned with the overarching research question toward determining if known business success variables correlated with success experienced by solo criminal law small practitioners.

In studying populations, two approaches are used. Methods of collecting data are achieved though census sampling or total population sampling where either the entire population is used (census sample) or a portion (sample) of the population is used (Marshall, Cardon, Poddar, & Fontenot, 2013; Bosco, Aguinis, Singh, Field, & Pierce, 2015). Differences in census sample and sampling sections of a population vary (De Leeuw, 2012). Where a census sample method is more accurate and reliable, sampling a population takes less time and money, with less respondent burden (Fritz, Morris, & Richler, 2012; Trappmann, Krumpal, Kirchner, & Jann, 2014). Required levels of accuracy in a survey design are dependent on the objectives of the survey, the data being collected, and the characteristics of the specific target population (Bosco, Aguinis, Singh, Field, & Pierce, 2015; De Leeuw, 2012; Marshall, Cardon, Poddar, & Fontenot, 2013; Trappmann, Krumpal, Kirchner, & Jann, 2014). Total population sampling, a purposive sampling technique involves sampling the entire population (Robinson, 2014). The purpose and focus of using a sample is in trying to achieve representativeness of an entire population (Robinson, 2014). When using total populations, issues of representativeness can be a critical concern (Robinson, 2014; Weigold, Weigold, & Russell, 2013). Purposive sampling techniques primarily concentrate on a set of specific characteristics common in a population and the chosen populations are most appropriate for the study and in answering the research questions (Robinson, 2014). In this study, I choose to use a purposive total population sampling because a purposive population sampling technique was the most appropriate as it ensures the highest level of representativeness of the population (Robinson, 2014). While I had access to the total population, my goal was to get the most representative group possible.

Pennsylvania solo criminal law practitioners exist as appropriate participants for this study because no research studies had focused specifically on this population to determine if known business success variables correlated with success experienced by solo criminal law small practitioners (Lawson, 2014). This researcher used the total population samples of both the Philadelphia Bar Association using solo criminal law practitioners with published email addresses listed in the 2015 *The Legal Directory* and members from the PACDA that own or owned a solo law office at any time within the past 2 years qualified for this study. Practice generated knowledge served my goals for this study and the selected participants.

In fully aligning with the overarching research question for this study with the targeted population of Philadelphia, Pennsylvania solo criminal law practitioners, I used variables developed by Lussier (1995-2014). The hypothesis was if a relationship existed between Lussier's 16 known business variables and the level of success of solo criminal law practitioners. Variables from Lussier's (1995-2014) studies served as critical variables in predicting degrees of success of small firm performance in increasing probabilities of success.

In analytic and descriptive studies, the design of a study has an enormous impact on sample size (Irvine, Drew, & Sainsbury, 2013; Rao, 2012; Suresh & Chandrashekara, 2012). The goal of having an optimal sample in a study serves in assuring adequate power toward detecting statistical significance and achieving a suitable sample size (Irvine, Drew, & Sainsbury, 2013; Rao, 2012; Suresh & Chandrashekara, 2012). Level of significance, effect size, alpha level, and the power level are important in calculating sample sizes in quantitative studies (Sun, Peng, & Pandey, 2014). A census sample involves sending an invitation to participate to everyone in the population (Irvine, Drew, & Sainsbury, 2013). While G*Power, a statistical software package is appropriate in conducting an *a apriori* sample size analysis, this analysis was not needed in this study because a sample of both everyone with email addresses listed in *The Legal Directory of the Philadelphia Bar Association* and members from the PACDA was the population (Faul, Erdfelder, Buchner, & Lang, 2007). Given the proposed sample procedure in this study, G*Power software was not needed to determine the appropriate sample size for this study (Suresh & Chandrashekara (2012).

In assessing the degree of multicollinearity among the 16-variables, Lussier (1995, 2014) ran a correlational analysis. Lussier (1995) tested his model via Bivariate Logistic regression. The use of a medium effect size (f = .15) was appropriate for this proposed study as recommended by Sun, Peng, & Pandey (2014). The medium effect size was based on the analysis of 20 articles where concepts measured by Lussier's (2014, 2015) instruments included relative performance dependent variables were successful and unsuccessful firms. The independent variables were the outcome measurement. Lussier used RBV as a framework toward determining which resources or variables affected business success. Lussier developed a nonfinancial business prediction model seeking to understand why some businesses fail and other businesses succeed. Lussier identified 16 major variables determining success or failure based on 20 success and failure journal articles. This study was also based on RBV and on 16-variables developed by Lussier (1995, 2014).

In modeling this study in part after Lussier's (1995, 2008, 2014) success and failure correlational study, the proposed statistical analysis employed descriptive and inferential statistics in this study. In assisting researchers, descriptive statistics are employed to help researchers to systematically organize and summarize data (Ayala & Manzano, 2014). In identifying demographics in this study and the dependent variable and the independent variables, descriptive statistics was appropriate. For the 16 study hypotheses, inferential statistics was appropriate. Lussier's (1995) questionnaire survey drove the data collection and analysis methods used in this study. In testing the hypotheses in this study, Kendall tau tests and chi- square tests were appropriate using SPSS Version 23 statistical software and based on appropriate measurement scales for the independent and dependent variables (Lussier, 1995, 2014). Inferential statistics was appropriate for each hypothesis test conducted using Kendall tau or chi-square non-parametric tests at significance levels of .05. When every point was used, Likert data approximates continuous distributions at five or more scale points (Gadermann, Guhn, & Zumbo, 2012; Holmes & Mergen, 2014). At 7-point Likert scales, continuous distributions minimum decreases can occur in logistic regression parameters and correlational values (Khadka, Gothwal, McAlinden, Lamoureux, & Pesudovs, 2012; Westland, 2015). Lussier's (1995, 2014) questionnaire survey has questions that were either nominal or ordinal Likert-type data.

Lussier's (1995) success-failure prediction studies primarily sought to predict firm success or failure using regression analysis. Lussier's previous studies from 1995 through 2014 identified 16 key variables contributable to the success or failure of businesses (Lussier, 1995). In Lussier and Halabi's (2008) correlational study, they sought to determine the nature and strength of the relationships of the 16 variables identified by Lussier (Halabí & Lussier, 2014; Lussier, 1995; Lussier & Corman, 1996; Lussier & Halabi, 2010; Lussier & Sonfield, 2010; Lussier & Sonfield, 2012; Lussier, Sonfield, Corman, & McKinney, 2001; Sonfield, Lussier, Pfeifer, Manikutty, Maherault, & Verdier, 2005).

This study will differ from Lussier's (1995) study in several ways. The population of this study consists of solo criminal law practitioners in Philadelphia, Pennsylvania. The theoretical assumptions for parametric testing were not relevant to this study, and nonparametric tests employing Kendall tau and chi-square tests were appropriate in analyzing the data and in testing the hypotheses. Kendall tau tests were appropriate when a bivariate relationship were ordinal and present in both variables (Grötsch, Blome, & Schleper, 2013; Wright, Cairns, & Bradfield, 2013). Employing a chi-square test for comparisons of ordinal and nominal measures was appropriate in determining if differences between observed and expected frequencies were statistically significant (Johnson, Lee, Choi, Mun, & Yoo, 2013; Wright, Cairns, & Bradfield, 2013). Lastly, my goal of this study was to determine which of Lussier's variables correlate with the business success of Philadelphia, Pennsylvania solo criminal law practitioners. I sent a self-administered survey questionnaire using SurveyMonkey to the Philadelphia, Pennsylvania criminal law practitioners to assist in determining success.

Ethical Research

Ethical research protocols mandate strict ethical protections for research participants (Houghton, Casey, Shaw, & Murphy, 2013). This research study required prior approval from Walden University's Intuitional Review Board (IRB) before conducting research. The IRB approval number was 11-22-16-0368435. An agreement to participate in this study required signing a consent form in advance. The consent form included detailed participation and withdrawal procedures, voluntary nature of participating, the purpose of the study, privacy and confidentiality, sample questions, and risks and benefits of the study (see Appendix D). Protection of participant rights and protection against potential harm, impropriety, and breeches of anonymity and trust rested with the researcher in ensuring research integrity (Rowley, 2012). Participants in this study did not receive any offers of monetary or other participation incentives. All participants of the study could withdraw from the study at any time with verbal notice. No penalties existed from withdrawing from this study. Contact information for the researcher existed in the consent form for participants wishing to withdraw. If participants withdrew from this study, Survey Monkey deleted all collected participant data. I took every measure in assuring participant confidentiality in storing data in password protected electronic files and hard data in locked file cabinets. Under certificate number 1209731 from the National Institutes of Health Certificate, I received the required certification to engage in research involving human participants on July 13, 2013 (see Appendix E). Only I had access to and interaction with participants (Glynn, 2013). Additional confidentiality measures included informing participants to refrain from identifying themselves or respective companies by name. Coding of participant identities ensured confidentiality (Goldkuh, 2012). All participants received the same identifier. I used a participant coding and addressed participants in the following manner: Pn1, Pn2, Pn3, where 'P' was the participant and the numeral was the specific participant identifier. After 5 years, I will delete and shred all hard copies and delete all electronic data. The final doctoral study included a Walden University's IRB approval number. All agreement documents were included in cited appendices and in the table of contents.

Data Collection Instruments

Lussier's 1995 questionnaire titled *Questionnaire Successful and Failing Businesses* was initially developed in 1995, and later revised in 2014. The publisher of the instrument is Dr. Robert N. Lussier and provided the framework for this study. A respected author of over 395 publications, Lussier's prediction models have a 19-year history. Lussier's (1995, 2014) prediction model identify 16-variables that improve the probability of success or failure for small businesses.

