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Starting Your Law Office

III. LAW OFFICE PRACTICE

Themes:

- Review the business side and protocols, policies, and procedures that you need to start and maintain a law office.
  - Keep in mind these are key points; this is not an exhaustive list.

Conversation Starters:

- Business Plan - Do you have a written version of your ideal business plan with your firm mission and vision? Business plan prompts are available at www.wsba.org/guides. Discuss the following with the expectation that they will grow as your practice grows:
  - Target demographic, expected earnings, marketing strategies, expected costs (startup costs).
  - What type of business structure your firm will need (LLC, PS, C Corp, etc.)*.
- Insurance Types - What are the various types of insurance; malpractice and general liability (renting/leasing office space); cyber-liability insurance?
- Policies and Procedures – What written policies and procedures do you have?
  - Active Case File List, Client Communications, Calendaring Systems, Conflicts of Interest Checks System, Confidentiality, Checklists and Systems, Accounting, Personnel, Technology, Document Retention, Succession Planning.

* Choosing a business entity structure can have significant statutory and professional responsibility implications. If you are unsure of the business structure you need, it is recommended that you consult with a business entity lawyer.

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Conversation Starters (continued):

- Templates/Forms - Do you have forms or know of filed cases which might have pleadings I can use as a resource? Do you have examples of the most commonly used templates/forms?

  Pleadings

  - Motions and Orders
  - Discovery (including party and non-party subpoenas, subpoenas duces tecum, interrogatories, notice of intent to subpoena protected records, notice of deposition, etc.)
  - Notice of Intent to Withdraw

  Client Management

  - Engagement/Disengagement Letters
  - Fee Agreements
  - Client Intake Forms
  - Billing Correspondence
  - IOLTA Ledger
  - Conclusion Letters and Documents (for withdrawal and return of funds, closing letter to client, file closing checklist, client authorization of file transfer form, etc.)
  - All of these practice management forms are available at www.wsba.org/guides.

  Firm Administration

  - Procedural Checklists (for ensuring that procedural steps are taken in a timely fashion for service, discovery deadlines, etc.)
  - Letterhead Templates

- Marketing:
  - Do you have a marketing plan for your firm and does it include social media?
  - What techniques do you find most effective?
  - What is included on your website?
  - How are marketing efforts tracked and analyzed?
  - Are there any ethical considerations I should be aware of?

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Activities:

- Have the mentee create a realistic budget—include fixed monthly/annual costs (office lease, insurance, parking, bar dues); a list of fluctuating costs, with highs and lows (CLEs, travel, marketing, office supplies); and a list of assets with one-time purchase price (hardware/software). A starter budget is available at www.wsba.org/guides.
  - Assess what your minimum hourly rate needs to be to maintain and grow your firm.
  - Plan ahead for employees, specifically awareness of tax reporting requirements, L&I requirements, and in-house policies for hiring, firing, discrimination, social media, and maintaining confidentiality.
- Take the new lawyer on a tour of the mentor's office, explaining how client files in mentor's office are managed and discussing the best practices for the following related issues:

  Case and Matter Management
  - Conflict Management
  - Client Intake and Developing a Case Plan
  - Documenting Case Progress and Deadlines
  - File Organization
  - Closing Matters

  Client Relationship Management
  - Correspondence Templates
  - Client Education
  - Crafting Detailed Time Entries
  - Client Retainer and/or Payments Schedules

  Firm Administration
  - Recording Client-Related Expenses
  - Billing and Software Systems
  - Payroll and Tax Accounting
  - Trust Accounting
  - File Retention and Inventory Review

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Resources:

- Discuss what additional resources the mentor/mentee has found useful in their own practice.
- Discuss any technology the mentor/mentee has found useful in practicing law or managing a business practice.
- ABA Law Practice Division, ABA GPS Solo Magazine
- Washington State Bar Association
    - Practice Management Assistance
    - NWSide Bar Blog
    - Going Solo CLE
    - Law Firm Practice Guides
- Local bar associations may have additional resources.