

# **GARDEN STATE CLE LESSON PLAN**

**A 1.0 credit course**

**FREE DOWNLOAD  
LESSON PLAN AND EVALUATION**

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## **LAW OFFICE MANAGEMENT**

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**Featuring**

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**And**

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### **Program description**

Did you ever notice that they don't teach you the most important lawyer skills in law school? One vital topic is Law Office Management. An indispensable component of small practice success. This 1 credit ethics CLE will teach you all about it.

## **I. Introduction**

- **Richard Uslan, Esq.**
- **Sole practitioner for 30 years**
- **Prior to being a solo – worked in law firm for about 1 ½ years**
- **Would prefer to work for himself**
- **Having a partner is like being married and everyone wants to do things their way and difficult for people with different backgrounds to do things the same way – no matter a filing system or computer program**
- **Working for the firm allowed him to learn how to open and close files, etc. – how to run an office**
- **Special skill set to run an office and managing a law practice**

## **II. The Early Days**

- **Terrified to open own practice – salary**
- **Started with 5 cases and a “closet” as an office**
- **No secretary – renting space from someone else**
- **Did not have a mortgage to pay or others to be financially responsible for (family)**
- **Some background on how to manage a law practice**
- **A few years in practicing law before opened practice**
- **Some books about starting your own practice – published by ABA – extremely helpful**

## **III. Cash Flow**

- **Nature of the business – small business has changes in cash flow**
- **Cannot pinpoint a busy part of the year or a slow part of the year – cannot predict**
- **Receipt of cash as a fee is a random event – no way to predict it is going to happen**
- **Unpredictable in the short term**
- **Over the period of a year – should be able to predict long term what your overall cash flow will be**
- **Day to day cash flow is unpredictable**
- **Must be able to develop the type of practice that will generate cash flow in the short term to take care of expenses and then be able to generate cash flow that is more sizeable as money you can bank**
- **When first started practice – general practice**

- **Real estate and municipal court work would be used to pay the bills because the fees come in in a short period of time**
- **Personal injury case or something of that nature you can put aside for reserve, savings, emergency**
- **You must anticipate that how great a period of time you had, it inevitably will change – the cash flow today is not going to be there tomorrow**
- **You must save for a rainy day**
- **Must decide if the legal work doing the type that will give cash flow for expenses plus something more than expenses to make a profit**
- **Recognizing the ebb and flow of cash flow – need sufficient reserve to handle expenses or a lot of credit – or both**
- **Must figure out what your expenses are**
- **If you use a line of credit, know that there is going to be cases coming in on a regular basis to pay the loan back**
- **Better way to have own cash reserve as opposed to a line of credit**
- **New solo should have some savings – 6 months of expenses should be saved**
- **Need an accurate fix on your expenses**
- **Be disciplined on what you spend**
- **Not too greedy on personal draw**
- **Sometimes businesses have early success – must recognize temporary nature of this – mistake to expand too fast too early – have fixed expenses that is unnecessary**
- **When cash flow changes, business is locked into fixed expenses that cannot be paid**
- **Expenses you think you are paying out are the tip of the iceberg – quarterly tax returns, payroll taxes, insurances, travel – huge expenses that you don't factor**
- **Discipline to set money aside for expenses and to do the work and put in the time because you don't have a boss**
- **Having your own practice you can have a varied schedule but you must like what you are doing and be disciplined**
- **Must have a broader type of practice when you start – if you develop reputation or expertise in another area, that can lead to start of a more limited practice – but initially must be willing and able to handle variety of cases**
- **Learn how to manage cash flow because random nature of it**
- **You should know how to do everything in your office**

#### **IV. Back office operations – record keeping, file maintenance**

- **Maintaining a trust account is one of the most important responsibilities of a solo practitioner**
- **File maintenance/storage**
  - **Always set up a file**
  - **Put all important contact information on the front of the file**
  - **Open file number, chronological order and date filed opened**
  - **Closed file number**
  - **Select a good legal management software program**
  - **File numbering for statutes of limitations, conflicts, to determine whether cases have former clients**
  - **Physical file and virtual file on computer**
  - **Software can be used to diary destruction of a file**
  - **Scanning can be used to manage files as well**
  - **You must have a system that meets your needs – stick to the system**
  - **Must be organized**
  - **Retainer agreement**
  - **Copies of correspondence**
  - **Save fax receipt**
- **Mail management**
  - **Stamp – “date received”**
  - **Save envelope with postmark**
  - **Stamp – “diaried”**
- **You must have a particular system- whatever works for you – and stick to it**
- **Must be organized**
- **Book keeping (business account)**
  - **Use Quickbooks computer software – easy to track expenses, features to evaluate profitability, ability to generate checks that you pay on a regular basis**
- **Attorney trust account**
  - **Specific requirements: RPC 1.15 Safekeeping of client property; RPC 1:21-6 Specific record keeping requirements**
  - **You must know how to conduct record keeping for trust accounts**
  - **Cannot have more than \$250 of your own money in the trust account**