Concepts measured by Lussier's (1995, 2014) success-failure models (instruments) included gathering understanding in why some businesses fail and others succeed. Based on concepts measured by Lussier's, success-failure questionnaire, In this study, I sought to determine and understand the nature and the magnitude of the relationships between Lussier's (1995, 2014) dependent and independent variables for solo criminal law practitioners in Philadelphia, Pennsylvania. Concepts measured by

Lussier’s (1995, 2014) instruments included relative performance dependent variables of successful and unsuccessful firms. Lussier determined the success of firms based on their level of profits. Participants of this study identified their level of profits as (a) above industry average profits, (b) at least industry average profitable last 2 years, (c) at least industry average profitable in last year, (d) below industry average profits, and (e) currently not making a profit (Halabi & Lussier, 2014, Lussier, 1995). The independent variables included (a) start-up operating capital, (b) start-up record-keeping and financial control, (c) owner prior industry experience, (d) owner’s education level at start-up, (e) owner’s level of marketing skills at start-up, (f) age of owners at start-up, (g) minority status of owner, (h) number of partners at start-up, (i) owner prior management experience, (j) start-up business planning, (k) professional consultant usage (accountants, lawyers, bankers, and similar professions), (l) quality staff recruitment and retention at startup, (m) stage of products or services at start-up (introduction, growth, mature, and decline, (n) whether owners parents owned businesses, (o) stage of the economy at start-up, and (p) Internet usage (Halabi & Lussier, 2014; Lussier, 1995).

In this study, I sought to determine the relationship between the 16 independent success or failure variables (variables) developed by Lussier (1995, 2014). The dependent variable was the degree of success experienced by the small business. Each variable noted measured levels of and expected performance relationship. The independent variables predicted the dependent variable of relative business performance. One of the variables had a nominal level measure labeled 0 to 5 (education). Four of the variables were nominal level measures labeled 1 or 2 (minority status, partners, parents, and

Internet). Eight of the variables were measured on an ordinal scale using a 7-point Likert scale and were ranked from 1 (low) to 7 (high) (adequate startup capital, startup record-keeping and financial controls, business planning, use of professional advisors, quality staff recruitment and retention, stage of the economy, stage of product or service, and marketing skills). Three of the variables used a ratio scale (age, management, and industry experience). The 16 significant variables identified from 20 previous studies and contributable to small business success (Lussier, 1995, 2014). Table 2 details descriptions of data comprising each variable and scale of measurement the instrument used.

Table 2

Concepts and Variable Descriptions and Scale of Measurement

Variables	Measurement Scale
X1: Capital: Businesses that start undercapitalized have a greater chance of failure than firms that start with adequate capital.	Ordinal
X2: Recordkeeping and financial control: Businesses that do not keep updated and accurate records do not use adequate financial controls have a greater chance of failure than firms that do.	Ordinal
X3: Industry Experience: Businesses managed by people without prior industry experience have a greater chance of failure than firms that do.	Nominal
X4: Education: People without any college education who start a business have a greater chance of failing than people with one or more years of college education.	Interval
X5: Marketing: Business owners without marketing skills have a greater chance of failure than owners with marketing skills.	Ordinal
X6: Age: Younger people who start a business have a greater chance to fail than older people starting a business.	Ratio
X7: Minority: Minorities have a greater chance of failure than non-minorities	Interval
X8: Partners: A business started by one person has a greater chance of failure than a firm started by more than one person.	Nominal
X9: Management Experience: Businesses managed by people without prior management experience have a greater chance of failure than firms that are managed by people with prior management experience.	Ratio
X10: Planning: Businesses that do not develop specific business plans have a greater chance of failure than firms that do.	Ordinal
X11: Professional Advisors: Businesses that do not use professional business advisors have a greater chance of failure than firms using professional advisors.	Ordinal
X12: Staffing: Businesses that cannot attract and retain quality employees have a greater chance of failure than those that can.	Ordinal
X13: Product/Service Timing: Businesses that select products/services that are too new or too old have a greater chance of failure than firms that select products/services that are in the growth stage.	Ordinal
X14: Parents: Business owners whose parents did not own a business have a greater chance of failure than owners whose parents did own a business.	Nominal
X15: Economic Timing: Businesses that start during a recession have a greater chance to fail than firms that start during expansion periods.	Ordinal
X16: Internet: Businesses that do not use elementary technology and the Internet have a greater chance of failure than owners that use elementary technology and the Internet.	Interval

Lussier (1995) collected demographic data in the final four questions of his questionnaire. These four questions inquired about geographic region, number of years in business, average number of full time workers, and identification of level of profits. Demographic questions used in Lussier's (1995) studies included the following.

1. Primary state of business operations were in or close to.
    a. This study was specific to Philadelphia, Pennsylvania solo criminal law practitioners. Therefore, geographic location questions were not applicable to this study and was not included.
2. Number of years this firm has been conducting business. ________ Years
3. Average number of full time workers in last 3 years. Two or more part-time employees can equal one full-time worker. __________
4. Identify your level of profits (choose most appropriate).

Above industry average profits

At least industry average profitable last 2 years

At least industry average profitable in last year

Currently not making a profit

    a. Per Lussier (1995), this final question determined success or failure.

The appropriateness and purpose of this quantitative study examined the relationships of business performance variables on small business performance and success in solo criminal law practices. Modeled in part after Lussier's (1995, 2014) 16-variable success verses failure prediction model, in this study I sought understanding of critical business practices as used by Philadelphia, Pennsylvania solo criminal attorney business owners. A quantitative methodology was chosen for this study. Quantitative research explores numerical data toward explaining influences of cause and effect of stated variables (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014). Quantitative studies describe mathematical or statistical data and were appropriate for this study because I sought to understand the strength and nature of the relationships between the independent and dependent variables. The dependent variable in this study was the degree of success experienced by the small business. By definition, the numerical characteristic of quantitative research infers goals of quantifying the problem toward analyzing and comprehending the prevalence of the problem (Farrokhi & Mahmoudi-Hamidabad, 2012). Correlational designs seek to understand and evaluate relationships of independent and dependent variables (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014). In this study, research was aimed in understanding and determining the nature and the magnitude of relationships between dependent variables (successful and failing firms) and Lussier’s (1995, 2014) 16 independent variables. In addressing the administration of the instrument, I used Lussier’s (1995, 2014) self-reporting success-failure questionnaire. Quantitative studies employ systematic mathematical measurements through questionnaires and surveys (Jensenius, 2014). In lieu of sampling, I used the total populations of both all Philadelphia, Pennsylvania solo criminal law practitioners with published email addresses listed in the 2015 *The Legal Directory of the Philadelphia Bar Association* and members from the PACDA (PACDL). By using the whole populations of both Philadelphia, Pennsylvania solo criminal law practitioners and PACDL members provided the best representativeness of this population for my study. The 2015 legal directory listed 738 criminal attorneys (Legal Directory 135th Edition PA., 2015). Of the 738 attorneys in the legal directory, only 222 meet the criteria of this study not including my previous employer that was a solo attorney law practitioner. Of the 850 members of the PACDL, only 530 met the criteria for this study. Researchers select specific research questions, variables, and participant populations toward defining the variables within a study (Gacenga, Cater-Steel, Toleman, & Tan, 2012). I invited the identified participants to participate in the study through an emailed invitation.

A correlation model analyzed and calculated the score calculations. Correlation coefficients indicate the nature and strength of relationships between two variables (Farrelly, 2012). The research question for this study was: Do known business success variables correlate with success experienced by solo criminal law small practitioners? My goal of this study was in understanding critical business variables for achieving business success for solo criminal law practitioners and the legal industry. Quantitative research explores numerical data with closed ended questions (Bansal & Corley, 2012; Dworkin, 2012). Lussier’s (1994, 2014) designed a self-reporting instrument to predict success or failure. Lussier used a statistical correlation model to determine the relationships between the financial performance of Philadelphia, Pennsylvania solo criminal attorneys and 16 resource based independent variables as defined in Lussier’s (1995, 2014) questionnaires. Regression and correlation are the frequently used techniques to explore variables in quantitative research (Yilmaz, 2013). In quantitative studies both regression and correlation approaches look for relationships between variables (Irvine, Drew, & Sainsbury, 2013; Patel & Conklin, 2012).

Other researchers have used Lussier's (1995) instrument around the globe and on varied populations. Lussier has published over 400 articles in over 30 journals. Since 1995, Lussier has used his self-reporting questionnaire as an instrument in his success-failure model in copious industries and geographical locations. Lussier's success-failure model is a frequently cited business prediction model (Lussier, 1995, Lussier & Corman, 1996). Lussier developed a nonfinancial business prediction model seeking to understand why some businesses fail and other businesses succeed. Lussier identified 16 major variables determining success or failure based on 20 success and failure journal articles. Lussier's initial work identified 15 variables and in 2014, Lussier added Internet as an additional variable and as the 16th variable. Lussier did not address technology in his 1995 success-failure model. Technological acumen was a relevant construct in contemporary times (Boons & Lüdeke-Freund, 2013). In Lussier's (2014) study, business owners described the use of technology in their businesses.

A quick search on Google Scholar provides a history of researchers that used Lussier's (1995) prediction study. Lussier and his success-failure prediction model maintain a global reputation in the United States and in 75 countries. Although multiple researchers in professional journals and books referenced Lussier's prediction model, the author does not keep a record of how many researchers have used his models (see Table 3).

