

BASIC TRAINING & BEYOND

DAY TWO

- Getting Clients
- Marketing & Branding
- Client Relations
- Productivity and Technology

Where do I start?

Once you have completed the requirements of creating a law firm,
you need to sell something.

Marketing

DC Rules of Professional Conduct

7.1 and 7.5

Rule 7.1

(a) A lawyer shall not make a **false or misleading communication** about the lawyer or the lawyer's services. A communication is false or misleading if it:

(1) Contains a **material misrepresentation** of fact or law, or **omits a fact** necessary to make the statement considered as a whole not materially misleading; or

(2) **Contains an assertion** about the lawyer or the lawyer's services **that cannot be substantiated.**

Rule 7.1 Comment (1)

[1] ...It is especially important that statements about a lawyer or the lawyer's services be **accurate**, since many **members of the public lack detailed knowledge of legal matters**. Certain advertisements such as those that describe the **amount of a damage award**, the **lawyer's record in obtaining favorable verdicts**, or those containing **client endorsements**, unless suitably qualified, have a **capacity to mislead** by creating an **unjustified expectation that similar results can be obtained for others**. Advertisements **comparing the lawyer's services with those of other lawyers** are false or misleading if the claims made **cannot be substantiated**.

Rule 7.1 Comment (7) - Referrals

[7] A lawyer **may agree to refer clients to another lawyer or a nonlawyer professional**, in return for the undertaking of that person to refer clients or customers to the lawyer. Such reciprocal referral arrangements **must not interfere with the lawyer's professional judgment** as to making referrals or as to providing substantive legal services... a lawyer who receives referrals...**must not pay money** or give **anything of material value** solely for the referral, but the lawyer does not violate paragraph (c) of this Rule by agreeing to refer clients to the other lawyer or nonlawyer professional, so long as the reciprocal referral agreement is **not exclusive** and the **client is informed** of the referral agreement.

The Soft Launch

Don't be afraid of the **soft launch**.

A **soft launch** is when you make your services known or available to a **select group of people**.

**Pick one specific service
and find someone to pay you for it.**

It doesn't matter if it's a simple will, uncontested divorce, or a complicated real estate transaction.

**Sell something before you go to work creating
your ideal office environment.**

Ideas for a soft launch:

- Send personalized emails to a select group of contacts about your service
- Create a video message about your launch
- Ask your network to share the news of your launch with their network

**Sell yourself and the problems you solve first,
then work on the rest.**

**If you can't sell it, you're making a big
mistake.**

KNOW WHAT YOU'RE SELLING

WHO – Who are your legal services for? Who is the ideal client who will benefit most from what you have to offer?

WHAT – What legal services are you selling? The more specific you can get about what you're offering, the better.

WHEN – Is there a time frame for your legal services? How long will it take to deliver what you're offering?

WHERE – Where do people engage you? On your website, over Zoom, in person? Where can they find out more information?

HOW – How do you work? What is your intake process and how do you bill for your services? How will you solve their problem?

If you don't enjoy the selling, if you can't do it, or find you can only do it by slashing your prices, you should reconsider your plan.

Prioritizing sales will force you to figure out whether opening your own office really makes sense for you.

How do you get your first, second, third, and twenty-third clients?

Have a plan and follow it.

Getting clients is hard when you resist, procrastinate, avoid, or decide you have a magic alternative that enables you to sell legal services without selling.

Create a contact list:

- Spreadsheet
- [Mailchimp contact management](#)
- [Clio Grow](#)
- Contact management software

Contact everyone you know to let them know what you are doing.

This can be:

- Phone calls
- Emails
- Law firm launch announcement
- Social media

When you contact individuals on your list, do the following:

- Explain your passion for helping people with legal problems
- Describe the specific problem(s) you solve
- Ask your contacts if they know anyone who needs your services.
- Ask contacts to let their network know that you're available and ready to work.

Meet and Reconnect with Contacts

- **Meet other small firm attorneys** – both in your practice area and other practices areas
- **Meet with other professionals** who could make referrals to you (financial advisors, mental health professionals, realtors, etc.)
- **Meet in person** if possible – coffee, lunch, etc.
- **Ask questions** – get to know them, ask for advice, let them know what kind of work you are looking to do

Without a consistent referral network, you'll likely end up:

- **Taking cases you don't want** to cover your overhead
- **Chasing or writing off fees** from clients who are unable or unwilling to pay
- Spending time on consults where you're **always selling yourself**
- Unable to grow because **you don't have consistent case volume**, or **don't make enough profit** on the cases you have

When seeking referrals...

- You need to be clear what business you ***actually want***
- Who is your **ideal client**?

Ideal clients

- Have a problem you are competent to solve
- Are people you enjoy working with
- Can afford to pay your fee

Who is your **ideal client**?



Clients

Identify your targeted clients, their characteristics, and their geographic locations, otherwise known as their demographics.

You may have more than one client group. Identify the most important groups. Then, for each client group, construct what is called a demographic profile:

- Age
- Gender
- Location
- Income level
- Social class and occupation
- Education
- Other (specific to your industry)
- Other (specific to your industry)

For commercial clients, the demographic factors might be:

- Industry (or portion of an industry)
- Location
- Size of firm
- Quality, technology, and price preferences
- Other (specific to your industry)
- Other (specific to your industry)

Ideal client “Persona”

Talk to former and prospective clients to find out:

- **Background**
- **Demographic information** – gender, age, income, location
- **Psychographics** – ambitions, values, opinions/beliefs
- **Behavior** – who do they ask for recommendations, what do they respond to, how they learn about you
- **Challenges/pain points**
- **How do you help?**

When you determine

- 1) Who your ideal client is
- 2) What problem they have
- 3) How they discover they have this problem
- 4) What actions they take when they discover they have this problem

You can gear your marketing efforts towards reaching them *early* in their **problem recognition process.**

The ideal client's problem recognition process:

- I think I've got a problem...
- Maybe it will go away...
- Can I solve it myself?
- Do I need a lawyer?
- Who is the right lawyer for me?