- **Reconcile your trust account every 30 days**
- **Can do it yourself or use an accountant**
- **Your attorney business account checks should be green and your attorney trust account checks should be red – because red alerts you to danger and that you have to be careful!!**

#### **V. Employees**

- **Having good, honest, reliable help is the key – makes it possible to thrive**
- **Hard to find great employees**
- **Employees can hurt you really bad**
- **Must treat good employees like gold**
- **You must have things done your way because you are responsible for things**
- **Having a great employee allows you to delegate and do more things or just to relax for a moment**
- **Before making decisions about staffing, you must determine what kind of work you have for staff to do so that you don't over budget for staff that you may not need**
- **Must have productive staff and maybe generating money/increase revenues**

#### **VI. Location, Location, Location**

- **Buying a building is great – forced savings because difficult to sell your practice but having a building is a great asset**
- **Close to home – able to go home if forget something, able to quickly get to work for last minute client meetings**
- **Close to court house**
- **Public perception that your office is near the courthouse and is viewed in a positive way for an attorney – but possibly a different consideration depending on the area where the courthouse is located (safety issues)**
- **The type of practice you have will determine where you have your practice – malpractice does not matter because dealing with corporations, taking depositions, etc. but if dealing with consumers/individuals who need to find your office – must have parking, close distance to where they live**
- **Population density**
- **How fast can people get to you and parking**
- **Centrally located in the county**

- **You must think about location because that can effect your business**
- **What do clients think when they walk in to your office – overstated? Build confidence in the client?**
- **Presentable office – clean, organized, location in a nice area in nice location**
- **It important to think about these issues beforehand**

## **VII. Conflicts/Scheduling**

- **As a solo – you have to be in a number of places at the same time**
- **Be organized – know in advance where you have to go**
- **Determine if you are ready on the cases that are schedule**
- **If you are not ready, alert the court a few days in advance and the reason and request an adjournment**
- **Day before – have assistant reach out to courts and clients with schedule of attorney and request some timing on when you can get to which court**
- **Constant communication with the court**
- **Organization and communication with the courts and the clients**
- **Discipline**
- **Attention to detail**
- **Over the years most courts give you the benefit of the doubt when you are responsible and making the effort**
- **Speak to client to let them know you may be late – explain to them what they need to do if you are not there when they arrive**
- **Addressing these issues in advance – you can respond and take a proactive approach to try to resolve any conflicts**
- **Vacations/sickness**
  - **If vacation planned, in initial letter of representation to the court let them know when you will not be available and ask not to schedule during that time**
  - **Clear calendar for those planned trips**
  - **When court schedules case, immediately alert court to scheduling conflict**
  - **Having other attorneys cover it may become necessary**
  - **Courts are understanding enough that simply alerting to a personal problem is sufficient for the case to be carried**
  - **If an attorney is required, relationships with attorneys over the years that you trust and ask for help**

- **Develop a cadre of people you can call who are competent and will drop anything to take care of your case/scheduling**
- **As a solo, when you go on vacation there is work left from your vacation that you have to address on top of what comes in**
- **Opportunity costs – time away from the office means that you don't bring in money/new clients**

#### **VIII. There is more to life than work!**

- **Critical that you discipline yourself so you are not working all day**
- **Spend time with family**
- **There has to be a balance or you will burn out and you will not like what you are doing anymore**
- **Each person spends free time differently, sometimes based on type of practice and schedule – municipal court practice is mostly at night**

#### **IX. Personal Growth/Expansion of your Knowledge**

- **Must recognize that you don't know everything there is to know**
- **Must have constant learning – provide better representation, better lawyer**
- **Always new laws, rules, etc., that can impact clients**
- **Go on judiciary website – [www.njcourtsonline.com](http://www.njcourtsonline.com)**
- **Read new cases that are interesting and relevant to practice**
- **Look to seminars to keep up to date on new laws**
- **Technology is necessary to manage the practice – reduces time spent, i.e. paying bills, etc.**
- **Weekly periodical**

#### **X. Requirements for Successful Law Office Management**

- **Understanding what to do – book keeping, etc.**
- **Highly organized**
- **Highly disciplined**
- **Attention to detail**
- **Life long commitment to the law**