Table 3

Synopsis of professional journals and books that used or cited Lussier's (1995) prediction model including industries, locations, and populations

Article/Study	Date	# of professional journal articles or books citing Lussier's model	Industry	Population
A nonfinancial business success versus failure prediction	1995	300	Nonspecific	216 U.S. businesses
Nonfinancial Business Success versus Failure Prediction Model for Young Firms	1995a	53	Agriculture, Construction, Finance, Insurance, & Real Estate, Manufacturing, Retail, Wholesale, Transportation and Communication Services	100 entrepreneurs between 0-10 years old from Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. Matched samples of successful and failed firms and failed firms were sourced from bankruptcy records.
A business success versus failure prediction model for entrepreneurs with 0-10 employees	1996	32	Nonspecific	Entrepreneurs with 0-10 employees using 96 Matched pairs of successful and failed (Chapter 7) businesses 1-10 years old
A business success versus failure prediction model for service industries	1996	29	Service industries	54 matched pairs of successful and failed (Chapter 7) businesses in New England states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
A startup business success versus failure prediction model for the retail industry	1996	57	Retail	48 matched pairs of successful and failed (Chapter 7) businesses New England including Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
Sustainability of entrepreneurial behavior: implications for management concepts in transitional economies	1997	0	Nonspecific	Croatian small and medium sized businesses

(table continues)

Article/Study	Date	# of professional journal articles or books citing Lussier's model	Industry	Population
A Comparison of Business versus Failure Variables between U.S. and Central Eastern Europe Croatian Entrepreneurs	2000	71	Nonspecific	U.S. and Central Eastern Europe Croatian entrepreneurs. Random sampling of 350 (120 usable questionnaires) chosen from the Croatian Chamber of Business list of enterprises
A crossnational prediction model for business success	2001	193	Nonspecific	Sample population from Republic of Croatia (Central Eastern). Random sampling of 350 (120 usable questionnaires) Croatian small businesses from Croatian Chamber of Business list of enterprises
A success versus failure prediction model for the real estate industry	2005	6	Real Estate	New England real estate agencies. Matched pairs of successful and failed (Chapter 11) with similar age, size, location, and industry.
An analysis of small business in Chile: a correlational study	2008	14	Nonspecific	145 small business owners in Chile
A three-country comparison of the business success versus failure prediction model	2010	58	Nonspecific	Random sampling of 1,800 (234 usable questionnaires) Chilean small businesses from Chile National Chamber of Commerce
A model for predicting small firm performance: Increasing the probability of entrepreneurial success in Chile	2014	3	Nonspecific	Random sampling of 1,800 (403 usable questionnaires) Chilean small businesses from Chile National Chamber of Commerce

Strategies used to address reliability and construct, concurrent, and convergent validity are critical in research endeavors (Hussein, 2015; Bobinac, van Exel, Rutten, & Brouwer, 2012). Needs exist in demonstrating how research survey instruments align with the theories addressed in research studies (Diamantopoulos, Sarstedt, Fuchs, Wilczynski, & Kaiser, 2012; Peterson & Kim, 2013). Grounded in the foundations and theoretical frameworks of this study are theories of both RBV and Lussier's success-failure model in predicting business success through resource management, sustainable performance, and competitive advantage (Barney, Ketchen, & Wright, 2011; Fraj, Martínez, & Matute, 2013; Harrison & Wicks, 2013; Lussier, 1995). Integral to organizational strategic management, the theoretical perspectives of RBV and business prediction models include resources, sustainable performance, and competitive advantage (Fraj, Martínez, & Matute, 2013).

According to Lussier (1995), his initial success-failure prediction model inferred content, empirical, and construct validity, and reliability. In addressing content validity, Lussier's study created all of the instrument questions based on 20 success-failure research studies. The 15 variables included in Lussier's (1995) model came from the literature and described as being variables contributable to success versus failure. Lussier found no generally accepted list of variables or variables that contributed to the success or failure of businesses. This lack of a generally accepted list of variables supported Lussier in his quest in creating criterion and concurrently established this goal within his model. In ensuring the reliability of his instrument, Lussier ran stepwise discriminant analysis toward eliminating collinear variables and variables that had diminutive discriminatory power. Lussier's tests determined that multicollinearity was not problematic (Lussier, 1995). Lussier tested the empirical validity and reliability of the instrument in three ways.

In testing the predictive ability of the instrument, Lussier's (1995) study correctly predicted 82.4% successful firms and 67.7% of the failed sample for an accuracy rate of 75% overall. In accessing the ability of the 16 independent variables to explain the variance in success or failure the canonical correlation was 0.54. The canonical correlation also known as the Pearson correlation between Y and X was comparable to the R in regression. Comparable to the F test found in regression, Lussier's (1995, 2014) tested the significance level of the model (p=.0006) using chi-square of 30.89 was used. Over 99% of the time, Lussier's model reliably predicted groups of businesses as failed or successful more accurately than random chance.

In measuring the constructs underlying theories used in this study, Lussier's (1995) success-failure prediction questionnaire was an appropriate instrument. Lussier's (1995) sample measurement instrument was prudently developed from four pretests toward increasing the reliability of the questionnaire. According to Lussier (1995), a major concern of the study was the response rate. Lussier limited the length of the questionnaire to increase participant response rate. Limiting the length of the questionnaire and the response rate created a trade-off. The questionnaire only used one open-ended question verses several repeat questions in order to check and ensure reliability. According to Lussier (1995), reliability of the initial questionnaire was inferred because there was only one nonreliable response (.005%). Since Lussier's (1995) initial study the questionnaire has been cross-validated in several studies both globally and in the United States, Lussier's (1995) prediction model identify 15 variables that improve the probability of success for small businesses. Lussier's (1995) model had an accuracy rate of more than 85%, in the United States where variances for Lussier's original 15 success-failure variables were explanatory.

Lussier's (1995) questionnaire was initially developed in 1995, and later revised in 2014. Based on concepts measured by Lussier's success-failure questionnaire, In this study, I sought to determine and understand the nature and magnitude of the relationships between Lussier's (1995, 2014) dependent and independent variables for solo criminal law practitioners in Philadelphia, Pennsylvania. Lussier’s success-failure prediction models provided previously cross-validated instruments. Validated in previous studies both globally and in the United States, Lussier’s (1995) prediction model identify 16-variables that improve the probability of success for small businesses.

In addressing the reliability and validity properties of the instrument, Lussier (1995) argued that an appropriate statistic assessment of his success-failure prediction model would not be the coefficients as coefficients are rank ordered and the signs are not to be interpreted. Lussier argued that the significance of the model, canonical correlation, and classification accuracy serve as more appropriate reliability and validity model tests. Lussier’s success-failure prediction models provide previously cross-validated instruments. The variables in Lussier’s success-failure prediction model and related questionnaire have been cross-validated in several studies both globally and in the United States. Lussier’s model had an accuracy rate of more than 85%, in the United States where variances for Lussier’s original 15 success-failure variables had an explanatory percentage of 25% (Miles, 2014). In 2001, Lussier and Pfeifer conducted a cross-national small businesses prediction study in the Republic of Croatia. In Chile (Lussier & Halabi, 2010), Lussier’s success-failure prediction model predicted the success or failure of businesses more than 96% of the time providing validity and reliability verification of the variables in Lussier’s prediction model. Lussier used a logistic regression for data analysis.

Lussier (1995) calculated a Cronbach’s coefficient alpha in determining the internal consistency of scales and in testing the reliability of the variables in his questionnaire (Bonett & Wright, 2015; Kocak, Egrioglu, Yolcu, & Aladag, 2014). Cronbach's alpha, indicates if the variables were positively correlated to each another and to what extent (Dunn, Baguley, & Brunsden, 2014). To achieve greater internal consistency, the Cronbach alpha would be closer to one (García-Pérez, 2012). The overall reliability of Lussier's initial success-failure model was 69.16%. The group of failed firms were reliably predicted 73.15% of the time and successful firms were reliably predicted 65.09% of the time.

Issues with convergent validity impede proper correlations between independent and dependent variables (García-Pérez, 2012). When confirming validity, determinations must be made to ascertain if the survey instruments actually measured what it purposed to measure (Bonett & Wright, 2015; Kocak, Egrioglu, Yolcu, & Aladag, 2014). In assuring reliability, researchers must ensure that research instruments are consistently interpreted across carious conditions (Dunn, Baguley, & Brunsden, 2014). In this study, I used Lussier's (1995) success-failure prediction model survey instrument. This instrument has been cross-validated in previous studies by Lussier and demonstrated an improved probability of success for small businesses. The variables in Lussier's (2008) correlational study in Chile study duplicated his 1995 study. Lussier's studies had been validated in the U.S., Croatia, and Chile.

It was critical that both the predictors and outcome variables in the instrument were readily observed variables being approximated when using a self-report questionnaire (Baker, Brick, Bates, Battaglia, Couper, Dever, Gile. & Tourangeau, 2013). Several psychometric concepts regarding validity and reliability involved latent measurements or unobserved variables (Koops, 2012; Oetzel, Zhou, Duran, Pearson, Magarati, Lucero, Wallerstein, & Villegas, 2015). Appropriate response validity metrics involved researchers assuring respondents were truthful in their responses as the observed predictor and outcome variables were simply what respondents were reporting on in the instrument (Turner, Sturgis, & Martin, 2014).

Since small business owners from every industry including solo criminal law practitioners benefit from business acumen and sound business planning, it was anticipated that participants will provide accurate responses to the survey questionnaire (Herrera, 2012; Lawson, 2014). Low barriers to entry exist in the legal industry, and some solo criminal law practitioners do better than others indicating that some business owners were better prepared to manage their solo criminal law practice (Lawson, 2014).

Although there were no changes made to Lussier's (1995, 2014) standardized research instruments, revisions were made in combining Lussier's (1995, 2014) studies. Lussier's initial work identified 15 variables and in 2014, Lussier added Internet as an additional variable as the 16th variable. Lussier did not address technology in his 1995 success-failure model. With the advent of information technologies and the Internet, it was critical for firms to incorporate and align business and digital infrastructures, processes, products, and services strategies (Bharadwaj, El Sawy, Pavlou, & Venkatraman, 2013). Technological acumen is a relevant construct in contemporary times (Boons & Lüdeke-Freund, 2013; Halabí & Lussier, 2014).

Lussier's (1995, 2014) success-failure prediction models used a quantitative questionnaire (see Appendix A). Permission to use the instrument by the author is located in Appendix B. Lussier did not add any special requirements and gave written permission to adapt the questionnaire as needed (see Appendix B). I will store raw data in a locked file cabinet for 5 years. I made the data available by request.