The old Yellow Pages ads are aimed at the last stage of the problem recognition process:

Who is the right lawyer for me?

An effective marketing plan will **reach clients early in their problem recognition process.**

Developing content that **informs and educates** clients about their problem helps reach clients early in the process.

Remember that you are a farmer,
Not a hunter.



Content development can be:

- Website
- Blog
- Newsletter
- Article
- Brochure
- Ebook
- Printed book
- Guide

**Character
(Hero)**

**Who has a
Problem**

**Who meets
a Guide**

**The Guide
provides a Plan...**

**and calls on the Hero
to Take Action**

Success

Failure

In effective marketing,

The client is the hero.

The attorney is the guide.

**[Watch this presentation on effective messaging
Worksheets to help perfect your pitch](#)**

Creating a marketing plan:

- **Gather your assets** – where will you share information about your firm and services? (newsletter, social media, virtual and in-person communities you belong to)
- **Implement the plan** – Write the copy, design materials, figure out how and when to publish, set deadlines
- **Refine and replicate this plan** – use feedback and data to refine and replicate your marketing in the future, and stay engaged with your contacts and former clients



Branding for Lawyers

Get clear on what you want to be known for.

**Share your vision of
who you want to serve and
what problems you want to solve.**

What's your business vision for your firm?

- Do you want to work with a certain kind of client?
Who?
- Do you want to work in one very specialized area of the law? **What?**
- Do you want to pair your legal problem-solving skills with some other service or skills that you possess? **How?**
- Do you want to connect your firm and legal work with a higher purpose? **Why?** To what end?

When you clarify your vision for your firm, it will come through in:

- Emails with current and prospective clients
- Blog posts and mini-posts on social media
- Your daily schedule and routines
- The “About Me” page on your website
- Your “About Me” conversations with friends, family, and business contacts

Try this exercise – imagine yourself in 5 years:

I'm [*your name here*], and I'm a [*your title*].

I enjoy [*your specialty*] for clients like [*your ideal clients*].

My clients appreciate how I [*your approach*] when we work together.

At the end of the day what my clients get is [*your deeper deliverable for them*] because I'm more than just a [*your title*], I'm a [*your special expertise*].

Developing Your Personal Narrative

What is your mission as a lawyer?

What makes me or the services I provide as a lawyer unique?

What are my emotional or practical strengths? What knowledge do I have that can help prospective clients?

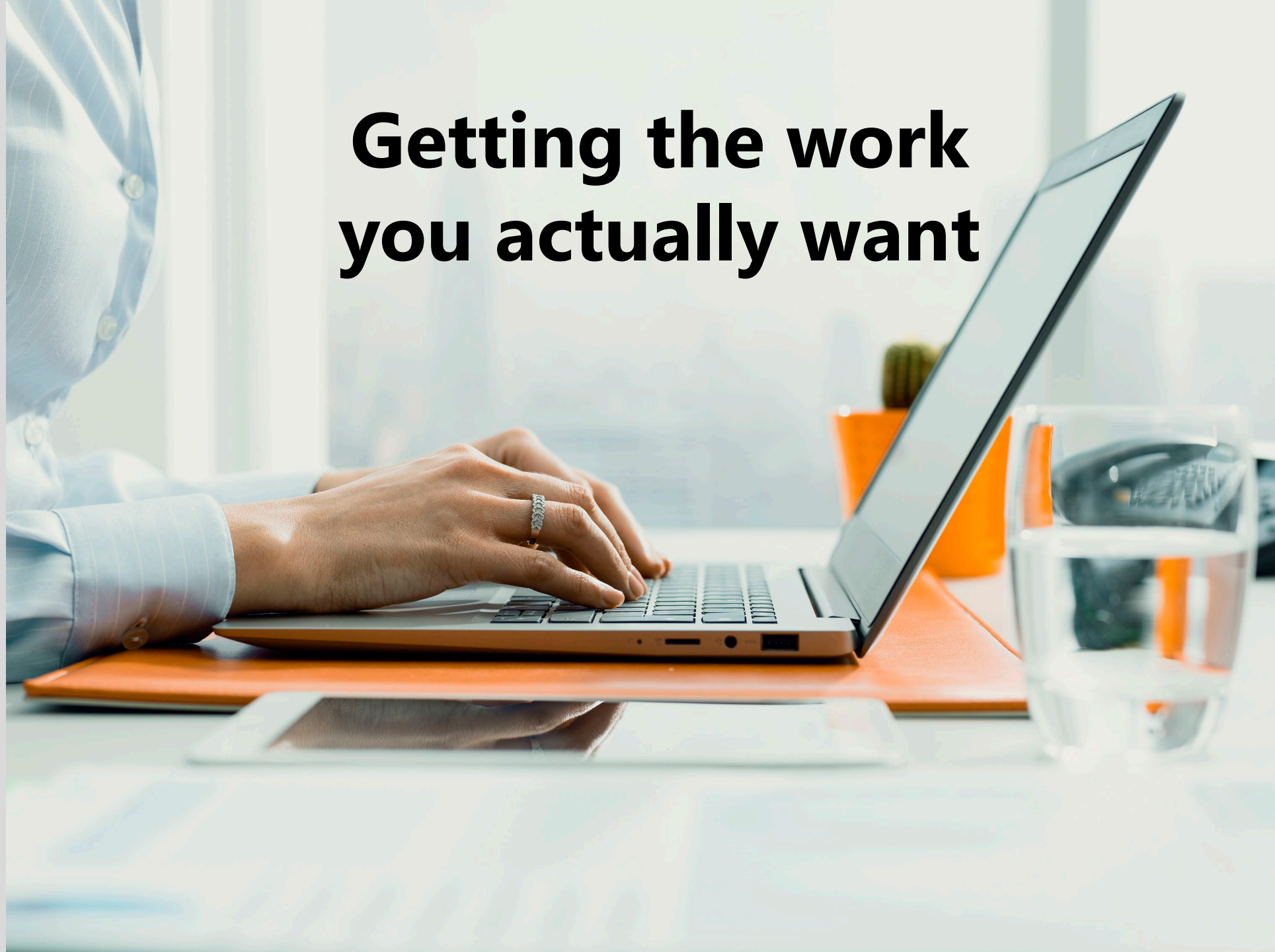
How does my background affect my perspective? What does it mean about the way I view the world that others can relate to?

