



# Successful Small Firm Practice Series Session Three: Ethics and Small Firm Management

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D.C. BAR 2020*

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# RECAP





# ETHICS AND SMALL FIRM MANAGEMENT

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A business plan  
in writing



# ETHICS AND SMALL FIRM MANAGEMENT

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- Common Pitfalls for small firm lawyers:
  - Lack of organization
  - Improper Calendaring
  - Failure to communicate with clients
  - Too many practice areas
  - Poor Supervision of staff
  - Failure to create a support network
  - Competency in a practice area
  - Too many cases



Don't Do This!



# TOP 5 REASONS FOR BAR COMPLAINT

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1. Neglect
2. Dishonesty
3. Conduct Prejudicial
4. Ineffective Representation
5. Overdraft

# Law Office Systems

Intake

File Set-Up

File Contents

File Maintenance

Conflict Check

Case Management

Calendar/Docket System

Time and Billing

Office Accounting

Trust Accounting



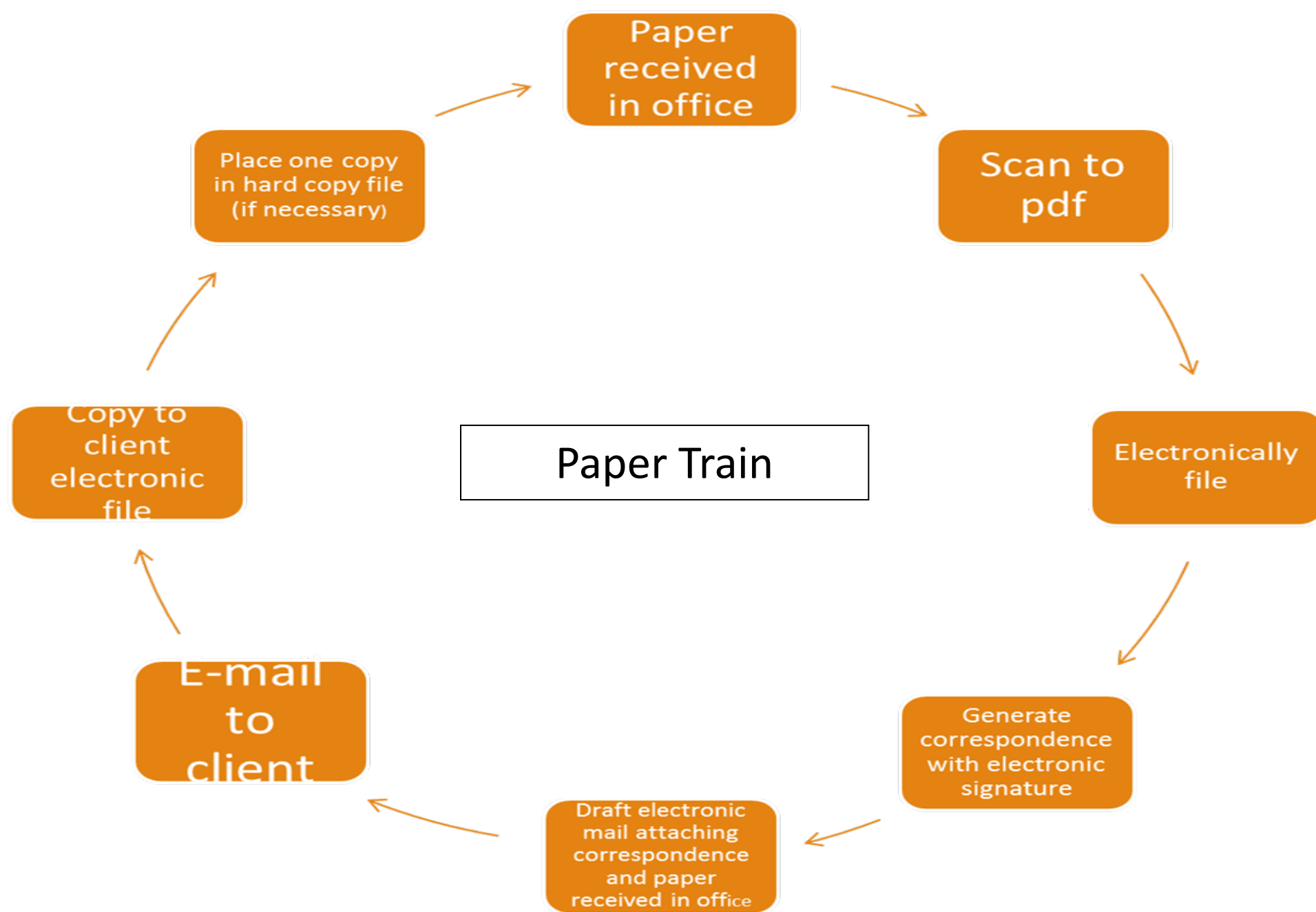




# Create Management Systems

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- For Paper handling
- Client and Files
- Time management



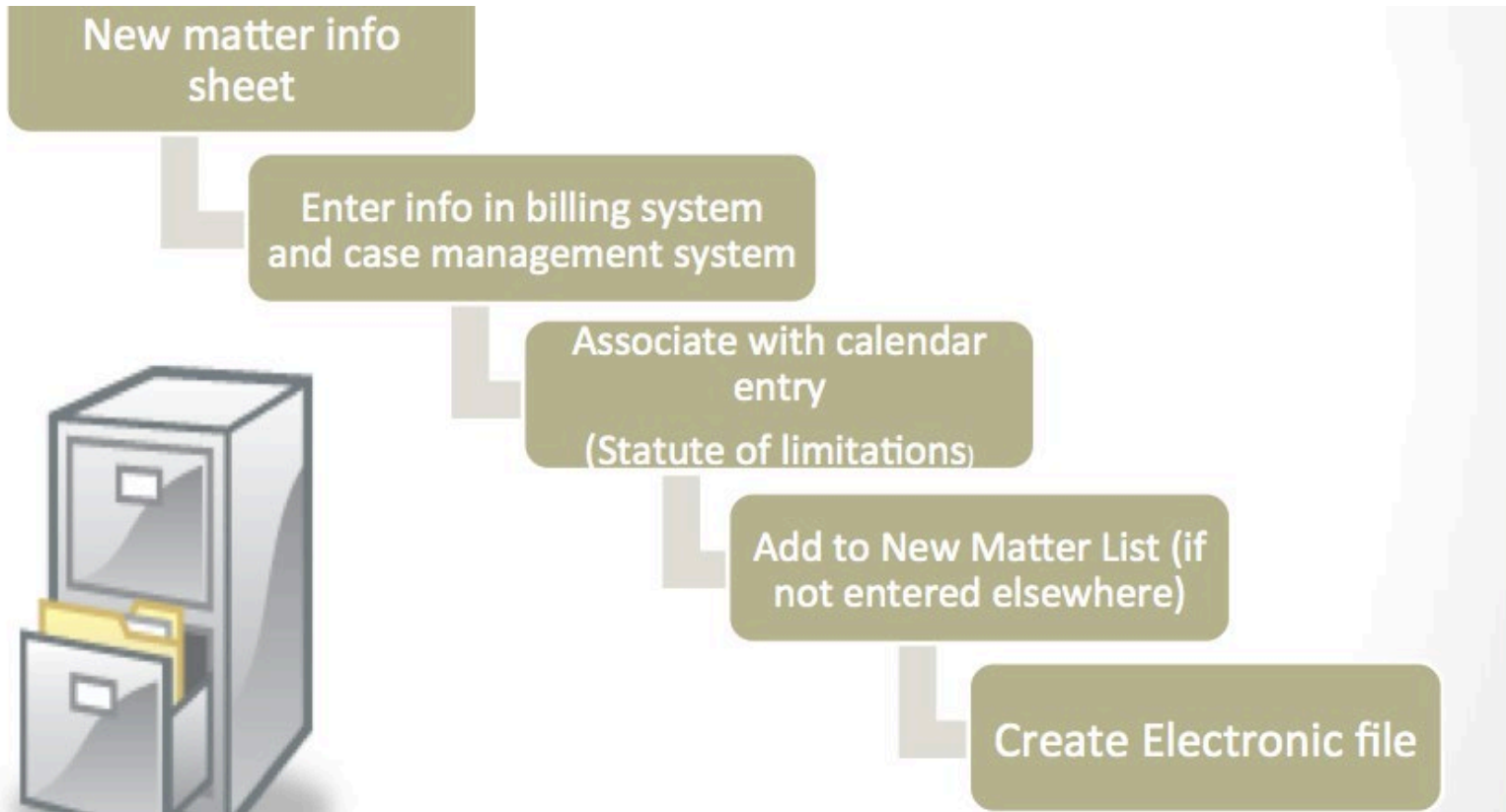
# Intake Process

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Have a Protocol in place:

- Intake Forms
- Pre-Screening
- Office Policies
- Fee Agreements
- Automate





## File Organization

# Closing Files

Mark file as closed in  
billing and CMS

Check your trust account  
for zero balance.