Data Collection Technique

The research question for this study was: Do known business success variables correlate with success experienced by solo criminal law small practitioners? Variables developed by Lussier (1995, 2014) were significant in regard to business success. I used both the total population sample of all Philadelphia, Pennsylvania solo criminal law practitioners with published email addresses listed in the 2015 *The Legal Directory of the Philadelphia Bar Association* and the PACDA. The 2015 legal directory listed 738 criminal attorneys (Legal Directory 135th Edition PA., 2015). Of the 738 attorneys, only 222 meet the criteria of this study not including my previous employer that was a solo attorney law practitioner. Of the 850 members of the PACDL, only 530 met the criteria for this study. Due to methodological and ethical concerns, my previous employer was not included in this study. Collecting data at businesses that similar to my own workplace avoids encountering the following methodological and ethical issues including biased responses due to personal agendas or cognitive priming, social desirability, perceived coercion to participate, and confidentiality breaches (Walden University, 2015, Academic guides). I invited the identified participants of this study to participate in the study through an emailed invitation letter and informed consent agreement. To assist in generalizing the findings of this study to other solo criminal law practitioners, I used a population of solo criminal law practitioners from Philadelphia, Pennsylvania.

Lussier's (1995, 2014) success-failure prediction models used a self-administered and self-reporting questionnaire to collect data. All of Lussier's (1995) studies and questionnaires involve self-reporting indicators. I used the same self-administered and self-reporting questionnaire. Self-administered questionnaires and structured records were the most prevalent in quantitative research (Hunter, 2012; Lussier, 2015). Data collection using self-reporting questionnaires and surveys were frequently moving to electronic methods via the Internet as opposed to former paper-and-pencil methods (Weigold, Weigold, & Russell, 2013). I used electronic methods via the Internet to collect data via Lussier's (1995) self-reporting questionnaire. Lussier used mail surveys for data collection in his studies. Cost was not a concern because participants received an emailed questionnaire at no cost (Khazaal, van Singer, Chatton, Achab, Zullino, Rothen, & Thorens, 2014).

This researcher collected data via a self-administered survey questionnaire administered through SurveyMonkey. SurveyMonkey (www.surveymonkey.com) is a web-based software application offering many benefits for data collection and analyses. SurveyMonkey options includes using self-administered survey questionnaires, 'real-time' data collection, providing participants with convenient weblinks for cover letters and surveys, and downloading directly into SPSS Version 23 statistical software or Excel. Additional benefits of using SurveyMonkey include the ability to track and follow up with nonrespondents through automatic email reminders.

Raw data collected from SurveyMonkey was downloaded directly into SPSS Version 23 statistical software. SurveyMonkey allowed me to download to SPSS Version

23 statistical software and use the analysis option to run a bivariate correlational Kendall tau test. SPSS Version 23 statistical software has the capacity to locate errors for final data cleaning and editing as needed. I will check and edit as needed during the data collection phrase including after the coding phase for errors and response omissions.

Data Analysis

The research question in this study was: Do known business success variables correlate with success experienced by solo criminal law small practitioners? The hypotheses in this study include dependent and independent variables developed by Lussier (1995-2014). The dependent variable was the degree of success experienced by solo criminal law practitioners in Philadelphia, Pennsylvania and 16 independent variables (Xi for i = 1 to 16). The 16 independent variables included (a) start-up operating capital, (b) start-up record-keeping and financial control, (c) owner prior industry experience, (d) owner's education level at start-up, (e) owner's level of marketing skills at start-up, (f) age of owners at start-up, (g) minority status of owner, (h) number of partners at start-up, (i) owner prior management experience, (j) start-up business planning, (k) professional consultant usage (accountants, lawyers, bankers, and similar professions), (l) quality staff recruitment and retention at startup, (m) stage of products or services at start-up (introduction, growth, mature, and decline, (n) whether owners parents owned businesses, (o) stage of the economy at start-up, and (p) Internet usage (Halabi & Lussier, 2014; Lussier, 1995).

The hypotheses tested were:

Null Hypothesis (H_0): There is no relationship between known business variables as defined by Lussier and the level of success of solo criminal law practitioners.

Alternative Hypothesis (H_1): There is a relationship between known business variables as defined by Lussier and the level of success of solo criminal law practitioners.

In this study, I sought to identify variables from prior studies developed by Lussier (1995-2014) toward understanding the nature and strength of the relationship between the dependent variable of the degree of success experienced by solo criminal law practitioners in Philadelphia, Pennsylvania and the independent variables (Xi for $i = 1$ to 16). Data analysis involves statistical tests used to answer each research question based on the purpose and the criteria of the study (Farrokhi & Mahmoudi-Hamidabad, 2012; Rao, 2012; Robinson, 2014; Suresh & Chandrashekara, 2012). Statistical tests used on this study were consistent with Lussier's (1995, 2014) work. The scale of measurement of each defined variable and the nature of each question determined the statistical tests Lussier selected. The nature of the scale of nominal, ordinal, interval, and ratio for each variable in this study were sourced and based on Lussier's (1995) previous studies. Each variable notes measurement levels of and expected performance relationship. The independent variables predicted the dependent variable of relative business performance. SPSS Version 23 statistical software that analyzed the data collected from this study. The study did not include missing or discrepant data from the questionnaires.

I tested the hypotheses using variables identified by Lussier (1995) based on a specific target population of solo criminal law practitioners in Philadelphia, Pennsylvania. I employed a correlational methodological approach appropriate to the purposes of this study. SPSS Version 23 statistical software analyzed the data. The statistical analysis employed a nonparametric approach. The theoretical assumptions for parametric testing were not relevant to this study. Nonparametric tests employing Kendall tau and chi-square tests analyzed the data and tested the hypotheses. Parametric techniques are tests of significance that are appropriate if data signifies ratio or interval scales of measurement, specific probability distributions, that meet specific assumptions (Ghasemi & Zahediasl, 2012). Nonparametric tests are not dependent on this (De Witte, Rogge, Cherchye, & Van Puyenbroeck, 2013; Ghasemi & Zahediasl, 2012).

Data assumptions vary by the statistical tests (Farrokhi & Mahmoudi-Hamidabad, 2012; Suresh & Chandrashekara, 2012). The majority of statistical tests make certain assumptions about the data to ensure that any analysis is suitable for hypothesis testing (Suresh & Chandrashekara, 2012). Typically, checking assumptions through statistical tests serve as formal guides to ensure that appropriate null hypothesis tests were performed (Robinson, 2014). Incorrect cause-effect relationship inferences can occur when assumptions are violated (Rao, 2012). The robustness of statistical tests indicate how sensitive the statistic was to assumption violations, or how likely assumption violations are to lead to type I or type II errors (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). Coefficient alpha is a widespread reliability and internal consistency reliability measure (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). In multiple regression, assumptions include normality, outliers, homoscedasticity, multicollinearity, linearity, independence of residuals, and equality of variances (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). In ANOVA, assumptions include normality and equality of variances (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). Scatterplots detect outliers (Robinson, 2014). Normal Probability Plot (P-P) of the Regression Standardized Residual test multicollinearity, normality, linearity, homoscedasticity, independence of residuals (Farrokhi & Mahmoudi-Hamidabad, 2012). In ANOVA testing, normality checks are through histograms and equality of variances assessment with Levene’s test of equality of variances (Farrokhi & Mahmoudi-Hamidabad, 2012).

This study embodied three assumptions. The first assumption was that Lussier’s (1995) success-failure prediction model was a reliable and appropriate model for determining business success of variables toward sustaining Philadelphia solo criminal law practitioners. As an accountant, business consultant, and operations director, I witnessed lack of adherence to standard accounting principles and related controls and encountered business professionals embarking on business endeavors without minimum business and operational expertise and business planning both within the legal profession and in other business types. I minimized researcher assumptions and biases in using frameworks from Lussier’s (1995) highly acclaimed success-failure prediction model and interview questions.

The second assumption was that a correlational quantitative design was the best approach for this study. Correlational designs seek to understand and evaluate relationships of independent and dependent variables (Marcelino-Sádaba, Pérez-Ezcurdia, Echeverría Lazcano, & Villanueva, 2014). I aimed to determine and understand the nature and magnitude of relationships between dependent variables and Lussier’s (1995, 2014) 16 independent variables. The purpose of this quantitative correlational study was to examine the relationship of business performance variables on small business performance success in solo criminal law practices. In this study, I sought to examine the relationship of business performance variables on solo criminal law practices to determine which variables best supported solo criminal law practitioner business success. The research question for this study was: Do known business success variables correlate with success experienced by solo criminal law small practitioners? I will identify variables developed by Lussier (1995, 2014) were significant in regard to business success.

The third assumption was that the chosen participants of Philadelphia, Pennsylvania solo criminal law practitioners would provide critical understanding of success sustainability variables generalizable toward solo practice in the legal industry. Of the 1,281,432 active United States licensed attorneys, solo law offices account for 75% of attorneys in private practice (American Bar Association, 2014b; Lawson, 2014; Tung, 2013). Legal practice settings were led by solo practitioners at a rate of 48% followed by firms with 2-5 lawyers at 15% (American Bar Association, 2014b; Legal Directory 135th Edition PA, 2015). Philadelphia has 1,290 nonemployer legal services firms without paid staff (U.S. Census Bureau, 2012b). Growing numbers of new law school graduates and unemployed attornyes are opening their own law firms due to strained employment opportunites (Lawson, 2014; National Association for Law Placement, 2011; Tung, 2013). Philadelphia criminal attorneys have unique opportunites to earn almost immediate income by becoming a court-appointed attorney without any business education, training, and or experience (First Judicial District of Pennsylvania, 2014). While low barriers to entry exist in the legal industry, some solo criminal law practitioners do better than others indicating that some business owners are better prepared to manage their solo practice (Lawson, 2014).