What are those core tenets that I believe about the law? About life? How should that show up for my clients?

Personal Narrative Tips

- **Be authentic to who you are as a lawyer and person** – know your motivation and stay true to that
- **Be consistent in your messaging everywhere** – use your personal narrative in everything you write

**Getting the work
you actually want**



Narrowing your focus

- If you could only solve one legal problem, what would it be?
- If you could stop doing one type of work in your practice, what would it be?

If you want to do a specific type of work, don't brand yourself as a lawyer who does it all.

Frame your focus the way you want to be hired

Working towards your specialty:

- Figure out what cases/legal work you really like
- Take time to become an expert in that area
- Do pro-bono or low-bono work until you can attract more paying clients in your specialty
- Create content related to your specialty and post it on your website, social media, newsletter, etc.
- Set deadlines and goals



**Have a process
(and stick to it)**

How do you work?

- Let clients know your process, ideally on your website and other marketing materials and in your fee agreement
- Are there steps you take to solve this legal problem? (Meetings, questionnaire, research, drafting, review, final steps, closing the matter, etc.)
- Are you showing your client the steps?
- What part of the process does the client play?
- Do you stick to the process?

Marketing yourself as a guide

- Guides **explain**, they don't sell.
- **The sales process is just a conversation** to help the client understand your process and connect with you and what you do
- Predict and notice **patterns**
- Streamline the steps and communication
- Teaching and sharing knowledge

Nobody Wants What You're Selling

[Lee Rosen](#)

People don't want legal services. They don't want intellectual property advice, disability assistance, contract drafting, employment law, an estate plan, a divorce, or whatever legal service it is that you provide.

People want the *feelings* the legal services give them.

They want relief, freedom, or success. Clients want to feel powerful, in control, happy, satisfied, contented. They want to walk with their head held high, their chest puffed out, and confidence in their step. Each of us wants our own particular feeling, but it's still mostly a *feeling* that we really want.

Why, then, do we lawyers stuff our websites, our sales pitches, and our conversations with words about the legal services we provide, instead of the feelings the clients want to buy?

[For the full article, click here](#)

Branding Basics for Lawyers

Check in with your firm's brand:

- Which branding tactics have the biggest impact on my business?
- Is my branding consistent?
- Can I systematize this?
- Can I delegate this?
- Where are there disconnects or inconsistencies?
- What is working well for my firm? What do I like about this?

Brand Platform – Name and Visual

- **Firm name** – Does your firm name convey who you are and/or what you do? Ensure it is not misleading, confusing, or suggesting you are something other than what you are.
- **Logo** – Do you have a law firm logo? Does it appear on your website, business cards, letterhead, and other marketing materials? What sort of impression does it make on the viewer?
- **Colors** – have you chosen one or more colors for your firm materials? Are they consistently displayed on your website, email footer, and other marketing content?
- **Fonts** – Do you have fonts that you use consistently for client communication and marketing materials? Is your staff aware of what fonts you've chosen?

Create a great logo



[99 Designs - Logo Design](#)

Brand Platform - Language

- **Tagline** – In short, what sort of problems do you solve? Create a tagline that tells potential clients that you solve their specific problem.
- **Positioning Statement** - A brief description of your specific service offering and an explanation of how it fulfills a particular need of the target market
- **Brand Story** – What made you decide to start your own firm? Why did you choose your practice area? Be authentic and share your personal motivation for the work you do.
- **How to Hire Me language** – How can someone hire you? What is your process like of representation? Explain to potential clients what they can expect when they hire you.

Which message is more effective?

Juvenile Defense

Experienced former prosecutor
who now focuses on the problems
of juvenile defendants.

Thomas Wight, Esq.

Lawyer

136 Pryor Street SW

Atlanta, GA 30303

www.juveniledefense.xxx



This is Serious

No one thinks their child will end up here
For HELP when the unthinkable happens
call

Thomas Wight

Attorney at Law

404-502-3967

Website

- **Homepage** – Is it clear what services you provide from your homepage? Can a potential client quickly and easily access contact information?
- **About Page** – What problems do you solve? Who runs the firm?
- **Services Page** – What specific legal services do you provide? If you offer flat-fee pricing for specific limited-scope services, you can consider including that information in your services page.
- **Contact Page** – Where are your offices? What hours are you open? Provide an email and phone number for clients to reach you. Consider providing a scheduling link to schedule a free phone consultation.

Digital Branding and Marketing

- **Ebooks** – Do you have any content about your practice area that you've written and can share as an Ebook? Can you create a guide for potential or existing clients that can help them through the legal process?
- **Email signature** – Does your email signature utilize your logo, chosen fonts, and/or colors? Do you link to your website? Do you include alternative contact information, like a phone number? Can your client click a link to schedule a phone call or meeting with you? Can clients pay their bill using a link in your signature?
- **Newsletter template** – Do you send out a newsletter? Do you follow a template and include updated content with each issue? Is your newsletter interesting and informative?
- **Videos/Webinars** – Have you recorded any videos of you speaking about the problems you solve? Have you given any webinars? Is your video content available on your website?

Inform . . .

Be careful not to give
legal advice when marketing.

The Miranda marketing example . . .

You have the right to remain silent.

