



# Successful Small Firm Practice Series Session One

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*PRESENTED BY*

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*PRACTICE MANAGEMENT ADVISOR*

*D.C. BAR 2020*



# CONFIDENTIALITY

“What happens in Vegas stays in Vegas” What is said here stays here under DC Rule 1.6(j)



# BAR RESOURCES

# Lawyer Assistance Program

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- Confidential telephone access
- Face-to Face assessment and referral
- Short term counseling
- Volunteer mentors
- Free & confidential: 202-347-3131

Why LAP?

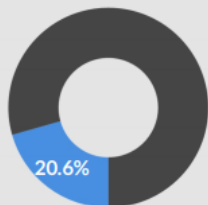
1<sup>st</sup> depression

4<sup>th</sup> in suicide

Lawyers are 3.6 times more likely to suffer from depression than non-lawyers

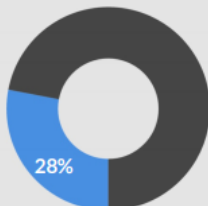
[https://www.americanbar.org/content/dam/aba/administrative/lawyer\\_assistance/lis\\_colap\\_hazelden\\_research\\_infographic.pdf](https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/lis_colap_hazelden_research_infographic.pdf)

just some of  
**The Findings**



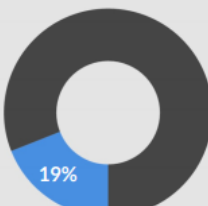
**20.6% of respondents scored at a level consistent with problematic drinking.**

In comparison, 11.8% of a broad, highly educated workforce screened positive on the same measure.



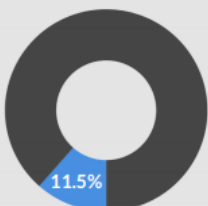
**28% of respondents reported experiencing mild or higher levels of depression.**

46% reported concerns with depression at some point in their career.



**19% of respondents reported experiencing mild or higher levels of anxiety.**

61% reported concerns with anxiety at some point in their career.



**11.5% of respondents reported suicidal thoughts at some point during their career.**

2.9% reported self-injurious behaviors, and 0.7% reported at least 1 prior suicide attempt.

20% Problematic Drinking

28% Depression

19% Anxiety

11.5 % Suicidal thoughts

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# Practice Management Advisory Service

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RULE 1.6(j)- Confidential

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Contact Your Advisors at:

[PMAS@DCBAR.ORG](mailto:PMAS@DCBAR.ORG)



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**LAWYERS & LAW FIRMS**  
PRESENTED BY THE  
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# Our PMAS Programs

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# ETHICS HELP. . .

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From the DC Bar, it  
is free &  
confidential;



Hope Todd, Saul  
Singer, Erika  
Stillabower and  
Nakia Matthews



202-737-4700 / ext.  
1010



Prospective  
guidance

- [Ethics Advice](#)



[ethics@dcbar.org](mailto:ethics@dcbar.org)

# Know the Rules.....

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## Unique DC Rules:

- DC Rule 7.1 and 7.5- Marketing Rules
- DC Rule 1.8 (d)(1) and (2) – Financial assistance to clients
- DC Rule 5.4(b)- Non- Lawyer Equity partners
- DC Rule 1.6- confidences and secrets
- LEO 370 and 371

# The Rules

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DC Rules of Professional Conduct & other codes & regulations

Rule for the Day: Rule 1.1- Competency

## Who's Keeping ODC Busy?

TYPE	Cases	Percentage
Solo/Small Firm	178	46%
Firms	141	36%
Government	23	6%
In-house	22	5.7%
Public Interest	6	2%
Other (including academics)	18	4.3%

## The Risky Business

Mismanagement of the firm

Failure to implement systems

Read the Bar Complaint Form

How do you avoid a Bar Complaint?

Sometimes too many clients

# Role of Technology/Innovations

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## 1950-1960

First Credit Card

Video recorder

White out

Computer language Fortran

Computer Modem

## 1961-1970

Video disk

Computer mouse

Computer w/integrated circuits

RAM

1<sup>st</sup> internet APRANET

Floppy Disk

# Role of Technology/Innovations

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1971-1980

Microprocessor

Word processor

Ethernet

Laser printer

Ink-jet printer

Cell phones

1981-1990

MS-DOS and IBM PC

Apple Macintosh

Windows

Digital cell phones

The world wide web

HTML

1991-2000

Pentium Processor

JAVA and DVD's

Digital answering machine

Web-TV

# The Role of Technology

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In 1999- technology took hold and changed the way law firms handled:

- Information
- Communication
- Organization



# Tech Trends- Covid-19 Impact

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Work from  
anywhere

Simple but useful  
applications

SAS (software as  
a service)

# Technology Can Help

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Case Management



Time and Billing

Accounting



Payments

Calendaring



Google Calendar

Conflicts

Word processing





Where We  
Are Today

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# The Goal of this Course

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To help you

- Determine what problems you love to solve
- Remain ethical while problem solving
- Make a profit

Self Evaluate



What is it that we do?