Study Validity

Internal Validity

Validity is a vital facet of research studies (Glynn, 2013; Yilmaz, 2013). A researcher must identify, control, and address threats to internal and external validity. While reliability denotes stability and consistency, questions of validity seek to ensure that any interpretations and inferences inferred are accurate (Barry, Chaney, Piazza-Gardner, & Chavarria, 2014). In this study, I employed a non-experimental correlation design modeled in part after two of Lussier's (1995, 2014) success verses failure prediction models. Lussier's (1995) success-failure prediction model and related questionnaire has been cross-validated in several studies both globally and in the United States, Lussier's (1995) prediction model identified 15 variables that improve the probability of success for small businesses. Lussier's (1995) success-failure model has empirical validity because 99% of the time the model was more precise than casual guessing. Results from Lussier's (1995) models underscored the ability of the model in predicting the success and failure of businesses. In measuring the same constructs across different situations, internal validity investigates which instrument items correlate with one another (Hussein, 2015). In measuring internal validity, Cronbach's alpha is typically used (Glynn, 2013; Peterson & Kim, 2013). This generally applies to the measurement of latent variables (Peterson & Kim, 2013).

Experiments/quasiexperiments. In quantitative research, there are eight primary threats to internal validity (Diamantopoulos, Sarstedt, Fuchs, Wilczynski, & Kaiser, 2012). In controlling internal validity, researchers must control and address each threat (Barry, Chaney, Piazza-Gardner, & Chavarria, 2014; Bobinac, van Exel, Rutten, & Brouwer, 2012). These threats include (a) participant characteristics, (b) mortality, (c) location, (d) instrument decay, (e) testing, (f) history, (g) data collector characteristics, and (h) data collector bias (Norris, Plonsky, Ross, & Schoonen, 2015). In experimental design, the typically internal validity issues include history, maturation, testing, instrumentation, regression, selection, morality, and interaction of selection and maturation (García-Pérez, 2012; Norris, Plonsky, Ross, & Schoonen, 2015).

García-Pérez, (2012) defined participants characteristics or selection bias as including the age, gender, ethnicity, intelligence, or socioeconomic status of groups or individuals in a study. In minimizing participant characteristics as a validity concern in this study, I used the total population samples of both all Philadelphia, Pennsylvania solo criminal law practitioners with published email addresses listed in the 2015 Legal Directory of the Philadelphia Bar Association and the PACDA to eliminate selection bias. By including everyone in these studies, this selection bias issue became a non-issue (García-Pérez, 2012).

The mortality threat refers to the loss of participants during a study (García-Pérez, 2012). While researchers take diligence in choosing participants for a study, it is common that at least a small percentage of participants drop out. Intervention studies, which typically occur over time, have issues with high dropout rates of participants (García-

Pérez, 2012; Norris, Plonsky, Ross, & Schoonen, 2015). In correlation studies, the dropout rate can reduce the degree of correlation (García-Pérez, 2012). The mortality threat was also an issue with studies using certain instruments like tests or questionnaires. The failure rate of participants that did not complete questionnaires and tests is approximately 20%. In this study, I used a brief 16-question questionnaire instrument. The research question for this study was: Do known business success variables identified in the research correlate with success experienced by solo criminal law small practitioners?

Pennsylvania solo criminal law practitioners exist as appropriate participants for this study because no research studies have focused specifically on the intent of the researchers goals of this study and this population (Lawson, 2014). Participatory action research approach encourages inclusions of local stakeholders in solving real world problem solving (Edmonstone, 2016; Zuber-Skerritt, 2015). The study participants in this study can maximize opportunities for solo criminal law practitioners understanding and resolve issues they see as important. Strategies for reducing threats of morality in this study include informing participants that they will receive a summary of findings and proposed generalizations to the legal industry.

Location bias can be a validity concern when tests occur in uncomfortable and unstable environments (Edmonstone, 2016; Zuber-Skerritt, 2015). Researchers can control location bias by ensuring that each participant is in consistent testing locations (Moxley, Deacon, & Thompson, 2013; Zuber-Skerritt, 2015). All participants in this study were all solo law practitioners with the same testing options of their office or at home in minimizing location bias. There was not a centralized testing environment in this study and all participants received an emailed questionnaire.

Researchers use instruments to collect data from participants (García-Pérez, 2012; Norris, Plonsky, Ross, & Schoonen, 2015). Surveys, questionnaires, and tests are examples of study instruments. Validity is a concern through instrument decay when the instrument, scorers, administrators, and observers change (García-Pérez, 2012). Instrument decay can lead inconsistent outcomes. By using an established questionnaire in this study instrument decay was a non-issue.

The threat of testing is a validity concern when participants take tests over time (García-Pérez, 2012). An intervention study is an example where testing threats are an issue. This study will use a questionnaire instrument making testing a non-issue in this study. The history effect occurs over long term studies using more than one measurement (García-Pérez, 2012). This study will use a brief 5-10 minute 16-question online questionnaire survey administered by Survey Monkey making the history affect a nonissue. The ethnicity, gender, and age of data collectors can be factors affecting validity. Data collector characteristics were not a concern in this study because Survey Monkey administered the online questionnaire survey in this study making the data collector characteristics a nonissue. Data collector bias occurs in studies when data collectors distort data and or when there is a lack of standardization in data collection (García-Pérez, 2012). To minimize data collector bias, I used a previously published questionnaire survey administered online by Survey Monkey.

I did not use experiments or quasiexperiments in this study. I used a non-experimental correlational approach. Internal threats to validity were not applicable (Peterson & Kim, 2013). I described the rationale for why each issue typically seen as a threat to internal validity was not applicable to correlational studies and there were no threats to internal validity in this study.

Threats to statistical conclusion validity. Threats to statistical conclusion validity are of concern to researchers (Kratochwill, Hitchcock, Horner, Levin, Odom, Rindskopf, & Shadish, 2013).Three conditions threaten statistical conclusion validity and incorrectly reject the null hypothesis (Glynn, 2013; Lovejoy, Watson, Lacy, & Riffe, 2014). These conditions are reliability of the instrument, data assumptions, and sample size (Peterson & Kim, 2013). Threats to statistical conclusion validity ensure that Type 1 error rates are minimized (Peterson & Kim, 2013).

Reliability of the instrument. The reliability of the instrument relies on both internal and external considerations (Glynn, 2013; Lovejoy, Watson, Lacy, & Riffe, 2014). Test-retest reliability or other indicators of the truthfulness of self-reported business variables (e.g., company size and age) would be more appropriate indicators of reliability when examining non-latent business variables. In addition, I contacted Dr. Lussier and he stated that his model was tested in multiple countries and proven to be reliable (R. Lussier, personal communication, October 21, 2015). External reliability seeks to ensure stable and consistent over repetitive measurements (Peterson & Kim, 2013). In 2001, Lussier and Pfeifer conducted a cross-national small businesses prediction study in the Republic of Croatia. In Chile, accounting for 96% of variance, Lussier and Halabi's (2010), success-failure prediction model predicted the success or failure of businesses that supported the validity and reliability verification of the variables in Lussier's (1995) prediction model. Lussier (1995) used a logistic regression for data analysis.

Data assumptions. Data assumptions vary by the statistical tests (Farrokhi & Mahmoudi-Hamidabad, 2012; Suresh & Chandrashekara, 2012). The majority of statistical tests make certain assumptions about the data to ensure that any analysis is suitable for hypothesis testing (Suresh & Chandrashekara, 2012). Assumptions are often checked through statistical tests as formal guides to ensure that appropriate null hypothesis tests are performed (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). If assumptions are violated, incorrect cause-effect relationship inferences can occur (Rao, 2012). The robustness of statistical tests indicate how sensitive the statistic is to assumption violations, or how likely assumption violations are to lead to Type I or Type II errors (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). The most popular measure of reliability and internal consistency reliability is achieved through the Coefficient alpha (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). In multiple regression, assumptions include normality, outliers, homoscedasticity, multicollinearity, linearity, independence of residuals, and equality of variances (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). In ANOVA, assumptions include normality and equality of variances (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). Outliers are tested via scatterplots (Robinson, 2014). Normal Probability Plot (P-P) of the Regression Standardized Residual is used to test multicollinearity, normality, linearity, homoscedasticity, independence of residuals (Farrokhi & Mahmoudi-Hamidabad, 2012). In ANOVA testing, normality is tested with histograms and equality of variances is tested with Levene's test of equality of variances (Farrokhi & Mahmoudi-Hamidabad, 2012).

Sample size. Sampling techniques allow findings from a sampling frame to be generalized to target populations (Bosco, Aguinis, Singh, Field, & Pierce, 2015; Fritz, Morris, & Richler, 2012; Khazaal, van Singer, Chatton, Achab, Zullino, Rothen, & Thorens, 2014). Researchers must employ strategic approaches to gain access to potential study participants (Ramo & Prochaska, 2012). This researcher used the total population sample of both Philadelphia, Pennsylvania solo criminal law practitioners with published email addresses listed in the 2015 *The Legal Directory of the Philadelphia Bar Association* and members from the PACDA. The target populations in which findings were generalized were other solo criminal law practitioners outside of Philadelphia, Pennsylvania.

Simple random sampling exists as a probabilistic sampling procedure where every member of the designated population has an equal opportunity of being chosen (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). Random sampling procedures similar to some web and online surveys allow all population members to have equal opportunities of being selected for a study (Khazaal, van Singer, Chatton, Achab, Zullino, Rothen, & Thorens, 2014). A census sample involves sending an invitation to participate to everyone in the population (Khazaal, van Singer, Chatton, Achab, Zullino, Rothen, & Thorens, 2014). In this study, I used the total population samples of both all Philadelphia, Pennsylvania solo criminal law practitioners with published email addresses listed in the 2015 Legal Directory of the Philadelphia Bar Association and PACDL. The 2015 legal directory listed 738 criminal attorneys (Legal Directory 135th Edition PA., 2015). Of the 738 attorneys, only 222 met the criteria of this study not including my previous employer that was a solo attorney law practitioner. Of the 850 members of the PACDL, only 530 met the criteria for this study.

