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Lunch and Learn: Day in the Life of a Litigation Attorney

Presented by
Margeaux Thomas

Sponsored by
LAW CLERK

A DAY IN THE LIFE OF A LITIGATION ATTORNEY

PRESENTED BY: D. MARGEAUX THOMAS



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“LITIGATION IS THE
PURSUIT OF PRACTICAL
ENDS, NOT A GAME OF
CHESS.”

- *FELIX FRANKFURTER,
ASSOCIATE JUSTICE OF US
SUPREME COURT (1939-
1962)*

BUSINESS LITIGATION PRACTICE AREAS

- Intellectual Property and Patent Litigation
- Commercial Disputes – Breach of contract
- Employment Law
- Anti-trust
- Franchise
- Real Property
- Business Torts – Conspiracy, Tortious Interference
- Landlord Tenant



WHAT ARE THE ADVANTAGES OF HAVING A NICHE?



Simpler marketing approach



Become a true expert



Face less price sensitivity



You become the “go-to” person for particular matters – prospective clients/ referrals remember what you do.



Clients feel reassured and comforted knowing that they are speaking to an expert regarding their matter

WHAT SIDE ARE YOU ON?



Representation:

- Plaintiff
- Defendant
- Class Action

QUESTIONS TO CONSIDER WHEN MANAGING A BUSINESS LITIGATION LAW PRACTICE

1. How will I ensure that I am keeping myself informed on new laws?



2. What is a good case management system?



3. How will I communicate with my clients?



4. Would I be better off working with or for someone else?

LAW PRACTICE MANAGEMENT



Calendar/Docketing
Process and Procedure



Practice Management and
Billing Software (CLIO,
Practice Panther, MyCase,
etc.)



Document Management



Customer Relationship
Management (“CRM”)
(Contactually)



Website – Leads,
Educational Resource, and
Reputation Verification



Scanner

CLIENT-LAWYER RELATIONSHIP

Understand the client's definition of success regarding their case outcome

Managing the client's expectations

LAW FIRM ECONOMICS

- Bookkeeping
- Staffing (virtual options)
- Fee Agreements (scope of representation and advanced retainers)
- Referral Source Arrangements (co-counsel, of counsel, referral fees)

LAW FIRM ECONOMIC MODEL



LAW FIRM ECONOMICS CONTINUED



- **Marketing**
 - Conferences
 - Business Coaches
 - Speaking Engagements (Podcasts, CLEs, etc.)
 - Networking Events
 - Membership in Legal Organizations (Facebook Groups)

INTAKE



NO UNSCHEDULED
PHONE CALL POLICY



TRACKING LEADS
AND SOURCES



PIPELINE TO
MARKETING

5 SCARY MISTAKES IN MANAGING BUSINESS LITIGATION CASE LOAD AND GROWING FIRM

Delegation

Being a jack of all
trades vs. niching
down

Professionalism
(meetings, emails,
intake, client
communication)

Risk Aversion

Working in Business
vs. On Business

BONUS TIP – KNOWING WHEN TO PIVOT.



- Recognize and understand when something is not working, and then be willing to change your approach
- *"Stay committed to your decisions, but stay flexible in your approach."*
— Tony Robbins
- *"It is not the strongest of the species that survives, nor the most intelligent that survives. It is the one that is the most adaptable to change."*
— Charles Darwin

QUESTIONS?

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