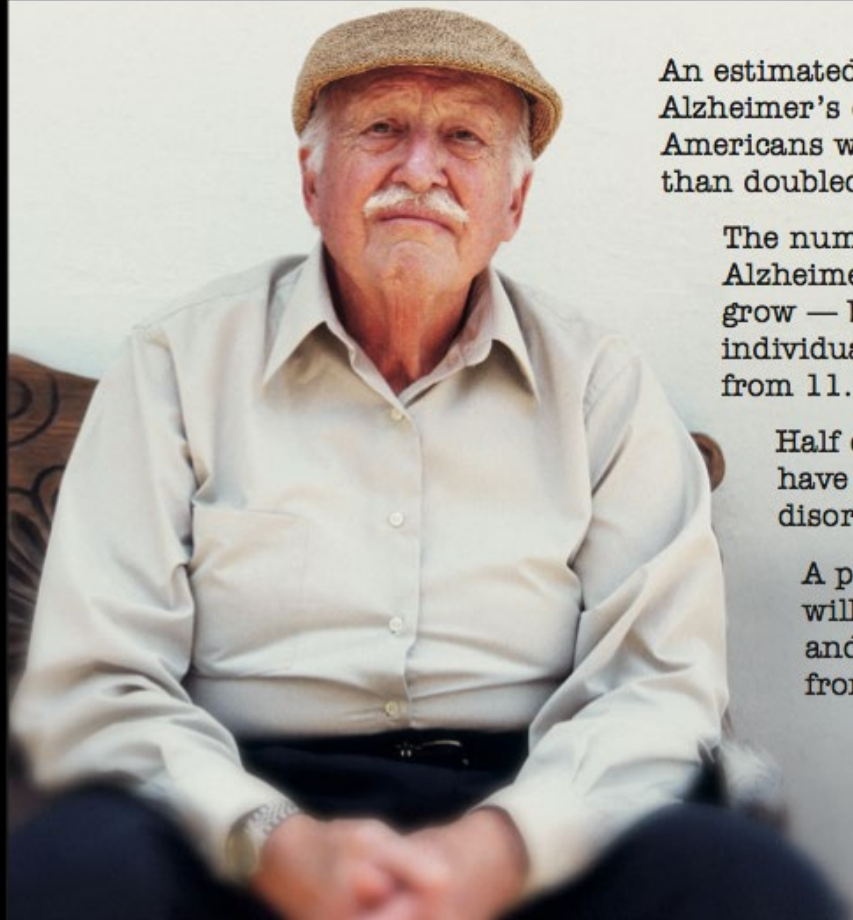
vs.

Never talk to the police.

Print Marketing

- **Business cards** – Does your card have a photo of you on it? Is it memorable? Does it contain your firm's contact information and your areas of practice?
- **Letterhead & envelopes** – Do your written communications with clients and other attorneys look professional? Do you have professionally printed envelopes and letterhead? Does mail leaving your office look neat and professional?
- **Postcards** – Consider sending postcards to existing clients and your network to remind them of the services you provide or an in-person event you are hosting.
- **Folders** – Folders with your firm's information and a business card inside are great for paperwork that you provide to new and potential clients.
- **Brochures** – Can you print an informational brochure and share it with related professionals to keep in their office waiting areas?

“Dad Couldn’t Remember How To Get Home.”



An estimated 4.5 million Americans have Alzheimer’s disease. The number of Americans with Alzheimer’s has more than doubled since 1980.

The number of Americans with Alzheimer’s disease will continue to grow — by 2050 the number of individuals with Alzheimer’s could range from 11.3 million to 16 million.

Half of all nursing home residents have Alzheimer’s disease or a related disorder.

A person with Alzheimer’s disease will live an average of eight years and as many as 20 years or more from the onset of symptoms. .

The average cost for nursing home care is \$42,000 per year but can exceed \$70,000.

(Source for all statistics: Alzheimer’s Association, www.alz.org)

The answers to the legal and financial challenges posed by Alzheimer’s disease can only be answered on an individual basis by an attorney whose practice is concentrated on elder law, Medicaid planning, and estate planning.

The Elder Law Firm of Marshall & Associates is known throughout Pennsylvania for the expert help they provide seniors who are faced with long-term care needs.

Take The First Step

Call today to reserve a place at one of our free seminars for seniors, their families, elder care professionals, and caregivers. Each presentation lasts about 90 minutes, including a “Question & Answer” session.

Elder Law Firm of **Marshall & Associates**

Jersey Shore Office

303 Allegheny Street, Jersey Shore, PA 17740-1405
(570) 398-7603 (800) 401-4552

Williamsport Office

49 E. Fourth Street, Suite 200, Williamsport, PA 17701-6355
(570) 321-9008

Wilkes-Barre Office

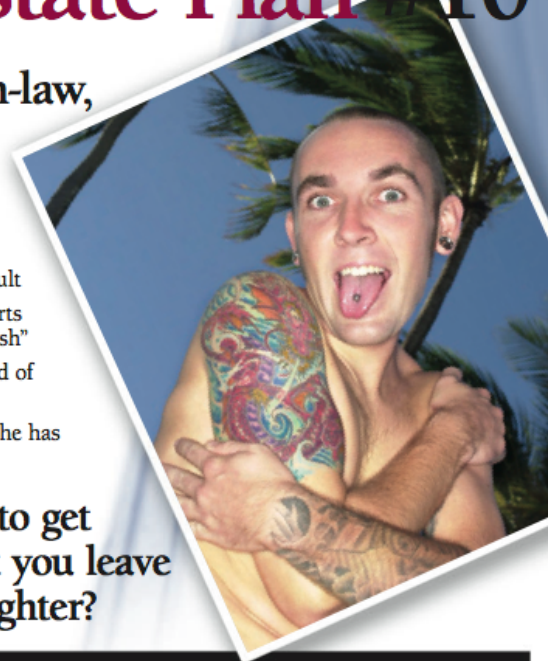
Cross Creek Pointe, Suite 402, 1065 Hwy. 315, Wilkes-Barre, PA 18702
(570) 822-6919

Reason To Make An Estate Plan #10

Your son-in-law, Fred

- Hasn't had a job since 1999
- Belongs to a religion that you consider a cult
- Sells t-shirts at concerts by a band called "Phish"
- You suspect he is fond of chemical substances
- Thinks it's great that he has rich in-laws

Is he going to get
half of what you leave
to your daughter?