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Selecting the  
problems to  
solve

Where is your  
passion and  
competence?

How to choose  
the problems  
you will solve

---

What do I know how to do?

---

In what am I most expert?

---

Where is my best market?

---

Who is the lawyer within?



Focusing  
narrowly on  
what you love

Makes it easy to establish  
**expertise**

Makes it easy to know your  
**ideal client**

Makes it easy to know your  
**value** to your ideal client

# Who can be a small firm lawyer?





THINK ABOUT IT?

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# Law Firms are A Business

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## Lawyer vs. Entrepreneur

# Solo/Small Firm Lawyer

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## PROS

You choose the type of law to practice

You choose where to practice

You choose the clients

## CONS

You will have to LEARN something about the area you have chosen

Some places are expensive

You will occasionally represent someone you don't like

# Solo/Small Firm Lawyer

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## PROS

You set your hours

You set the fee

You hire

You will make money

You are in charge

## CONS

You may set a lot of hours

You have to determine what fee is reasonable

You fire

You will have to manage your money

You are in charge

# Law Firm Time Management

## Time Allotment

Nearly two-thirds of respondents' time is spent practicing law.



# Biggest Challenges

1. Acquiring new client business (27 percent).
2. Clients demanding more for less or rate pressure from clients (21 percent).
3. Spending too much time on administrative tasks (15 percent).





What are your strengths?

What are your weaknesses?

Why do I ask.....

Why Reflection

# Knowing You

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What things should you delegate?

What things should you handle?

What things should you avoid?

What things should you embrace?

# You are your business!

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Your strengths are your businesses strengths

Your weaknesses are your businesses weaknesses

Know them

Embrace them

Accommodate them

# The Lawyer and Entrepreneur

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Critical Thinking

Research

Legal Writing

Ethics

Profit/Loss

Business Management

Money Management

Employee Management

Accounting

Taxes

# What must a small firm lawyer know...

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Critical Thinking

Research

Legal Writing

Profit/Loss

Business Management

Money Management

Employee Management

Accounting

Taxes

# How do you distinguish your firm

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What is going to make YOU different?

What can you offer that others can not?

Why should someone choose you over the other person?

# PUBLIC PERCEPTION

MoneyWise Survey 4/2019- 9<sup>th</sup> Most Dishonest!

## Nurses Still Rate Highest for Honesty and Ethics

Please tell me how you would rate the honesty and ethical standards of people in these different fields -- very high, high, average, low or very low. (% Very high/High)

	2019	2018	2017	2016
	%	%	%	%
Nurses	85	84	82	84
Engineers	66	--	--	65
Medical doctors	65	67	65	65
Pharmacists	64	66	62	67
Dentists	61	--	--	59
Police officers	54	54	56	58
College teachers	49	--	--	47
Psychiatrists	43	--	--	38
Chiropractors	41	--	--	38
Clergy	40	37	42	44
Journalists	28	33	--	23
Bankers	28	27	25	24
Labor union leaders	24	21	--	--
Lawyers	22	19	18	18
Business executives	20	--	--	18
State governors	20	17	16	17
Stockbrokers	14	14	--	12
Advertising practitioners	13	13	12	11
Insurance salespeople	13	--	--	12
Senators	13	--	--	11
Members of Congress	12	8	11	8
Car salespeople	9	8	10	9

GALLUP

# Honesty/ Ethics Ratings

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# Pay more, get less

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This is the consumer's experience today;

Your client's experience with you should be just the opposite;

Be accessible, responsive, informed, and provide good service. You will stand out and be remembered

# Public Perception of Lawyers

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The public perception is that we are motivated by greed;

The conventional wisdom is that our fee arrangements are simply a way of emptying our client's pockets into our pockets;

Does your fee agreement support this misconception?

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What percent of people in general are trustworthy?

Response: 30%

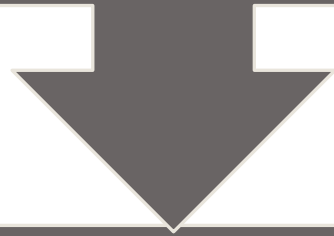
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What percent of people that you know are trustworthy?

