



# PRACTICE MANAGEMENT

ADVISORY SERVICE

## Practice 360° Newsletter

Help us to better understand and respond to your needs by taking our *COVID-19 Law Firm Impact Survey*. [Click Here.](#)

### Calendar

#### Networking

Join us for Networking on Zoom following each Lunch and Learn session.

*(See schedule on the right.)*

#### COVID-19 Resources

[Coping During COVID-19: You Are Not Alone](#) (D.C. Bar, Lawyer Assistance Program)

[COVID-19 and Well-Being](#) (D.C. Bar, Lawyer Assistance Program)

[Well-Being Tips for Working at Home](#) (D.C. Bar, Lawyer Assistance Program)

[Bracing for the Unexpected: Disaster Preparedness for Lawyers](#) (D.C. Bar,

### Successful Small Firm Practice Course

The Successful Small Firm Practice Course began September 14 with eight Monday sessions (12-2 p.m.) and on October 3 with two all-day Saturday sessions. Sessions will be presented on Zoom. The Course is all about starting, growing and managing a law firm and differs from Basic Training in that it explores many topics in-depth with attendees creating work product for evaluation during the sessions.

Rochelle D. Washington leads the Monday, Noon-2 p.m. sessions on September 14, 21, 28; October 5, 19, 26; November 2 & 9.

Daniel M. Mills leads the Saturday sessions, 8:30 a.m. - 4:30 p.m., on October 3 & November 7.

Register by sending an email to [smallfirmcourse@dcbbar.org](mailto:smallfirmcourse@dcbbar.org) and indicating whether you will be attending the Monday or Saturday sessions. The Course is free for D.C. Bar members and their law firm staff.

Practice Management Advisory Service)

[Quick Start Guide to Launching a Firm During the Pandemic](#) (D.C. Bar, Practice Management Advisory Service)

[New Law Firm Quick Start Technology Guide](#) (D.C. Bar, Practice Management Advisory Service)

[Working Remotely During the Pandemic: A Guide to Bar Member Benefits](#) (D.C. Bar, Practice Management Advisory Service)

[Legal Ethics in the Age of Coronavirus](#) (D.C. Bar, Legal Ethics Program)

[Link to other D.C. Bar Covid-19 Resources](#)

## PMAS Events

### October

**October 3** – Saturday session of the *Successful Small Firm Practice Course* (Day 1 of 2)

**October 5, 19 and 26** – Monday sessions of the *Successful Small Firm Practice Course* (Days 4, 5 and 6 of 8)

**October 8** – Lunch and Learn, *The Impact of Social Media Marketing on Your Firm*

**October 15** – Lunch and Learn, *Practice Perfect: Strategies for Growing Your Firm*

**October 19** – Day 1 of Basic Training & Beyond

**October 22** – Lunch and Learn, *A Day in the Life of a Litigation Attorney*

**October 26** – Day 2 of Basic Training & Beyond

## Lunch and Learn

**Due to the pandemic, key Bar services, including PMAS programs, are currently only available online via videoconference.**

**All Lunch and Learn programs begin at Noon.**

Register for any or all at [lunchandlearn@dcb.org](mailto:lunchandlearn@dcb.org)

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### **October 8, 2020**

*The Impact of Social Media Marketing on Your Firm's Online Reputation*, sponsored by Thomson Reuters.

**Register**

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### **October 15, 2020**

*Practice Perfect: Strategies for Growing Your Firm*, presented by Tim Bedford of [Ruby Receptionsists](#).

**Register**

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### **October 22, 2020**

*A Day in the Life of a Litigation Attorney*, presented by Margeaux Thomas of [Thomas Law Office, PLC](#).

**Register**

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Read more at **Small Firm Lunch and Learn Series**

All programs begin at Noon. You may attend by Zoom video conference. Register for any or all [here](#).

The *Lunch and Learn Series* is [here](#). New programs are added regularly. Recordings and materials from recent programs are [here](#). If you have an idea for a program, let us know at: [lunchandlearn@dcb.org](mailto:lunchandlearn@dcb.org).