**Do not miss this FREE seminar!
Two days only. Seating is limited.**

Wednesday, February 15, 2006
10:00am-11:30am
The Lodge at Rancho Mirage
68-900 Frank Sinatra Drive
Rancho Mirage

Thursday, February 16, 2006
6:30pm-8:00pm
The Lodge at Rancho Mirage
68-900 Frank Sinatra Drive
Rancho Mirage

Refreshments Served

Reserve your space today.
Call: 760-776-9977



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74-916 HIGHWAY 111
INDIAN WELLS, CA 92210
PHONE 760-776-9977
FAX 760-406-5053
WWW.LEELAWYERS.COM

The newsletter as a tool

- Goes out to your contact list
- Reminds your network of the work you do
- Top of mind – when to send?
- Provides information about your practice area or related topics
- Shares your point of view
- Informs and/or entertains

Focus on the problem you solve & the questions in the mind of the prospective client

Why the newsletter works

- Targeted to your audience
- Regularity
- Long-term tool
- Becomes a part of your process
- More cost effective
- Few do it well
- Try hardcopy instead of electronic

[EXT][New post] By Search Warrant or Subpoena, the Government Will Get Your Gmail (and the Numbers Are on the Rise)



GRAND JURY TARGET <comment-reply@wordpress.com>

To Daniel Mills

[If there are problems with how this message is displayed, click here to view it in a web browser.](#)

New post on GRAND JURY TARGET



By Search Warrant or Subpoena, the Government Will Get Your Gmail (and the Numbers Are on the Rise)

by [Kropf Moseley](#)



[By: Sara Kropf](#)

I have a Gmail account for personal use. You likely do too. And nearly every one of my clients has one. In fact, Google owns about 43% of the email market. Gmail has about 1.8 billion users and about 306 billion emails are sent and received daily in 2020.

Who cares about Gmail this much? The federal government does.

That's because people still send a lot of interesting things via email. The government wants to use those emails to build their criminal cases, particularly in white-collar cases. We think about wiretaps as electronic surveillance since they happen in real time, but gathering email is a key part of how the government investigates potential crimes.

[EXT][New post] Forfeiture-by-wrongdoing




Koehler Law <donotreply@wordpress.com>

To ● Daniel Mills

 Reply

 F

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New post on Koehler Law



Forfeiture-by-wrongdoing

by [Jamison Koehler](#)

Under the "forfeiture-by-wrongdoing doctrine, a defendant forfeits his Sixth Amendment right to be confronted by a witness against him, as well as his objection to the introduction of hearsay, if he wrongfully procured the unavailability of that witness with the purpose of preventing the witness from testifying.

[Read more of this post](#)

[Jamison Koehler](#) | December 13, 2021 at 1:11 pm | Categories: [Evidence](#), [Legal Concepts/Principles](#), [Opinions/Cases](#) | URL: <https://koehlerlaw.net/?p=16381>

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Jamison Koehler • 1st

Koehler Law

54m •



Under the 'forfeiture-by-wrongdoing doctrine, a defendant forfeits his Sixth Amendment right to be confronted by a witness against him, as well as his objection to the introduction of hearsay, if he wrongfully procured the unavailability of that witness with the purpose of preventing the witness from testifying.



The "forfeiture-by-wrongdoing" doctrine in Hairston

koehlerlaw.net • 2 min read



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Comment



Share



Send



Add a comment...



Some long-term goals

- Build your database
 - Sign up for a CRM and begin building your list
 - Create a resource and have people opt in Choose
 - a niche practice area and become THE expert
 - Show up with information to educate (but don't give it all away)
 - Blog
 - Live Stream
- Establish yourself as an expert
 - Guest posts/appearances
 - Bar Association articles and CLEs
 - Media pitches
 - Host your own info sessions
 - Host a challenge
- Launch a new product, service, event online—SELL something

Generate Money Now

- Offer virtual consults (paid and unpaid)
- Create an information product and sell it (helpful resources are needed)
- Host online events (paid and unpaid)
- Collaborate with other professionals who serve your same audience
- Offer a special (Wills, Expungements, Strategy Sessions)

Client Relations

How are clients handled at the firm?

- Who answers the phone? What do they say?
- Who returns new client calls?
- Who answers client emails?
- How are clients greeted at the office?
- Do appointments run on time? Are deadlines met?

LEAD CONVERSION FLOW

GENERATE

CAPTURE

Lead Sources (Generation)

Contact Methods

Response Methods

Qualification

Intake & Scheduling

Conversion

Referrals
Reviews
Local Listings
PPC
Social Media
Content & Freebies (Advice, Forms, Calculators)
Technical SEO
Link Building

Phone
Email
Text
Web Chat

Attorney

In-house assistant or paralegal

Receptionist service

AI service

Good leads

Basic intake

Instant
Transfer
Call-back
Appointment

Delayed
Follow-up call
Email drip

Full intake
New client agreement

New client!

Qualification

Future Clients & Good Will

Bad leads

Educate & Refer

Client contact protocol

- Training staff and services that interact with clients
- Courtesy
- Knowledge of law firm policies
- Maintaining professionalism
- Communicating expectations – both of the client and of the attorney

Vetting a potential client:

- **Advance fee** (when is the need for your problem-solving ability at its peak?)
- The **interview** process & using a [questionnaire](#)
- Social media & public data bases
- Credit report: [Experian's service for lawyers](#)

When you need to close:

- Are you talking to the decision maker?
- Can you solve this problem?
- Are there contingencies?
- Ask for the work you want to do

After You Say “Yes”

- **Start work** in their presence
- Make sure they see you solving their problem
- Create a system of **informing & educating** that is personalized to each client
- Create a **client experience** in your firm

Options for Client Questionnaire – store client information securely in a cloud system

- [Google Forms](#)
- [Microsoft Forms](#)

When to use a client questionnaire:

- **Before a consultation** - conflicts checks, to determine whether the work fits in your plan
- **During representation**
 - Gather necessary information
 - Get feedback on client satisfaction
- **After representation** – feedback, testimonials

Request the sample intake form at PMAS@dcbar.org

Sample Intake Form:

The purpose of an initial consultation is for the attorney to advise you, the *prospective* client what if anything, may be done for you, and what the minimum fee therefor will be. *The purpose is not to render a definitive legal opinion* as it may be impossible to fully assess a matter within the time frame allotted for a consultation or with the (information or documents) that you may be able to provide at the initial consultation.