In analytic and descriptive studies, the design of a study has an enormous impact on sample size (Irvine, Drew, & Sainsbury, 2013; Rao, 2012; Suresh & Chandrashekara, 2012). The goal of having an optimal sample serves in assuring adequate power toward detecting statistical significance and achieving an appropriate sample size for the study (Irvine, Drew, & Sainsbury, 2013; Rao, 2012; Suresh & Chandrashekara, 2012). Level of significance, effect size, alpha level, and the power level are important in calculating sample sizes in quantitative studies (Sun, Peng, & Pandey, 2014). A census sample involves sending an invitation to participate to everyone in the population (Irvine, Drew, & Sainsbury, 2013). While G*Power, a statistical software package is appropriate in conducting an *a apriori* sample size analysis, this analysis was not needed in this study because a sample of both everyone with email addresses listed in *The Legal Directory of the Philadelphia Bar Association* and the PACDA were scheduled (Faul, Erdfelder, Buchner, & Lang, 2007). Given the proposed sample procedure in this study, G*Power software was not needed to determine the appropriate sample size for this study (Suresh & Chandrashekara (2012).

External Validity

External validity is related to the sampling strategy and probability random sampling strategies (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). Sampling typologies include non-probabilistic and probabilistic sampling (Farrokhi & Mahmoudi-Hamidabad, 2012; Robinson, 2014). Probabilistic sampling strategies served in enhancing external validity where non-probabilistic approaches decrease external validity (Farrokhi & Mahmoudi-Hamidabad, 2012; Rao, 2012; Robinson, 2014; Suresh & Chandrashekara, 2012). I used the total population sample of Philadelphia, Pennsylvania solo criminal law practitioners with published email addresses listed in the 2015 *The Legal Directory of the Philadelphia Bar Association* and the PACDA. Quantitative research approaches frequently use purposeful sampling in data collection and analysis toward identification and selection of specific study participants connected to the phenomenon of interest (Farrokhi & Mahmoudi-Hamidabad, 2012). Non-probabilistic sampling procedures include selected criteria from target populations based on alliances within the purpose of the study and hinder external validity (Farrokhi & Mahmoudi-Hamidabad, 2012; Rao, 2012; Robinson, 2014; Suresh & Chandrashekara, 2012). Participants chosen in purposeful sampling are based on the criteria of the study (Glynn, 2013; Irvine, Drew, & Sainsbury, 2013).

External validity is the magnitude to which results of a study are applied to different settings and generalized to wider populations (Bosco, Aguinis, Singh, Field, & Pierce, 2015; Fritz, Morris, & Richler, 2012; Khazaal, van Singer, Chatton, Achab, Zullino, Rothen, & Thorens, 2014). According to the gradient of proximal similarity, the more similar the sample is to the people you want to generalize to, the better you can generalize your findings. If the people you want to generalize to are not similar to the people in your sample, the external validity is weak (Norris, Plonsky, Ross, & Schoonen, 2015).

The scope of this quantitative study was to determine and understand the nature and strength of the relationships between dependent and independent variables as identified by Lussier (1995, 2014). Four logic tests formed the basis from which to establish the quality of research. These tests are reliability, validity, internal validity, and external validity (Glynn, 2013). Establishing the reliability and validity of research findings is a primary goal of researchers (Yilmaz, 2013). Reliability refers to the ability of future researchers to make the same observations of a phenomenon if they conduct the research using the same procedures (Barry, Chaney, Piazza-Gardner, & Chavarria, 2014; Yilmaz, 2013). Validity is the extent to which the research can be trusted to represent the phenomenon under study with precision (Barry, Chaney, Piazza-Gardner, & Chavarria, 2014; Yilmaz, 2013). Researchers use internal validity to establish a causal relationship between various conditions in an explanatory study (Glynn, 2013). External validity refers to the generalizability of a study’s findings (Barry, Chaney, Piazza-Gardner, & Chavarria, 2014; Peterson & Kim, 2013). The specific tactics used for each of the quality tests are difficult to identify and do not apply to every study (Gacenga, Cater-Steel, Toleman, & Tan, 2012; Glynn, 2013; Yilmaz, 2013). In this section on validity, I addressed both internal and external validity, threats to statistical conclusion validity, reliability of the instrument, data assumptions, and sample size.

Transition and Summary

In this study, I sought to examine the relationship of business performance variables on solo criminal law practices to determine which variables best supported solo criminal law practitioner business success. In section 2, I documented the proposed research methodology. In section two, I identified the researcher's role, offered rich descriptions of the study participants, correlational quantitative research method and design, details on the targeted population selected of the study, sampling and recruiting procedures, and Lussier's (1995, 2014) data collection, analysis techniques, and data collection instrument.

Section 3 presents a summary and presentation of the findings, results of the study, and analysis of the collected data. This section includes appropriate descriptive and inferential statistical methods toward testing the hypotheses, analyzing the collected data, and resulting conclusions of this study. This quantitative study concludes with a report on applications to professional practice, implications for social change, benefits in using the study, recommendations for future study, and researcher reflections.

Section 3: Application to Professional Practice and Implications for Change

Introduction

The purpose of this quantitative study was to examine the relationships between critical business performance variables and small business success for solo criminal law practices. Modeled on Lussier's (1995, 2014) success verses failure prediction models, my goal for this study was to determine critical business practices used by the targeted population. The targeted population used in this study was Philadelphia, Pennsylvania solo criminal law practitioners. The independent variables (X_i for $_i$ = 1 to 16) in this study identified variables from prior studies developed by Lussier (1995-2014) as critical in predicting small business success. The dependent variable was profits experienced by the targeted firms.

The research question for this study was: Do known business success variables correlate with success experienced by solo criminal law small practitioners? The null hypothesis (H_0) was: There is no relationship between the 16 known business variables as defined by Lussier and the level of success of solo criminal law practitioners. The alternative hypothesis (H_1) was: There is a relationship between the 16 known business variables as defined by Lussier and the level of success of solo criminal law practitioners hence two-tailed tests were used.

Kendall tau tests showed that the null hypothesis accepted 15 out of the 16 variables. Kendall tau tests demonstrated that the null hypothesis was rejected and the alternative hypothesis was accepted on one of Lussier's variables. Specifically, the findings showed that there was a statistically significant relationship between the development of a start-up plan and the degree of success experienced by the targeted population (τb=*.322, p (.037) >.05*).

Presentation of the Findings

In this section, I discuss and illustrate statistical testing, the variables, purpose of the tests, and their relationships to the hypotheses. This section also includes descriptive statistics, evaluation of statistical assumptions, and inferential statistical analyses. In analyzing the findings, I share how the findings answer the research question.

Data Collection

I used SurveyMonkey to collect the data using Lussier's (1995, 2014) self-administered survey questionnaire. Emails sent to the attorneys included a cover letter in the body of the email noting the purpose of study, the informed consent form, and four criteria based if-then questions to determine eligibility for the study (see Appendix C). SurveyMonkey's tracking processes monitored eligibility and nonrespondents. Employing initial if-then statements served in eliminating attorneys that did not meet the criteria of the study. By asking if-then statements, each attorney was qualified as a Philadelphia, Pennsylvania solo criminal law practitioner in private practice. Participants had to respond yes to all four of the if-then questions to participate in this study. Based on the what-if qualification questions, 21 attorneys were disqualified and not included in the study.

The self-administered survey was open for 196 days from November 26, 2016 through June 9, 2017. A total of 752 participants were invited to participate in the study. Of the 752 participants, 222 were from the Philadelphia Bar Association and 530 from the PACDL. Of the 752 attorneys that were invited to participate, 210 (27.9%) opened the invitation, 283 (37.6%) did not open the emailed invitation, 132 (17.6%) emails bounced back as undeliverable, 69 (9.2%) opted out of all future emails, six (0.8%) were incomplete, two (0.3%) rejected the consent form, and based on the what-if qualification questions, 50 (6.6%) attorneys were disqualified and not included in the study. The final sample for this study was 31 Philadelphia, Pennsylvania solo criminal law practitioner participants. The analyses of Lussier's (1995, 2014) 16 independent variables and the dependent variable follow. Raw data from 31 (N= 31) completed surveys were downloaded from SurveyMonkey into SPSS Version 23 statistical software for data analysis.

Data Analysis

In this study, I sought to understand the nature and strength of the relationship between the 16 independent variables and the dependent variable of the degree of success expressed as profits experienced by the small business owners for Philadelphia, Pennsylvania solo criminal law practitioner participants. I used correlation analysis and only reported results if correlations were significant at the $p > .05$ level. Lussier's (1995) studies used Kendall tau to analyze the nonparametric correlation tests examining the strength of the relationships in his questionnaire. In duplicating Lussier's study, I used Kendall tau in analyzing the raw data. While Kendall tau is less sensitive to errors with small sample sizes, Kendall tau measures the strength and direction between two variables and is appropriate in measuring the correlation for such variables, testing hypotheses, and especially when a bivariate relationships of ordinal are present in both variables (Grötsch, Blome, & Schleper, 2013; Wright, Cairns, & Bradfield, 2013). Correlation designs are frequently used in quantitative research in assessing bivariate correlation.

I used a Kendall tau correlation to determine the relationship between Lussier's 16 independent variables and the dependent variable of 'level of profits' for the 31 participants. Research Question 9 was: What type of start-up plan was developed by the firm. The Kendall tau test showed that the null hypothesis was accepted and the alternative hypothesis was rejected on all but Ho9. Specifically, Ho9 states: There is no relationship between the type of start-up plan that was developed by the firm and the level of success of solo criminal law practitioners. $H_1$9 stated: There is a relationship between the type of start-up plan that was developed by the firm and the level of success of solo criminal law practitioners. Results from the Kendall tau test showed that there was a statistically significant relationship between the type of start-up plan that was developed by the firm and the level of success of solo criminal law practitioners ($\tau = .322, p = .037$). Correlations, research questions, corresponding hypotheses, and related results follow.