And if you missed *Affordable Tools, Tech, and Talent to Run a Small Law Firm Remotely with Maddy Martin*; *Overcoming the Crisis: How to Retool your Marketing to Stay Connected and Relevant with*

### **November**

**November 2 and 9** – Monday sessions of the *Successful Small Firm Practice Course* (Days 7 and 8 of 8)

**November 4** – Day 1 of Basic Training & Beyond

**November 7** – Saturday session of the *Successful Small Firm Practice Course* (Day 2 of 2)

**November 18** – Day 2 of Basic Training & Beyond

*(Lunch and Learn schedule for November 2020 to be announced.)*

### **Ethics**

Here is new ethics guidance on **Acceptance of Cryptocurrency as Payment for Legal Fees**. [Legal Ethics Opinion 378](#)

### **Other Events**

[Continuing Legal Education programs](#)

[Communities Events](#)

[Pro Bono Center training programs](#)

*Mary Ellen Hickman; [Running on Empty: Burnout in the Legal Profession](#) with Niki Irish; [Clearing Clutter, Tuning in to Time, Space & Mind](#) with Niki Irish & Tracy Huang; or Mary Ellen Hickman on [Help, I Have No Time for Marketing](#), here are the [recordings and materials](#).*

## **Basic Training & Beyond**

Our monthly [Basic Training & Beyond](#), is set for October 19 and 26 (9:15 a.m. – 4:30 p.m.) We will meet by Zoom videoconference. [Register here](#).

This program has been presented 260 times for more than 3,800 lawyers over the last twelve years and many have launched and are operating small law firms. We keep in touch with many small firms and what we learn informs the content for this program.

## **PMAS Links and Free Downloads**

[Law Firm Management Assessment \(Self-Check\)](#)

[Small firm legal trends and compensation reports](#)

[e-Manual for Basic Training & Beyond](#)

[More PMAS programs](#)

## **From the Desks of Dan and Rochelle**



**D.C. Bar Practice  
Management  
Advisory Service**

**Meet our Advisors:**

Dan Mills, Practice Management Advisor

Rochelle Washington, Practice Management Advisor

## **A Reminder about the Significance of *In Re Mance***

This is the 11<sup>th</sup> anniversary of *In Re Mance*, 980 A.2d 1196 (D.C. 2009) which eliminated the practice of some District lawyers who considered a flat fee paid upfront as earned on receipt and nonrefundable. In *Mance*, the Court of Appeals clarified that as of October 29, 2009 any advance flat fee paid to a District lawyer had to go into the lawyer's Trust Account and could only be earned as legal services were provided. Any unearned portion was to be returned to the client. Entrustment of advance flat fees was arguably the standard since D.C. Rule 1.15 was amended in 2000 however because of a lack of clarity in the rule, *In Re Mance* was necessary to resolve the ambiguity. The D.C. Court of Appeals urged the D.C. Bar to get the word out about becoming *Mance* compliant. I've been talking about *Mance* regularly for 11 years with members, at our programs and in CLE sessions on fee agreements and trust accounts. Last week, I dropped in on an oral argument before the Court and was reminded of the continued need to inform members. The Court is considering [In Re Harr](#), decided last year by the Board on Professional Responsibility, where the respondent allegedly mishandled advance fees in matters both before and after the *Mance* decision was handed down. From the [oral argument](#) last week (*Harr* begins at minute 48), most of the facts are stipulated and there would seem to be no question that the respondent failed to properly handle advance fees in two matters. What is unique about the respondent's defense is his reliance on his admission that he did not know about *Mance* at the time he is alleged to have mishandled advance fees. The Court did not seem to be impressed with the respondent's lack of knowledge of *Mance*. It was clear from the oral argument that judges expect members of the D.C. Bar to keep up with case law, disciplinary decisions, rule changes and the like. If you need an update on how *Mance* impacts handling fees in your firm, reach out to me at [dmills@dcbar.org](mailto:dmills@dcbar.org) I never tire of talking about *Mance*.

-- Dan

## **Things Lawyers Should Consider when Conducting Zoom Meetings**

Zoom can be used safely and securely but, it requires a little work on your part. Zoom has addressed some of the issues of the past where unwanted attendees would and could access meetings. Zoom now has a default feature which includes a meeting password when you set up meetings. Here are a few more things you can do to increase security for your meetings using Zoom.

1. Do not disable the "Passcode" option when setting up your Zoom meetings. You can change the automated code to an alternate code of your choosing.
2. Next to the "Passcode" option, enable the "waiting room." You will have to allow attendees entry when they log-in to the meeting.
3. Do not select "Enable joining before host" as a meeting option unless you are certain no unauthorized person has access to the meeting link and password.
4. Under "Meeting Options" select "Only authenticated users can join." Attendees will have to log-in to Zoom to access the meeting.
5. Do not use the same Zoom link unless you manually change the password every time you use it.

6. Be sure to explain to your clients about attorney/client privilege and the importance of them accessing the meeting from a private location where no one can overhear the conversation and using a secure network.

When using technology there is always inherent risk and some may not be avoidable. To be a prudent lawyer and more importantly to comply with ethics rules you must be mindful of these risks and take all necessary precautions.

-- Rochelle

**Dan & Rochelle**

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