One of three outcomes is possible following your consultation.

- A. **You and the Attorney mutually agree to the terms of representation, or (After a separate document called an Agreement for Representation is signed a copy will be provided to you.)**
- B. **The Attorney declines representation, or**
- C. **You decide not to use the services of the Attorney.**

Note: The following questions will help us to understand the reason for your visit today. Your responses are protected by attorney/client privilege and will be held in strict confidence.

Name _____
Last First Middle or Maiden

Address _____
Number Street City State Zip

Home Phone (____) _____

Feedback from current and former clients:

- What should we keep doing?
- What should we stop doing?
- What did we *not* do that we should do?

Setting and Maintaining Boundaries

- Start at intake and reflect expectations in fee agreement
- Clients may need to be educated and reminded of your firm's boundaries
- Boundaries keep you professional
- Unscheduled calls and meetings

A small client can refer a big client

- Every client should feel like your most important client
- Informing & educating is essential
- Contact the client before the client contacts you
- If you can't help the prospective client, get them to the lawyer who can help them

Communicate clearly, and often

- Be proactive – anticipate questions and answer them before they are asked (FAQ/client resource)
- After calls or meetings, summarize what was discussed and provide supplemental information for next steps
- Set clear expectations – best way to reach you

Listening Skills

Hear What People Are Really Saying



Start Here

Active listening is a technique that enables you to fully concentrate on what others are saying, and to understand their **complete message**.

It can make you more effective at work, increase your ability to influence and negotiate, and prevent misunderstandings.

1

Here's how to do it:

Pay Attention

Look at the speaker, be aware of their body language, and ignore distractions.



I'm all ears!



Show That You're Listening

Nod, smile and say "yes" or "uh-huh" from time to time, to **encourage the speaker to continue**.

2



Make sure that you **really hear** what the other person is saying. **Stay focused**, and avoid falling back into old habits.

Becoming an **active listener** can increase your **productivity**, improve your **relationships**, and help you to avoid conflict.



Respond Appropriately

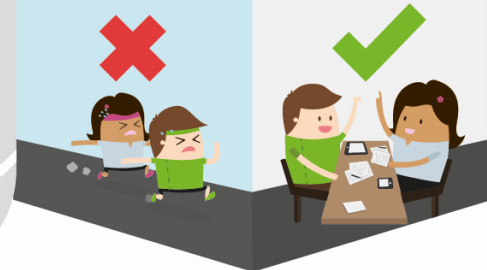
Be **open, honest** and **respectful** of the speaker's opinion – even if you don't agree with it. If you understand one another's positions, you can work toward a shared goal.

5

4

Defer Judgment

Allow the speaker to **finish their point** before you offer a counter argument. It's a discussion, not a race!



So, what you're saying is...

Do you mean that...?



Provide Feedback

Reflect the speaker's words back to them, and **ask questions** to check that you **understand correctly**.

3

To learn more about Listening Skills, read the article at www.mindtools.com/listen

New Client Checklist:

- Am I competent & efficient?
- Is this an ideal client?
- Is this work in my business plan?
- Will the fee be reasonable now, during & at the end of the representation?
- Are expectations addressed?
- Can I finish the work?
- Will I need help?

Clients to avoid:

- The liar
- Exquisitely angry client
- Serial litigant who is pro se or has fired counsel
- The person who keeps interrupting you
- The unrealistic person
- The person who ignores boundaries & directions
- The person who does not value your effort
- The person with the unsolvable problem

The challenging client

- Set expectations and boundaries
- Allow sufficient time and attention
- Document the effort you make and include it in the client file (phone calls, emails, texts, etc.)
- Include all documentation in the client file - [LEO 333](#)
- If you need to withdraw: [Rule 1.16\(b\)](#)

Building Trust with Clients

BRAVING Inventory – Brene Brown

Boundaries

Reliability

Accountability

Vault

Integrity

Nonjudgment

Generosity

- **Boundaries** - Making clear what's okay and what's not okay, and why
- **Reliability** - You do what you say you'll do. Staying aware of your competencies and limitations so you don't overpromise and are able to deliver on commitments and balance competing priorities.
- **Accountability** - You own your mistakes, apologize, and make amends.
- **Vault** - You don't share information or experiences that are not yours to share.
- **Integrity** - Choosing courage over comfort; choosing what's right over what's fun, fast, or easy; and practicing your values, not just professing them.
- **Nonjudgment** - I can ask for what I need, and you can ask for what you need. We can talk about how we feel without judgment.
- **Generosity** - Extending the most generous interpretation to the intentions, words, and actions of others.

BRAVING with Clients

- **Boundaries** - Set appropriate boundaries with clients and stick to them. Do you take unscheduled calls? Evening and weekend calls?
- **Reliability** - Do you communicate when you say you will? Do you complete tasks either by their deadline or in advance? Do you keep clients updated and show up on time for meetings?
- **Accountability** - Do you take responsibility for your actions and your work?
- **Vault** - Do clients feel confident that you are keeping both their confidences and personal information secret? Are files kept organized and confidential?
- **Integrity** - Do you act ethically and in compliance with the rules of professional conduct?
- **Nonjudgment** - Do you listen to your clients and respond from a nonjudgmental place? Do clients feel comfortable being honest with you?
- **Generosity** - Are you generous in interpreting your client's words, actions, and intentions?

Productivity & Technology

Productivity & the Small Firm

- Profitability & growth are the result of a productive lawyer
- It's a question of using the right tool for the job
- It's stepping back, watching & creating workflows

Work on your firm, not just in your firm . . .