Response: 70%

CBS/New  
York Times  
Poll

Trust is what the  
potential client seeks;



What are you doing to  
build trust?

Message of  
the Poll



# How to Establish Trust

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Trust is earned, not assumed!

1. Communication
2. Predictable dependable behavior
3. Respect and the value it derives

# Why are these services successful?

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

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

Google “I need a will” or “living trust”

# How do you compete?

Be efficient;

Innovate;

Alternative Fee Agreements;

Create systems;

Focus on service & value



Today  
Technology  
gives us



The World Wide  
Web



Email



Software/ SAAS



Video  
Conferencing



Cell  
phones/tablets



And more....



ABA POLL SAYS:  
59% of lawyers  
will invest in IT

Lawyers are  
using more:

SO WHAT DOES  
THAT MEAN FOR  
YOU?

Web-based tools

More remote  
access

Before  
Covid-19

# Why Lawyers Should Use Tech

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Because you have no choice!

- Level the playing field
- Streamline processes
- Communicate with clients

# COVID-19 Resources



# The Business Plan

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The path to a successful firm starts with:

A concept map

and

a Business Plan



A business  
plan in writing

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# Can You Afford to be Small Firm?

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## Sources of funds (start up)

- Small business loan
- Line of credit
- Credit card
- Savings
- Can you handle the slow periods

# MAP IT OUT

<http://ideamappingsuccess.com>

<http://www.mindmeister.com>

<http://www.thinkbuzan.com/us/articles/view/how-to-create-a-mind-map>

[Short concept map video](#)



# How to Concept Map Ideas

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1. Start in the middle of blank page
2. Develop subtopics all around the central topic

IT WORKS LIKE  
YOUR BRAIN

Simple but  
Powerful

# An exercise . . .

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- Concept map your thoughts on becoming a solo/small firm lawyer;
- Concept map your life cycles;
- Identify patterns;
- Concept map the business plan before your draft it.