Research Questions, Hypotheses, and Findings

In this study I extended the research of previous authors and followed their methodologies except in relation to chi-square tests. Former studies by Lussier (1995, 2014), and studies duplicating his work, have typically used Kendall Tau and chi-square tests. Chi-square tests usually represent a goodness of fit test between what really occurred and what was anticipated. The hypothesis in this study was about correlations with the dependent variable. I did need to use chi-square tests for "goodness of fit."

The hypothesis in this study was about correlation with the dependent variable. There were 16 variables. Eleven variables were Likert scale questions. Six questions were demographic including questions of age, education, parents, partners, and experience. Only Research Question 9 had any statistically significant relationship between the degree of success experienced by the targeted population hence for the other 15 hypotheses, the null hypothesis was accepted and the alternative hypothesis was rejected.

Table 4 indicates that only research question 9 had any statistically significant relationship between the degree of success experienced by the targeted population thereby accepting the null hypothesis and rejecting the alternative hypothesis of the other 15 research questions. Research Question 9: What type of start-up plan was developed by the firm?

$H_0$9: There is no relationship between the type of start-up plan was developed by the firm and the level of success of solo criminal law practitioners.

$H_1$9: There is a relationship between the type of start-up plan was developed by the firm and the level of success of solo criminal law practitioners ($\tau = .322, p = .0322$*).

Table 4

Correlations - Kendall's Tau_b *(N = 31)*

Research Question	Independent Variable	Level of Profits
1	Owner Age at StartUp	0.064 0.659
2	Years of Industry Experience	-0.008 0.956
3	Years of Mngt Experience	-0.115 0.466
4	Firm Started by >1 Owner	-0.241 0.155
5	Owners' Parents Own Business	-0.073 0.668
6	Owner with Masters Degree	-0.228 0.179
7	Owner Self-Identified as Minority	-0.037 0.828
8	Use of Internet at StartUp	0.073 0.668
9	**Type of Business Plan at StartUp**	**0.322*** **0.037**
10	Amount of Professional Advice	0.057 0.707
11	Record Keeping & Financial Control	0.151 0.323
12	Recruiting & Retaining Employees	0.024 0.877
13	Stage of Owner's Legal Skills	0.091 0.555
14	Stage of Economy at StartUp	0.053 0.722
15	Owner's Marketing Skills	-0.193 0.209
16	Amount of Operating Capital	-0.040 0.799

Note. *Correlation is significant at the $p > 0.05$ level (2-tailed).

Summary

The overarching research question for this study was: Do known business success variables correlate with success experienced by solo criminal law small business practitioners? Specifically, the 16 hypotheses representing the independent variables (X_i for $_i$ = 1 to 16) in this study identified variables from prior studies developed by Lussier (1995-2014) as critical in determining business success. There were a total of *N*=31 respondents. Fifteen of the variables showed no relationships with the level of success of solo criminal law practitioners. Only one hypothesis was statistically significant. $H_1$9: showed a relationship between the type of start-up plan developed by the firm and the level of success of solo criminal law practitioners ($\tau = .322, p = .0322$). Significance of the type of start-up plan developed by the firm is consistent with Lussier's (1995) original studies through his current work. According to Lussier (1995), businesses that develop specific business plans have a greater chance of success than other firms.

In a recent and related study by Hyder and Lussier (2016), the need for specific planning was also significant. While many respondents in this study did not know how to develop their own detailed business plans, the significance of planning was understood and included in newer business startups. In the 2010 Lussier and Halabi study, planning was the sole significant factor at the ($p=.044$) level. None of Lussier's other 16 variables were significant at the .05 level. Lussier's (Halabi & Lussier, 2014; Hyder & Lussier, 2016; Lussier, 1995; Lussier & Corman, 1996; Lussier & Pfeifer, 2001; Lussier & Sonfield, 2012; Sonfield, Lussier, Pfeifer, Manikutty, Maherault, & Verdier, 2005) studies indicate a variety of variables contribute to the success and failure of firms with business planning among the top factors. In Lussier and Corman's (1996) study, planning was (*p (.65) <.001)*. In 2001, Lussier and Pfeifer found business success was present when more specific planning was engaged.

Applications to Professional Practice

The need for business planning is not a new concept. Lack of proper business planning, core competencies, and business acumen, were cited in historical and current research as indicators of business success (Parker, 2012b; Shah & Pahnke, 2014). The Small Business Association (SBA; 2012) described the business plan as a living roadmap for business success with projections 3-5 years into the future. Overwhelming numbers of small businesses fall victim to the lack of business acumen and business planning leaving them susceptible to becoming one of the seven out of 10 ventures that fail each year (SBA, 2012).

In this study, I sought to understand the nature and strength of the relationship between Lussier's (1995, 2014) independent variables and the dependent variable of the degree of success expressed as profits experienced by the small business owners for Philadelphia, Pennsylvania solo criminal law practitioner participants. Self-administered surveys were sent to 752 participants from the Philadelphia Bar Association and the PACDA. The final sample for this study was 31 Philadelphia, Pennsylvania solo criminal law practitioner participants. The analyses of Lussier's (1995, 2014) 16 independent variables and the dependent variable of this study indicate that knowledge and information from this study could benefit Philadelphia, Pennsylvania solo criminal law practitioner participants.

Implications for Social Change

Implications for social change are imbedded within the scope of the problem statement. Solo law offices account for 75% of attorneys in private practice yet many solo criminal law practitioners are without needed business acumen. Little business practice management exists in the law literature to support solo practitioner success and avoid business failure (American Bar Association, 2014c; Herrera, 2012; Lawson, 2014). With 50% of small businesses failing within 5 years, there is a need for preparing solo criminal law practitioners for successful business ownership is critical (Herrera, 2012; Small Business Administration, 2012). Positive social change implications for this study include increased employment opportunities. Increased employment opportunities directly impact the economy in creating economic expansion.

Recommendations for Action

Unemployed attorneys apply for non-attorney jobs in an effort to reverse unemployment. Alternatives to taking jobs for which they are overqualified, attorneys become court appointed attorneys. As documented in this study, many court appointed attorneys go on to become solo practitioners. Low barriers to entry exist for these attorneys. This study supports recent changes in law school curriculum where law schools are beginning to address the need for practical operational business skills (Herrera, 2012). More importantly, based on the findings from this study, I address the specific business problem of this study in that some solo criminal law practitioners did not understand the critical business performance variables that impact small business success. Business planning provides a goal-oriented framework for business owners (Lussier, 1995; Small Business Association, 2012).

Lussier (1995) argued that firms without specific business plans were more susceptible to failure. Business planning initiatives were prescriptive in growing sustainable organizational infrastructures. A firms' planning strategy served as an infrastructural base supporting its vision. The type of start-up plan developed by firms drives the strategic operational processes. As with Lussier's studies and other work that supports factors that grow small businesses, work herein also supports the professionals that support small businesses. Failed businesses resulting from business failure is an expensive and disruptive burden to business owners, stakeholders, and communities (Lussier & Sonfield, 2010).

Recommendations for Further Research

Attorney business owners fall prey to the same statistic as other business owners in that 50% of all small businesses fail within the first 5 years. And while 75% of the 1,281,432 active United States licensed attorneys are solo law practitioners in private practice, there is a need for preparing these attorney business owners for successful business ownership (American Bar Association, 2014b; Herrera, 2012; Lawson, 2014; Small Business Administration, 2012; Tung, 2013). Legal practice settings are led by solo practitioners at a rate of 48% followed by firms with 2-5 lawyers at 15% (American Bar Association, 2014b; Legal Directory 135th Edition PA, 2015). Based on the background of this study, additional research of the legal field from business professionals and researchers may bring light to an otherwise self-contained field. Future work in addressing entrepreneurial needs of current and potential attorney small business owners serve in reversing the number of small business failures.

Section one of this study identified limitations in the chosen population of solo criminal law attorneys and attorneys practicing in Philadelphia, Pennsylvania. The intent of this study was to provide robust data that would be generalizable to solo criminal law practitioners outside of Philadelphia, Pennsylvania. The second limitation existed in determining if the chosen geographical area would capture vigorous findings about lowering business failures and toward social change endeavors. Future research can include criminal attorneys in other geographical locations and in other areas of law. This study supports recent changes in law school curriculum where law schools are just beginning to address the need for practical operational business skills (Herrera, 2012). Research opportunities in this field promises to grow as more law schools recognize the need to offer business education in traditional law school curriculum. The final limitation was in participants providing accurate responses to the survey questions. With 50% of small businesses failing within 5 years, small business owners greatly benefit from providing accurate responses to business related research studies (Small Business Administration, 2012). All industries including attorney firms are equally susceptible to business success or business failure. We can hope that participants of this (and future) studies provide accurate responses toward growing and supporting small businesses.

An unexpected limitation of this study was the small sample size. Of the 752 participants from the Philadelphia Bar Association and the PACDA that were invited to participate in this study, only 31 (4%) of attorneys completed the survey. The foundation of this study stated that solo law offices account for 75% of attorneys in private practice, yet many solo criminal law practitioners are without needed business acumen and little business practice management exists in the law literature to support solo practitioner success (American Bar Association, 2014c; Herrera, 2012; Lawson, 2014). While law schools are beginning to address the need for practical operational business skills and most academic coursework and literature neglecting the solo practitioner, the solo practitioner was not available and or interested in this specific study designed just for them (Herrera, 2012). Future research can continue to support this population and develop additional studies of this nature in other geographic locations and types of attorneys besides solo law practitioners.