ARE YOU **LAWYERING** OR **LABORING?**

2.5 hours

The average time an attorney spends on billable work per day.

2.9 hours

The average time spent each day on admin tasks.

1.2 hours

Of those 2.9 hours, the top 3 tasks are office administration (16%), invoicing (15%), and configuring technology (11%).

2 hours

33% of 6 hours/day not spent on billable work goes toward business development, indicating the importance of generating new clients.



ARE YOU **LAWYERING** OR **LABORING?**

23 minutes

How long it takes to recover from an interruption. Attorneys are interrupted ~6/day, so that's a ~2-hour loss per day.

2 out of 3 potential clients

Folks who say their "decision to hire" is most influenced by an attorney's responsiveness to their first call or email.

59 percent

People, on average, who didn't hire an attorney even after a consult.

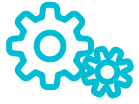
86 percent

The average amount of attorneys' earnings that is *ever* collected.

[Maddy Martin's](#) full program on May 14, 2020
**Affordable Tools, Tech and Talent to Run a
Small Law Firm Remotely**

[Presentation slides](#)

- [Recorded Lunch & Learn programs](#)
 - [Smith.ai](#)

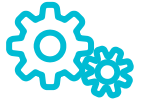


Free additional resources

Smith.ai eBook:

Are you Lawyering
or Laboring?

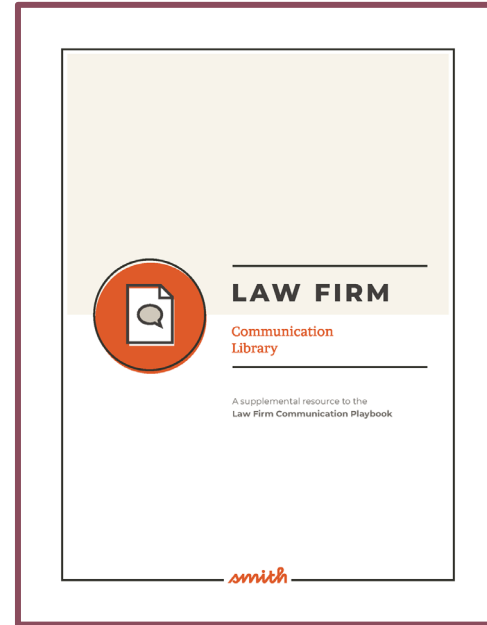
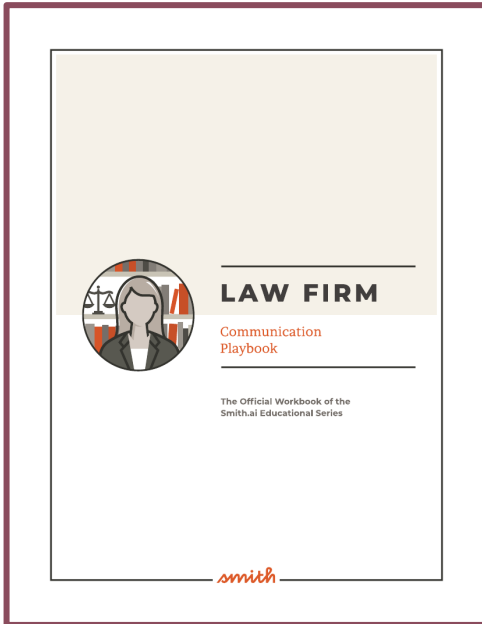




Free additional resources

Smith.ai Guides

Law Firm Communication Playbook



Law Firm Communication Library

Technology Tools

- Online booking system - Calendly, Acuity, VCita
- Video Conferencing - Zoom, Google Hangouts
- VOIP phone system - Ring Central, Google Voice
- Case management - MyCase, CLIO, Smokeball, Rocket Matter
- Project Management/Team & Task Management - Asana, Trello, monday.com
- Web cam
- Lighting
- Microphone
- Scanner
- Online file storage - Dropbox, Google Drive, Box

Planning out your day

- What tasks do you need to accomplish?
- When are you most productive?
- When are you least productive?
- What environment do you work best in for accomplishing different tasks?
- Do you have staff? When are they working?

Tools for tracking how you spend your time:

- [RescueTime](#)
- RescueTime collects data about how you spend your time on your devices, it categorizes the time and labels it as productive or distracting on a five-step scale

Ways to make the most of your time:

- **Blocking time** – example: first 10 minutes of each hour to answer emails
- **Batch tasks** – doing similar tasks on Friday
- Knowing which hours are most productive
- Identifying tasks that can be done even when you get interrupted

Being more productive:

- Teach yourself not to interrupt yourself
- [Pomodoro technique](#) – 25 minute chunks
- Keep a list – 3-5 items each day that are non-negotiable
- Schedule in a buffer to meeting times so you aren't rushing or showing up late

Reducing interruptions:

- Find a new location to work
- Manage expectations (unscheduled calls)
- Delegate or postpone
- Watch verbal fillers (“uh huh”)
- Remove candy/chair in office

Scheduling

- Who manages your schedule?
- How do clients schedule a call or meeting with you?
- Do you take meetings every day of the week?
- How often do you have to reschedule meetings?

What is your process for doing this?

Automating Scheduling

- Software like [Calendly](#) or [Acuity](#)
- Integrates automatically with your calendar
- Add it to your footer and website
- Give the link to your assistant or answering service
- Only let people schedule times when you want to take calls/meetings

Why automated scheduling works

- Less back and forth in emails
- Less staff needed
- Clients feel like you're available to them
- You can get into a routine
- Blocks out time for different kinds of work
- Batch your calls/meetings so you have less interruptions when you're working

Case Management Software

- [Clio](#), [CosmoLex](#), [MyCase](#)
- Case management, document management, billing, payments, trust accounting, calendaring
- Practice management tools in one program
- Use free trials to test out interface

Case Management Software

- [Clio is a DC Bar member benefit](#)
- [MyCase](#)
- [RocketMatter](#)
- [CosmoLex](#)

[Lawyerist review of case management tools](#)

Standard Operating Procedures

- Tasks you do repeatedly
- Tasks you delegate
- Tasks that are complex

Why SOPs can help your firm

- Save time
- Easier delegation
- Less mistakes

- Apps can help – [Trello](#)
- [Delegation resource](#)

Alternative Options for Practice Management

- Work management software - [Asana](#)

The screenshot displays the Asana web interface for a project titled "Marketing Campaign". The interface is organized into a list view with columns for "Task name", "Assignee", "Due date", and "Status".