Archive client  
documents

Pull: Junk, reusable  
material

Record as a closed file.  
Identify file box  
number

# Closing Files

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# File Appearance

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- Labeling
  - Distinguish between separate matters handled for same client
  - Can be used *as is* by your billing system
  - Provides some clues as to the age and subject of the file
  - Not too long or complex (avoid mistakes when read or typed in)

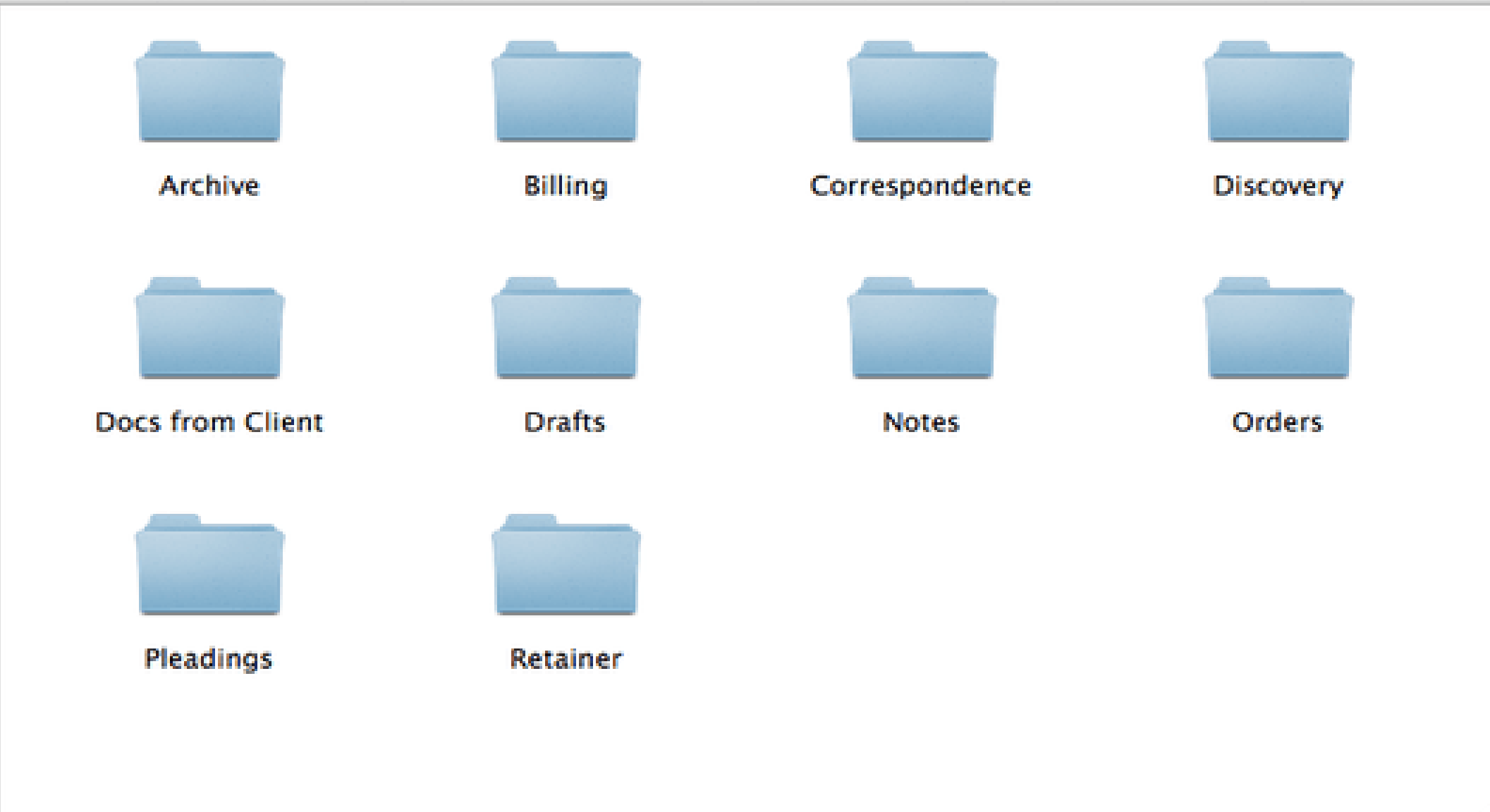
# What's in a name?