New Mind Map

Zoom: 67%



Fit



Copy

Paste



Save

Mind Maps

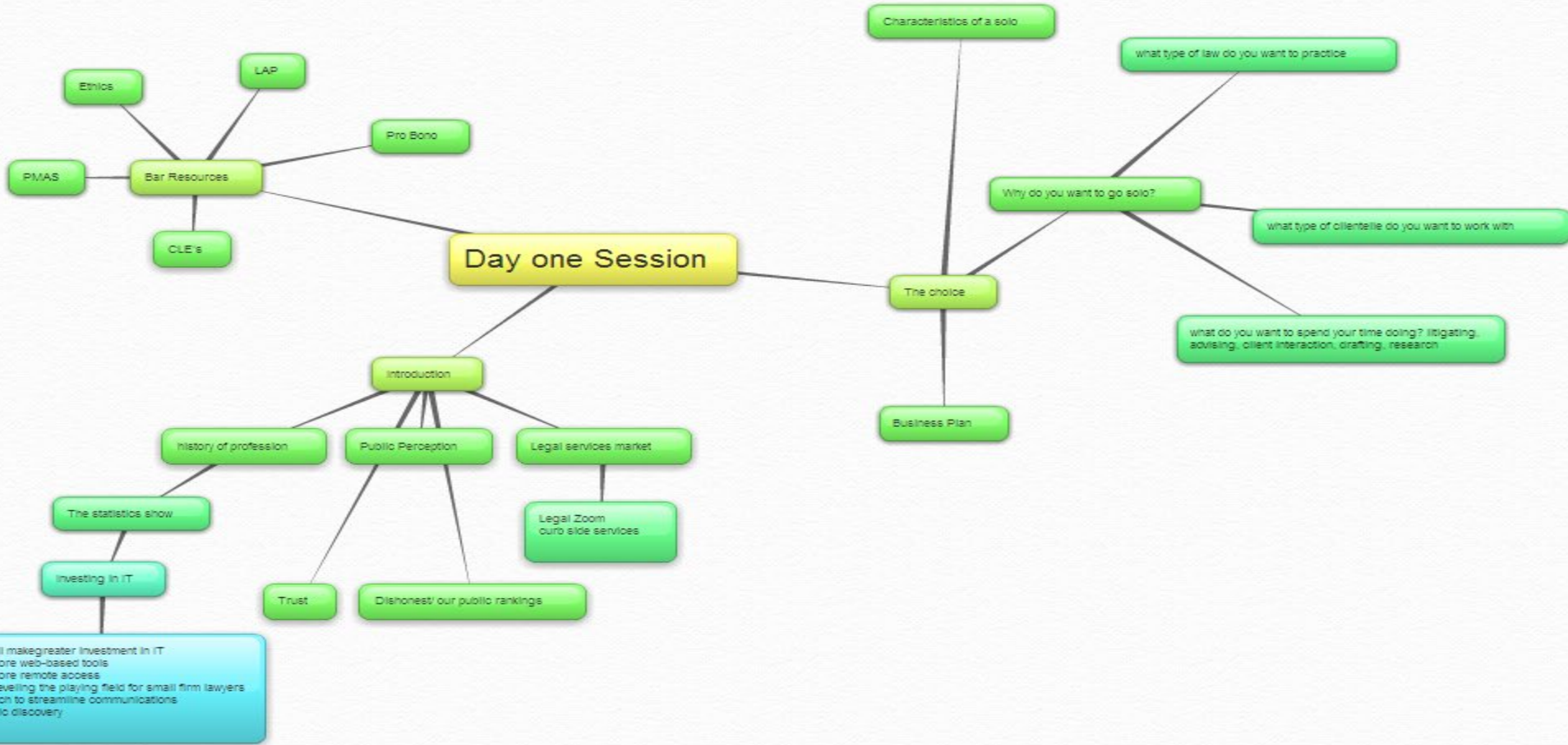
Mind map

Name Modified

New Mind Map

1 / 3 mind maps Delete

Contacts



# TIME MANAGEMENT



CLARITY  
MOTIVATION  
APPRECIATION  
SIMPLIFICATION



EFFECTIVENESS  
ACTION PLANS  
PRIORITIES  
GOALS  
DIARIES  
MEETINGS



MINDTOOLS  
SPEEDREADING  
MINDMAPS



FASTER  
SMARTER  
BETTER  
URGENT vs. IMPORTANT  
WASTAGE



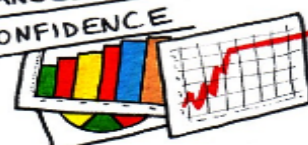
DELEGATION  
TO-DO OR NOT TO-DO  
CAREER  
LIFE  
COMFORT ZONES  
GUIDANCE  
TEAMWORK  
TRUST