Reflections

As I reflect back on the goal of the study, possible personal biases, and preconceived ideas I realize that the quantitative findings of my study leave a quandary of new questions and queries. I started with a seemingly simple query as to why some businesses succeed and others fail within the first 5 years. In a circular nexus of why and how, I encountered a participant pool that is collectively the majority at 75% of its industry, an industry that does not include this population in research, and when given the opportunity to be counted, only 4% of the 75% of this population responds? While movie quotes are not traditionally found in scholarly writing, I cannot help but to think that I fell for the classic, "If you build it, they will come" (Field of Dreams, 1989). This follows my preconceived idea that if something is proven or given, or an attempt to prove or if something is offered, participation or some other action will follow.

The low response rate of this study did two things. First, my preconceived idea that focusing on this population would bring about positive change was adjusted by low participation. Second, a greater problem for my population was revealed in that my population does not know that there is a problem (an uninformed population). The general business problem in this study was a lack of knowledge of how critical business performance variables can affect small business success. The specific business problem of this study was that some solo criminal law practitioners did not understand the critical business performance variables that impact small business success. While the findings of this study did show significant results in one of the variables, it remains critical for this population to participate and read business related research. I remain hopeful for this population that future research opportunities exist in supporting this population to achieve understanding of the critical business performance variables that impact small business success. My interest in understanding why some businesses fail and other succeed remains constant.

Conclusion

A Kendall tau correlation was used to determine the relationship between Lussier's 16 independent variables and the dependent variable of 'level of profits' for the 31 participants. There was a single statistically significant relationship between the type of start-up plan that was developed by the firm and the level of success of solo criminal law practitioners ($\tau = .322, p = .0322^*$). The null hypothesis was accepted and the alternative hypothesis was rejected on Lussier's (1995, 2014) other variables.

With 50% of small businesses failing within 5 years, a need still exists for preparing solo criminal law practitioners for successful business ownership (Herrera, 2012; Small Business Administration, 2012). The general business problem in this study was a lack of knowledge of how critical business performance variables can affect small business success. The specific business problem of this study was that some solo criminal law practitioners did not understand the critical business performance variables that impact small business success. This study had a low response rate of only 4%. With such a low response rate, and a history of solo and smaller firms not included in research, a larger research need exists for America's 1,281,432 active licensed attorneys that account for 75% of all attorneys in private practice. This need encourages solo and small law firms to participate in research studies to grow their practices and business endeavors (American Bar Association, 2014b; Lawson, 2014; Tung, 2013).

This study showed a significant relationship between the type of start-up plan developed by the firm and the level of success of solo criminal law practitioners. Small business owners from every industry including solo criminal law practitioners benefit from business acumen and sound business planning (Herrera, 2012; Lawson, 2014). Success in business is best achieved with business planning initiatives focused toward growing sustainable organizations. The findings from this study support the Small Business Association's (2012) definition of a business plan as a living roadmap for business success.

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Appendix A: Instrument

Revised from Lussier's 1995 and 2014 Questionnaires

(1) What was the age of the owner at start up? ________ Years

(2) How many years of industry experience did the owner have prior to running this firm? ________ Years

(3) How many years of management experience did the owner have prior to running this business? ________ Years

(4) Was the firm started by more than one owner?

1 Yes 2 No

(5) Did the owners' parents own their own business?

1 Yes 2 No

(6) Did the owners have a Master's Degree prior to startup?

1 Yes 2 No

(7) Is the owner a Minority?

1 Yes 2 No

(8) Did the business use the Internet at startup?

1 Yes 2 No

(9) What type of start-up business plan was developed by the firm prior to startup?

	Very Specific		Specific	General	No Plans	
1	2	3	4	5	6	7

(10) As a start-up firm, what amount of professional advice (accountants, lawyers, bankers, etc.) did your business use?

Great use of Advisors Advisors not used

1 2 3 4 5 6 7

(11) What degree of record-keeping and financial control did the business use at start up?

Inadequate - Very Poor Adequate - Very Good

1 2 3 4 5 6 7

(12) What level of difficulties did this firm have recruiting and retaining quality employees as a start-up business?

Much difficulty Some Little difficulty

1 2 3 4 5 6 7

(13) At what stage were your individual legal skills when the firm was started?

Introduction Growth Mature Decline

1 2 3 4 5 6 7

(14) In what stage was the economy when the firm was started?

Recession Expansion

1 2 3 4 5 6 7

(15) The owner's level of marketing skills prior to starting this firm was:

Low/Unskilled High/skilled

1 2 3 4 5 6 7

(16) This business was started with what amount of operating capital?

More than needed About right Less than needed

1 2 3 4 5 6 7

The dependent variable examined the level of profits of the population (choose most appropriate).

Appendix B: Permission to Use Instrument

Revised Permission Received from Dr. Lussier on 05/05/2014

Subject: Re: Request to use your model

Date: Mon, May 5, 2014 at 9:03 AM

Hi Renee,

Yes. You have my permission to use any variables from my prior studies.

Good luck
Dr. Robert N. Lussier
Professor of Management
Department of Business Management
Springfield College
Springfield, MA 01109
Author of more than 400 publications.

More than 1 million students globally have used Lussier books

Revised Request for Permission Sent to Dr. Lussier on 05/02/2014

Dr. Lussier,

I am a doctoral student at Walden University. In preparation of conducting a research study for my DBA in Business Administration, I am seeking permission to use your study.

You previously approved permission to use the 15 variables in your business success versus failure prediction model. While the 15 variables serve as variables exploring small business success and or failures, your more recent study 'A model for predicting small firm performance: Increasing the probability of entrepreneurial success in Chile' contains variables more representative of the direction of my study. With this, I am requesting to use the 2014 study with Dr. Halabi.

I am particularly interested in exploring the variables in the 2014 study of:

1. Internet,
2. starting with adequate working capital,
3. managing good financial and accounting records,
4. planning,
5. owner formal education,
6. professional advice,
7. having partners,
8. parents owning a business,
9. and marketing efforts.

My study seeks to understand small business failures by interviewing owners of both successful and failed small law firms in Pennsylvania. As a previous entrepreneur, small business consultant, and current operations director of a local law firm, I have witnessed firsthand how many small businesses enter business without proper preparation. Your work and future work in addressing needs of current and potential small business owners serve in reversing the number of small business failures.

I appreciate receiving your permission in this end, as well as any insight you feel appropriate.

Respectfully,

Renee Norris-Jones

Permission Received from Dr. Lussier on 12/11/2013

Subject: Re: Request to use your model

Date: Wed, Dec 11, 2013 at 10:22 AM

Attachments: Questionnaire_S_or_F.docx

Hi Renee,

You have my permission to use the questionnaire. I've attached a copy.

For interviews, you will most likely need to expand on the questions to get more detail.

Good luck
Dr. Robert N. Lussier
Professor of Management
Department of Business Management
Springfield College
Springfield, MA 01109

(Author of 395 publications.
More than 1 million students globally have used Lussier books)

Request for Permission Sent to Dr. Lussier on 12/10/2013

Good Afternoon Dr. Lussier,

I am a doctoral student at Walden University. In preparation of conducting a research study for my DBA in Business Administration, I am seeking permission to use the 15 variables in your business success versus failure prediction model. At present, I am unsure if modifications to the questionnaire are warranted. The 15 variables will serve as variables in my study exploring small business failures. My study seeks to understand small business failures by interviewing owners and CEOs of both successful and failed small businesses.

As a previous entrepreneur, small business consultant, and current operations director of a local law firm, I have witnessed first hand how many small businesses enter business without proper preparation. Your work and future work in addressing needs of current and potential small business owners serve in reversing the number of small business failures.

I appreciate receiving your permission in this end, as well as any insight you feel appropriate.

Respectfully,

Renee Norris-Jones

Appendix C: Invitation Email

The participant pool received the following email to request volunteers to complete the research survey.

My name is Renee Norris-Jones and I am a native Philadelphia resident and postdoctoral student at Walden University. You may already know me from my previous association as the Operations and Accounting Director with The Law Offices of Debra D. Rainey, but this study is separate from that role.

I am not associated with any law office, Bar, or Bar Association.

This is a pre-published postdoctoral research study examining business practices from a pure business model perspective. For my doctoral degree, I am conducting a business research survey to examine the relationships of specific business performance indicators as experienced by Philadelphia, Pennsylvania solo criminal law practices. To be a part of this study, you must be a Philadelphia, Pennsylvania solo criminal law practitioner that owns or have owned a solo law office at any time. Qualified participants are invited to take 2-3 minutes to respond to a 16-question online survey. This study will examine legal business practice knowledge from a business model perspective. My study addresses critical needs for research designed to grow and sustain solo criminal law practitioners and your feedback on the survey is important in growing and strengthening solo criminal law practices within this legal community.

Why am I doing this study?

- 75% of all USA attorneys are in private practice (American Bar Association, 2014b).

- The Academic Law Library conducted a national survey with a population of 600 attorneys but only included 13.77% of small firms (American Associations of Law Libraries, 2013).
- Solo law practitioners (48%) and 2-5 attorney firms (15%) lead legal practice settings (American Bar Association, 2014b; Legal Directory 135th Edition PA, 2015).
- The Academic Law Library created a special task force to identify needed skills and acumen in legal practice.

This study builds on this work from a pure business model perspective (American Associations of Law Libraries, 2013). The survey is completely anonymous and cannot be traced to yourself or your business. If you are willing to participate in this study, please complete the 'Begin Survey' button below. If you would like to receive a copy of the results of the study, please forward a separate email to Renee.Norris-Jones@Waldenu.edu. By sending a separate email, your participation will not be linked to your request for study. Thank you for your time and commitment to the success of Philadelphia, Pennsylvania solo criminal law practitioners.

Sincerely,

Renee Norris-Jones, M.S., ABD, Doctoral Candidate

Click the button below to start the survey!