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Example:

- **02001JJ**= First file opened in 2002, client Jesse James
- **JJ-W02**= A will file opened for Jesse James in 2002
- **020001-W**= same as above but no client name
- **02001-1**= Categorize types of file by number. Wills are #1
  
- My system: **D-14-101**= 1<sup>st</sup> opened Divorce file of 2014

- FAVORITES**
- Home icon samglover
  - Desktop icon Desktop
  - Documents icon Documents
  - Finances icon Finances
  - Downloads icon Downloads
  - Dropbox icon Dropbox
  - Code icon Code
  - Google Drive icon Google Drive
  - Lawyerist icon Lawyerist
  - Contribut... icon Contribut...
  - Writing icon Writing
- DEVICES**
- Sam's Mac... icon Sam's Mac...
  - Remote Disc icon Remote Disc
- SHARED**

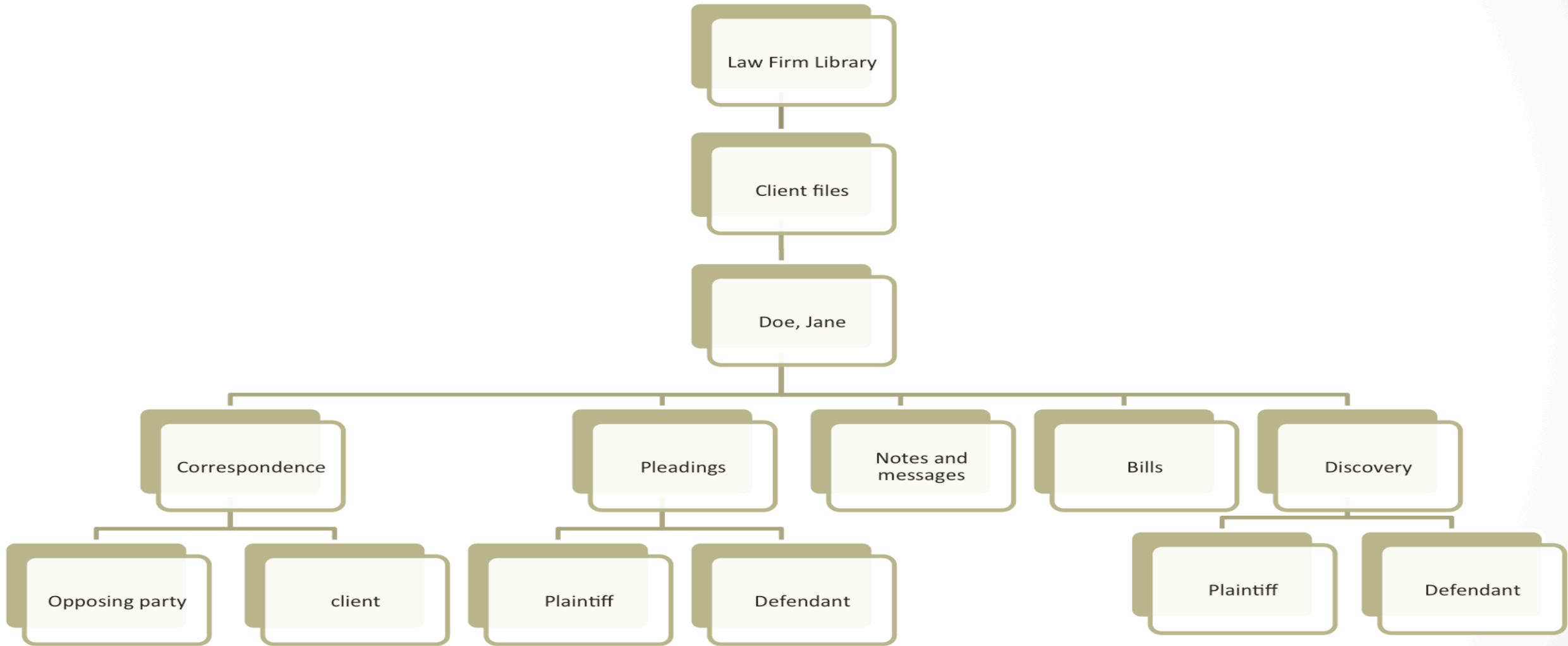


A grid of ten blue folder icons arranged in three rows. The first row contains four folders: Archive, Billing, Correspondence, and Discovery. The second row contains four folders: Docs from Client, Drafts, Notes, and Orders. The third row contains two folders: Pleadings and Retainer.

Archive	Billing	Correspondence	Discovery
Docs from Client	Drafts	Notes	Orders
Pleadings	Retainer		



# Electronic File Organization



# File Contents

- Fee Agreement
- New matter info sheet
- Case notes
- Correspondence
- Court Documents
- Telephone messages
- Log
- Discovery docs
- Expense log



# File Contents

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- Fee Agreement
- New Matter Info Sheet
- Case Notes





# File Contents

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- Log
- Subdividing the file:
  - Administrative
    - Fee Agreement
    - Trust Card
    - Associated Counsel Agreement
    - Medical Releases
    - Other Authorization of Lien



# File Contents

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- **Correspondence**
  - Generated by Your Office
  - Received by Your Office
- **Court Documents**
- **Evidence**
  - Blueprints
  - Contracts/Other Agreements
  - Medical Records
  - Police Records

# File Organization

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General File Organization Systems:

1. Two-hole punch
2. Accordion Folder
3. Three hole (Binder)



# More Management Systems

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01

Checklist for  
Legal  
procedures

02

Bookkeeping/Ac  
counting  
procedures

03

Pricing policies

04

Client Relations  
Policies

05

Financial system

- Aged accounts receivable, cash/credit analysis
- Monthly budget



# File Maintenance

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- Keep a master log of all files
- Consistent numbering system
- File location management system
- Conflict check (do this)