WORK-LIFE BALANCE  
WELLBEING



LET GO  
FEARLESS  
EXCEED EXPECTATIONS  
TRANSCEND LIMITS  
CONFIDENCE



SUPERVISE  
HELP  
ENCOURAGE  
DISCRETION



CHOICES  
DECISIONS  
BIG  
SMALL



DE-CLUTTER  
SLOW DOWN TO SPEED UP  
BREAKS



WHO  
WHAT  
WHERE  
WHEN  
WHY  
HOW  
5W1H



BIG PICTURE  
CHUNKING  
BITE-SIZED  
MULTI-TASKING  
DIVERSIFY



ERGONOMIC  
USER-FRIENDLY  
EFFICIENT  
VALUE-ADDED  
POSITIVE



KEY ISSUES  
METHODS  
CHECK POINTS  
DEADLINES



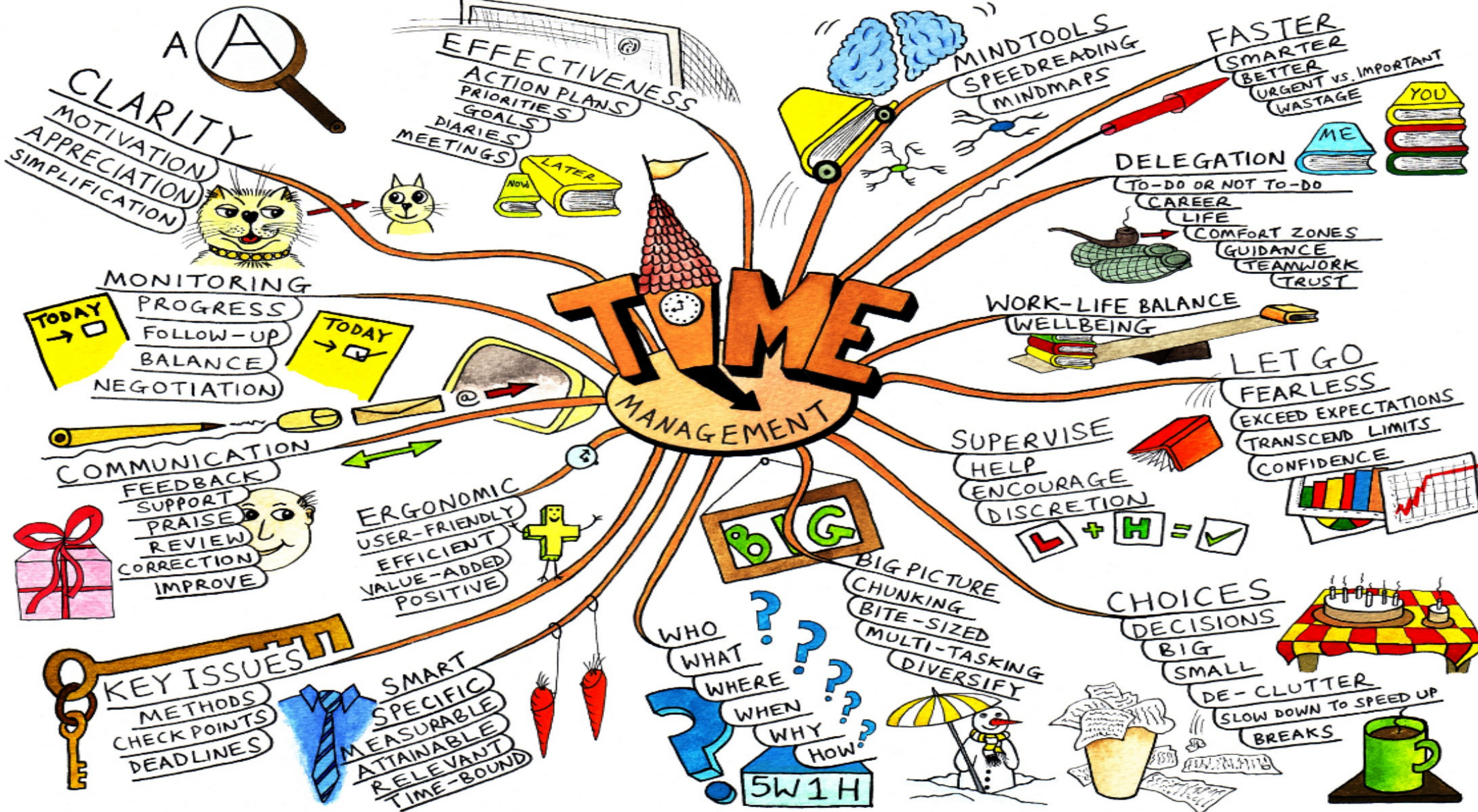
SMART  
SPECIFIC  
MEASURABLE  
RELEVANT  
TIME-BOUND