Task List:

Task name	Assignee	Due date	Status
Planning			
✓ Campaign brief and launch timeline (3 likes)	[Avatar]		Approved
✓ Overall goals and success metrics (2 comments, 5 shares)	[Avatar]		Approved
✓ Approved budget	[Avatar]		Approved
Milestones			
✓ Campaign creative concepts (3 shares)	[Avatar]	Jun 19 – 27	In review
✓ Campaign messaging	[Avatar]	Jun 18 – 20	Approved
✓ Select agency and secure SOW (3 likes, 2 comments)	[Avatar]	Jun 21 – 22	Approved
✓ Media plan (8 likes)	[Avatar]	Jun 25 – 26	In progress
✓ Campaign performance tracking (8 likes)	[Avatar]	Jul 3	In progress
✓ Video assets completed	[Avatar]	Jul 10	Not started
✓ Landing pages live on website (2 comments, 5 shares)	[Avatar]	Jul 24	Not started
✓ Campaign launch! (8 likes)	[Avatar]	Aug 1	Not started

The task detail modal on the right shows a zoomed-in view of the task list, including a search bar, a filter icon, and a red plus button for adding new tasks.

Alternative Options for Time Tracking/Invoicing

- [Freshbooks](#)

The screenshot displays the 'Time Tracking' interface in Freshbooks. At the top right, there is a green 'Generate Invoice' button. Below the title, there are tabs for 'track' and 'review'. The current view is for the week of 'May 13-19'. A navigation bar shows 'This Week' with left and right arrows, and view options for 'day' and 'week'. The main area is a grid with columns for each day from Sunday (May 13) to Saturday (May 19). Three tasks are listed:

- Wordpress Migration (Assembly We...)** (Development): 1:30 on Mon, 2:00 on Tue, 0:30 on Wed, 4:30 on Thu, 5:00 on Fri. Total: 13:30.
- Social Media Marketing - June (Neu...)** (Design): 2:30 on Mon, 2:00 on Tue, 4:00 on Wed, 0:25 on Thu, 0:30 on Fri. Total: 9:25.
- Logo Redesign (Sidecar)** (Design): 3:00 on Mon, 1:30 on Tue, 1:00 on Wed, 1:30 on Thu, 1:30 on Fri. Total: 8:30.

A dashed box at the bottom contains a '+ New Row' button. At the very bottom, a 'Save' button is on the left, and a summary row shows: — 7:00 5:30 5:30 6:25 7:00 — 31:25.

Automating legal forms with Mail Merge

- You need a word document and a spreadsheet
- Can be used for fee agreements, pleadings, forms, and any other document that gets used regularly in your practice
- Saves time
- Reduces errors
- Allows more legal work and less admin work
- [How to do it](#)

INSERT MERGE
FIELDS FOR
EVERY WORD OR
PHRASE THAT
YOU WANT
FILLED
AUTOMATICALLY

The screenshot shows the Microsoft Word interface with the Mailings tab active. The document content is as follows:

Joshua S. Baron (#11506)
Sharifi & Baron, PLLC
50 West 300 South, Suite 905
Salt Lake City, Utah 84101
(801) 656-1901

Attorney for Defendant

In the «Court_Name» «County», State of Utah	
«Plaintiff_Name», Plaintiff, vs. «Defendant_Name», Defendant.	NOTICE OF APPEARANCE OF COUNSEL FOR DEFENDANT, JURY DEMAND AND WAIVER OF ARRAIGNMENT Case Number «Case_Number» Judge «Judge_Name»

Joshua S. Baron moves the court to do the following:

1. Enter his appearance as counsel for Defendant,
2. Waive arraignment,
3. Enter not guilty plea(s) for Defendant, and
4. Set the case for a pretrial conference.

Additionally, Defendant demands a speedy jury trial.

Joshua S. Baron
Attorney for Defendant

Page 1 of 1 104 words English (United States) 150%

WHEN YOU
MERGE YOUR
SPREADSHEET
DATA, YOUR
FORM WILL
AUTOMATICALLY
FILL WITH THE
DATA

The screenshot shows the Microsoft Word interface with the Mailings tab active. The ribbon includes options like Envelopes, Labels, Start Mail Merge, Select Recipients, Edit Recipient List, Filter Recipients, Insert Merge Field, Rules, Update Labels, Preview Results, Find Recipient, Merge Range, and Finish & Merge. The document content is as follows:

Joshua S. Baron (#11506)
Sharifi & Baron, PLLC
50 West 300 South, Suite 905
Salt Lake City, Utah 84101
(801) 656-1901

Attorney for Defendant

In the Salt Lake City Justice Court Salt Lake, State of Utah	
Salt Lake City, Plaintiff, vs. John Doe, Defendant.	NOTICE OF APPEARANCE OF COUNSEL FOR DEFENDANT, JURY DEMAND AND WAIVER OF ARRAIGNMENT Case Number 201000111 Judge Sydney Magid

Joshua S. Baron moves the court to do the following:

1. Enter his appearance as counsel for Defendant,
2. Waive arraignment,
3. Enter not guilty plea(s) for Defendant, and
4. Set the case for a pretrial conference.

Additionally, Defendant demands a speedy jury trial.

Joshua S. Baron
Attorney for Defendant

Page 1 of 1 113 words English (United States) 150%



PRACTICE
MANAGEMENT
ADVISORY SERVICE

Dan Mills

dmills@dcbar.org

571.213.3401



Kaitlin Forster

kforster@dcbar.org

202.780.2764