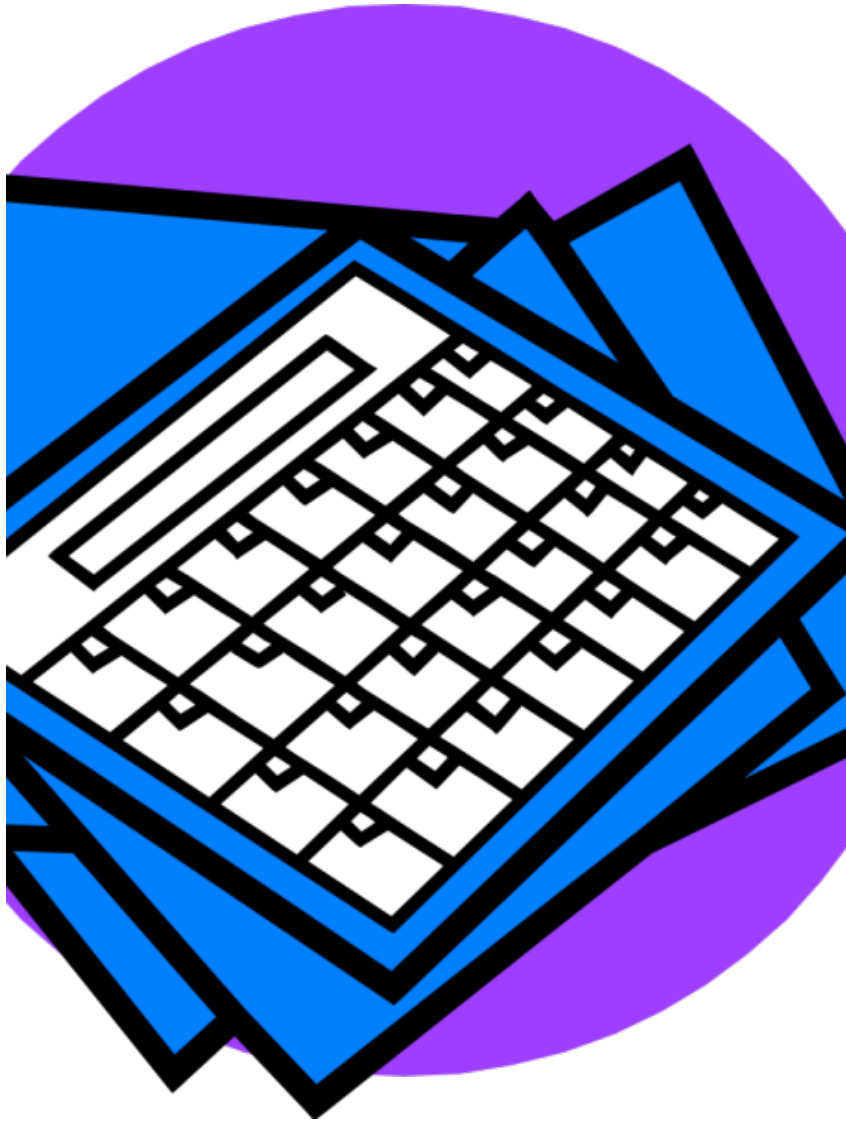


# Conflict Check

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- Create a system
- Intake system for new and prospective clients
- Can use excel or case management system
- May also need
  - Maiden name
  - Names of witnesses
  - Children
  - Employers or businesses owned





# Calendar/Docket

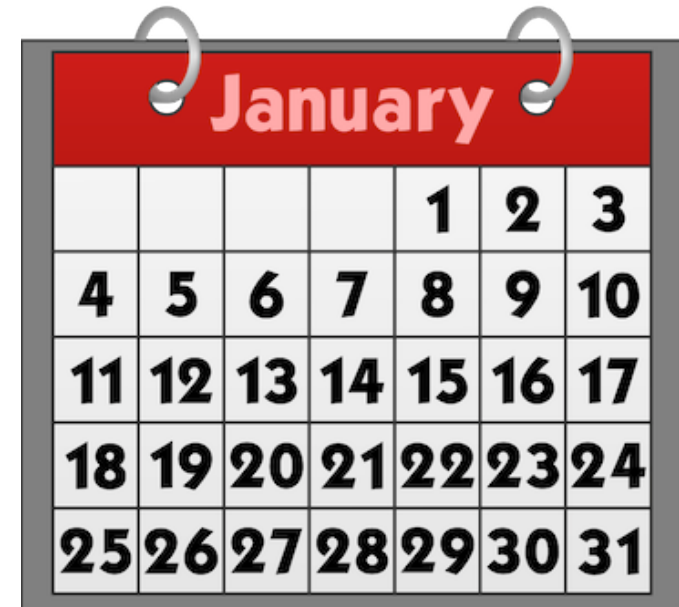
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- Can use separate systems for court dates and then other appointments (not recommended)
- Use one uniform system that includes all important dates
- Office procedure in place to get all court notices placed on calendar
- Office procedure for deadlines
- Use Reminders
- Have a Back Up Calendar

# Calendaring Goals

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1. Automatic and easily adjustable date entries.
2. Accessible to others, e.g. networked.
3. The system should be backed up daily.
4. Reminders for tasks come sufficiently in advance of the task's deadline.
5. Establish repeated reminders, appropriate to each task or deadline.
6. Establish and use follow-up dates for tasks after their completion.



File Home Send / Receive Folder View Adobe PDF

New Appointment New Today Next 7 Day Work Week Month Schedule Open Calendar E-mail Share Publish Calendar Find a Contact Address Book

Court hearing - Appointment

File Appointment Insert Format Text Review Add-Ins

Save & Close Delete Calendar Forward OneNote Appointment Scheduling Assistant Invite Attendees Show As: Busy Reminder: 15 minutes Recurrence Time Zones Categorize Private High Importance Low Importance Tags Zoom Zoom

Subject: Court hearing

Location:

Start time: Mon 5/4/2015 10:00 AM All day event

End time: Mon 5/4/2015 10:30 AM

- None
- 0 minutes
- 5 minutes
- 10 minutes
- 15 minutes
- 30 minutes
- 1 hour
- 2 hours
- 3 hours
- 4 hours
- 5 hours
- 6 hours
- 7 hours
- 8 hours
- 9 hours
- 10 hours
- 11 hours
- 0.5 days
- 18 hours
- 1 day
- 2 days
- 3 days
- 4 days
- 1 week
- 2 weeks
- Sound...