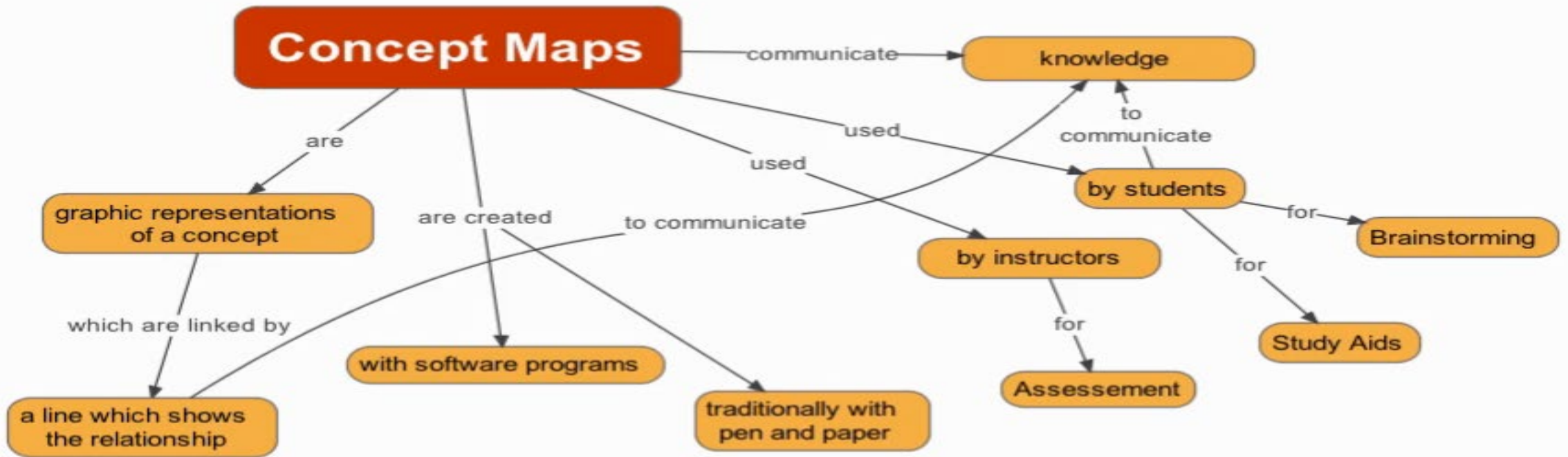


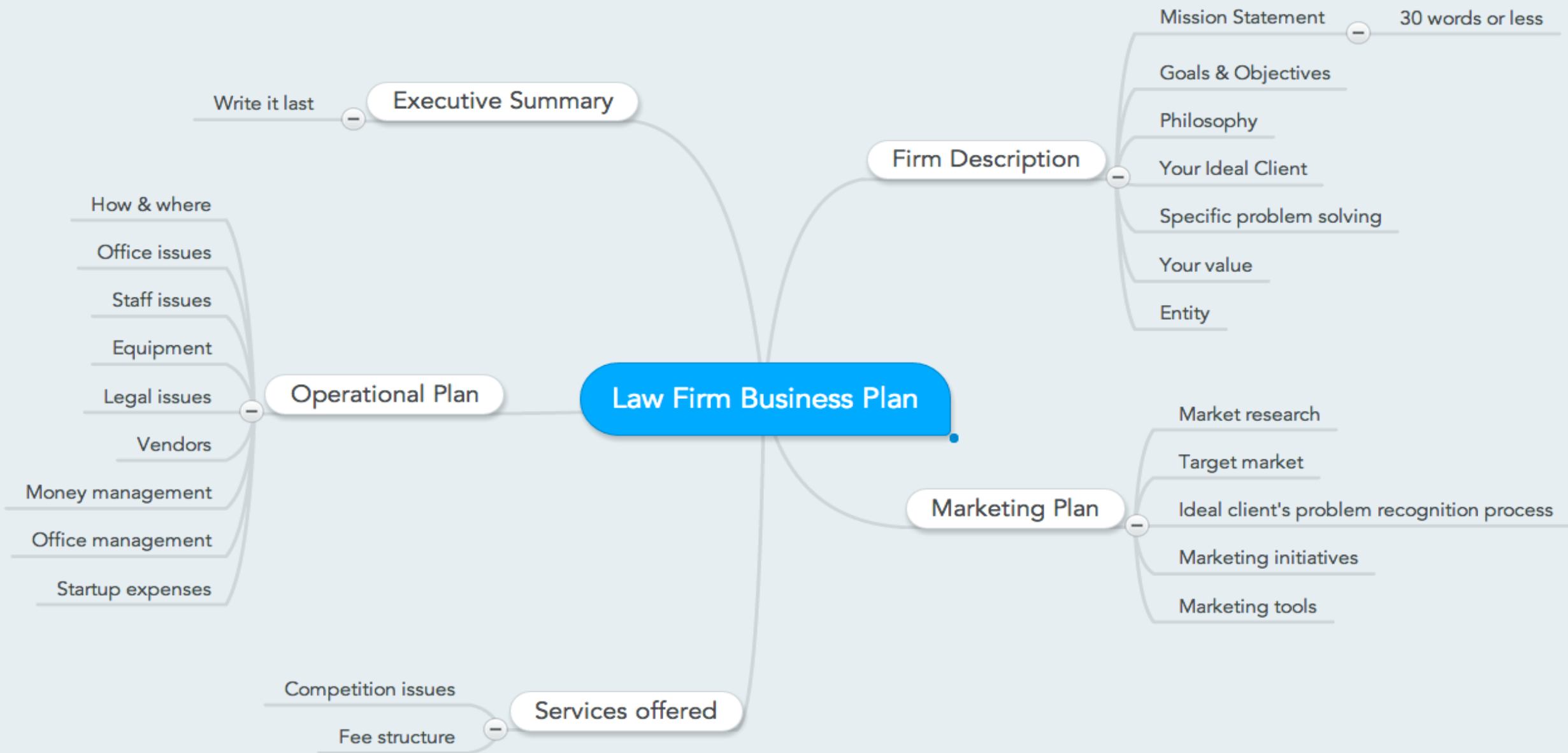
COMMUNICATION  
FEEDBACK  
SUPPORT  
PRAISE  
REVIEW  
CORRECTION  
IMPROVE



MONITORING  
PROGRESS  
FOLLOW-UP  
BALANCE  
NEGOTIATION









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# Your Plan

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The Mission statement

Goals

Objectives

Firm Philosophy

Identify your ideal client

Describe what makes you different

Explain why ideal client should pick you

Pick an Entity (if you need one)



# BUSINESS PLAN

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The plan makes you think about your law practice as a system

Work the spread sheets

The Plan – (We will e-mail a sample plan)

YOUR PLAN DOES NOT HAVE TO BE PERFECT



## The Mission Statement

A good place to start is with the Mission Statement

A short statement - 30 words or less - explaining your reason for being

# Google Examples

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The firm's mission is to provide a high quality, creative, and result-oriented legal team to individuals and businesses, and serve as a primary resource and partner in all aspects of clients' business growth and development.

# Google Examples

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Our Mission is to provide our clients with a network of innovative legal solutions, excellent legal representation and a dedication to quality customer service.

# You Should...

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Make yours unique and relevant.



Include a  
Back-Up  
Plan

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# What is your exit strategy?

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Death, or;

Sale (Rule 1.17 allows the sale of a law practice under certain circumstances.);

Check other jurisdictions where you practice.







# Have a Backup Plan

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If you don't have a plan and a backup, someone else does;

DC App. R. XI, Section 15(a);

Rule 1.3 / Comment 5 –

Being Prepared

## Good Read

How I built My practice?

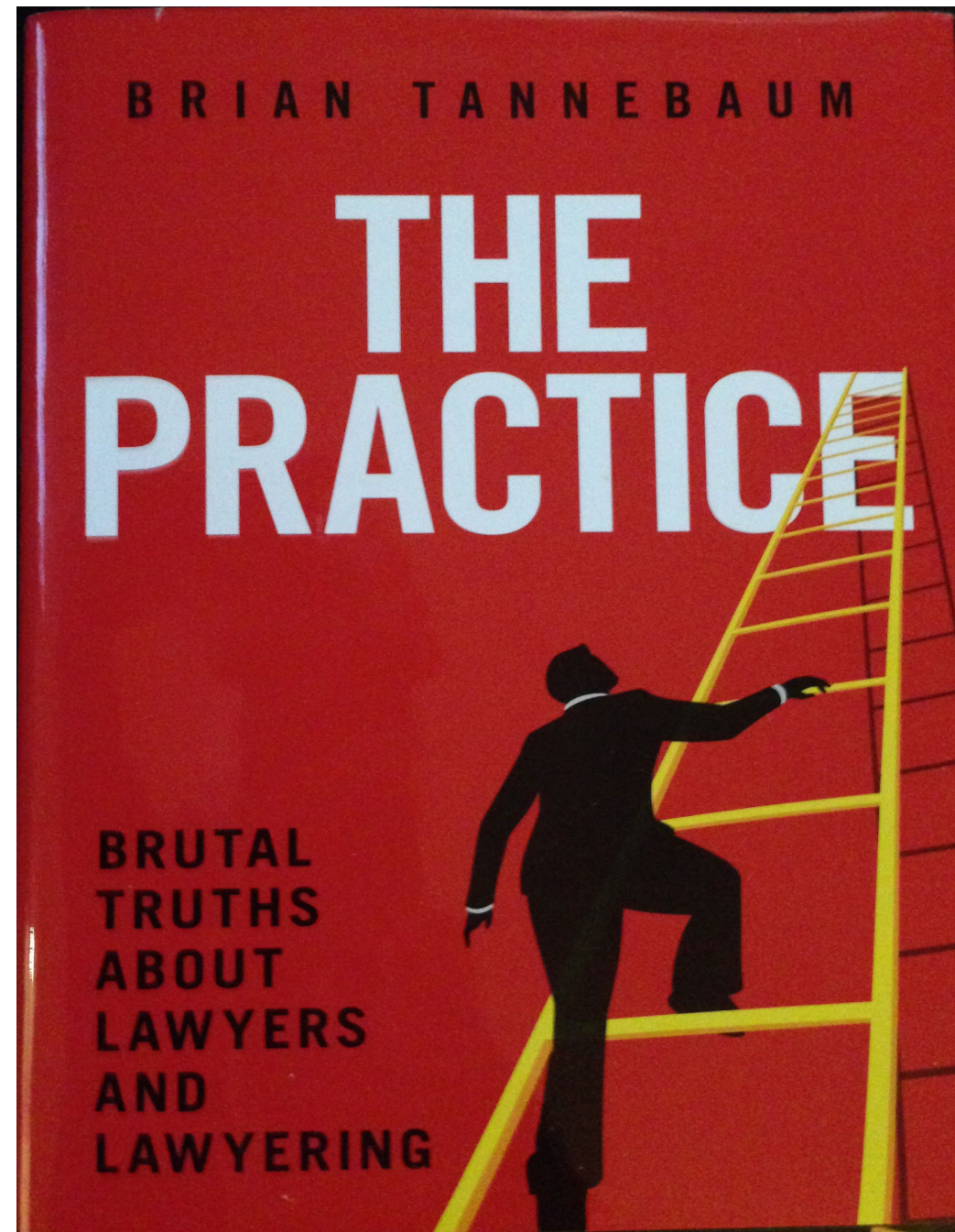
Being Present

Working on my practice, not  
just in my practice

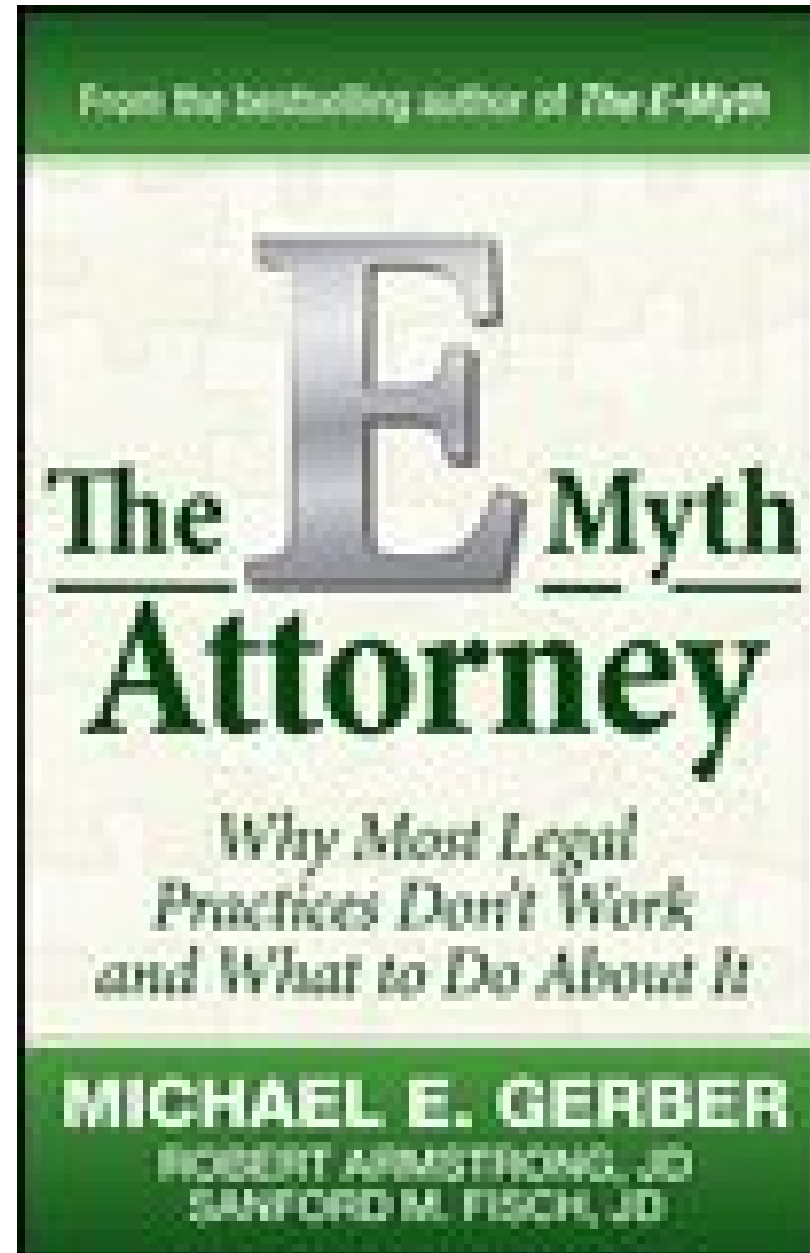
Being where others were not

Running things

Collecting mentors



Another Good  
Read





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**Mark Rollins**  
*Rollins and Chan Law Firm*



**Seth Price**  
*Price Benowitz, LLP*



**Nakia Gray**  
*Nakia Gray Legal, P.C.*



**Jack Newton**  
*Clio*

SEPTEMBER 18, 2020

REGISTER NOW

# Assignment

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1. Draft your firm's mission statement
2. Create a concept map of your strengths & weaknesses

Due September 21

[successfullsmallfirm@dcbar.org](mailto:successfullsmallfirm@dcbar.org) to request business planning workbook, template and financial spreadsheets