# Timekeeping

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- LOG YOUR TIME:
  - Manual or electronic- but do it now not later!
  - Value services/Evaluate profitability
  - Bill regularly/meaningful descriptions

# Timekeeping- Conversion Chart

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- 1 to 6 minutes = 0.1
- 7 to 12 minutes = 0.2
- 13 to 18 minutes = 0.3
- 19 to 24 minutes = 0.4
- 25 to 30 minutes = 0.5
- 31 to 36 minutes = 0.6
- 37 to 42 minutes = 0.7
- 43 to 48 minutes = 0.8
- 49 to 54 minutes = 0.9
- 55 to 60 minutes = 1.0



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC
1		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY																					
2	SAM																												
3	5:30																												
4	6																												
5	6:30																												
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39	11:30																												
40	12AM																												
41	12:30																												
42	1																												
43	1:30																												
44	2																												
45	2:30																												
46	3																												
47	3:30																												
48	4																												
49	4:30																												
50																													
51																													
52																													

# Time Management Sheet

1

In addition to trust funds:

2

Aged accounts receivable, cash/credit analysis

3

Monthly budget

4

Bookkeeping/Accounting procedures

5

Pricing policies

# Financial System



# Financial System

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1. Maintains Records
2. Generates tax records
3. Employee related accounting
4. Invoicing
5. Establishes controls
6. IOLTA management



# Time and Billing

The logo for bill4time features a blue square icon with a white stylized 'L' shape on the left, followed by the text 'bill4time' in a blue, lowercase, sans-serif font.The logo for AMICUS ATTORNEY features the word 'AMICUS' in a dark red, serif font with a small gold dot above the 'I', followed by the word 'ATTORNEY' in a smaller, dark red, sans-serif font.The logo for BillQuick features the word 'Bill' in a blue, sans-serif font and 'Quick' in an orange, sans-serif font.The logo for TIMESOLV features the word 'TIMESOLV' in a blue, sans-serif font.

# Office Accounting

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[www.quickbooks.com](http://www.quickbooks.com)

[www.xero.com](http://www.xero.com)

[www.wave.com](http://www.wave.com)

[www.freshbooks.com](http://www.freshbooks.com)



# Case Management

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[www.goclio.com](http://www.goclio.com)

[www.mycase.com](http://www.mycase.com)

[www.rocketmatter.com](http://www.rocketmatter.com)

[www.cosmolex.com](http://www.cosmolex.com)

[ABA Case Management Comparison Chart](#)





Automate  
Delegate  
Eliminate

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# How To Avoid a Bar Complaint: Best Practices

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1. Guard your law license closely
2. Never go it alone
3. Develop business skills- ex. Work smarter not harder
4. Law Firm management Plan (follow it)
5. Make client trust accounting a priority
6. Document, document, document!
7. Respond to calls within 24-48 hours
8. No lie is worth the potential consequences

**COMPLAINT**

TO:	HOUR	MINUTE	SECOND
	MONTH	DAY	YEAR

WHOSE FAULT:  MINE  YOURS  OURS  OTHER:

DESIRED OUTCOME:  APOLOGY  EXPLANATION  LITIGATION  PROMOTION  RESTITUTION  CHANGE

COMPLAINANT:  ANONYMOUS

# Lunch and Learn

Practice Management Advisory Service



**October 8 — *The Impact of Social Media Marketing on Your Firm's Online Reputation, presented by Robert Gordon of Thomson Reuters***

**October 15 – Practice Perfect: Strategies for Growing Your Firm, presented by Tim Bedford of Ruby**

[Click Here: More Info on Our Free Programs](#)

# Homework

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- You may obtain copies of these slides by contacting [rwashington@dcbar.org](mailto:rwashington@dcbar.org).
- Follow me on twitter for law practice management articles and tips **@attywashington**
- **We will see you on October 5: Banking and Fee Setting**
- Homework:
  - Work on your business plan- Financial spreadsheets
  - What's your productive hour worth? Calculate