



2020 CCCBA Education Series
YOUR LAW PRACTICE ROADMAP
Practical Guidance for
New & Established Attorneys

Session #1

1 Hour General MCLE Credit – Provider #393

January 14, 5:30pm – 7:00 pm
John F. Kennedy University - College of Law, RoomS209
Pleasant Hill, California

SETTING UP PRACTICE

~Speakers~

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Topics

Budgeting/Financing
Location/Office vs. Virtual
Marketing

Insurance
Legal Research/Software
Staffing Introduction

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BUDGETING/FINANCING

- A. What Will it Cost?
 - 1. Setup
 - 2. Location
 - 3. Type of practice

- B. Financing Options
 - 1. Personal savings or retirement accounts
 - 2. The family fortune (loans or gifts)
 - 3. Credit cards
 - 4. Local bank

- C. Types of Loans
 - 1. Line of credit / revolving line of credit
 - 2. Term loans (equipment, furniture, leasehold improvements)

- D. How to Get a Loan
 - 1. Determine how much you need
 - 2. Bank requirements: The 4 C's
 - a. Character – Does the bank want to do business with you?
 - b. Capacity – Does your cash flow suggest you can repay?
 - c. Capital – What will the funds be used for?
 - d. Collateral – If all else fails, how will the loan be repaid?
 - 3. Paperwork you may be required to provide:
 - a. Business plan and/or partnership agreement
 - b. Annual fiscal year-end statements (2-5 years), quarterly statements
 - c. Aged accounts receivable schedule
 - d. Cash flow projection (2 years)
 - e. Personal financial statement
 - f. Personal and/or law firm tax returns (2-5 years)
 - g. Insurance: business interruption, disability, life
 - 4. Be prepared to discuss:
 - a. Financial statements
 - b. Capital adequacy and financial strength
 - c. Hidden assets: billable hours, ripe settlements, promising winners
 - d. Billing practices: rates, industry comparison, frequency, collection
 - e. Litigation risks
 - f. Cost controls
 - g. Client base: types of clients, general vs. specialized practice

LOCATION/OFFICE VS. VIRTUAL

- A. Initial Considerations
 - 1. Affordability
 - 2. Comfortability
 - 3. Accessibility
 - 4. Prestige
 - 5. Security

- B. Ethical Considerations of Office Sharing
 - 1. Prepare an office-sharing agreement
 - 2. Inform and educate clients
 - 3. Avoid partnership-like actions or appearances
 - 4. Protect client confidentiality

- C. The Home Office
 - 1. Personal needs: Self-discipline and control of daily life
 - 2. Professional needs: Client comfort, staffing compatibility, interaction
 - 3. Security and privacy concerns
 - 4. Zoning restrictions

- D. The Virtual Office
 - 1. Neutral ground: Courthouses, libraries, bar associations
 - 2. Rented space: Conference rooms, vacant offices

MARKETING

- A. Get the Customer
 - 1. Overcome your fears
 - 2. Commit to marketing
 - 3. Define your professional identity
 - 4. Distinguish yourself: Create a niche
 - 5. Learn about and target your market

- B. Methods
 - 1. Self promotion
 - a. Announcements
 - b. Advertisements
 - c. Brochures
 - d. Newsletters
 - e. Networking
 - f. Seminars
 - g. Articles
 - h. Website
 - 2. Interpersonal skills
 - a. Become a better listener
 - b. Offer a value-added service
 - c. Create non-pressure sales
 - 3. Service your clients and they will become your best referral sources

C. Tips to Improve Your Marketing Skills

1. Always carry business cards
2. Be prepared to tell people what kind of law you practice
3. If you have an office, offer visitors a drink while they sit and wait
4. Send thank you letters when you receive referrals
5. Remember that availability or non-availability is the single most important factor in getting a case after you are recommended
6. Return phone calls by telephone, email or fax, preferably yourself
7. Have form conflict letters and waivers on hand
8. Discuss fees up front and put your agreement in writing
9. Try to put clients at ease – calm nerves and provide reassurance
10. Ask clients how they prefer to be contacted & keep them informed
11. Introduce clients to staff members who will work on the client's matter
12. Show clients how your bills can be tax-deductible, if possible
13. When a case is over, thank the client for the opportunity to work with her
14. If you have bad news, be simple, direct and honest
15. Don't complain about how hard you are working
16. Get rid of bad cases and clients before they give you problems
17. Keep a picture of your family on your desk

INSURANCE

A. Lawyer's professional liability (malpractice or errors & omissions) insurance

1. Prior acts coverage
2. Coverage limits – per claim vs. aggregate
3. Deductible – self-insured retention amount
4. Exposure factors
 - a. Danger of personal exposure
 - b. Degree of risk in practice areas
 - c. Size of transactions and scale of exposure
 - d. Individual claims history
5. Cooperating with insurer
6. Dealing with clients involved in claims or problems

B. Health Insurance

1. State Bar of California
2. Kaiser

LEGAL RESEARCH/SOFTWARE

- A. Law Libraries
 - 1. Contra Costa County Public Law Library – Main/Courthouse Branch
1020 Ward Street, 1st Floor, Martinez, CA
Hours: 8:00 a.m. – 5:00 p.m., M – FRI
<http://www.cccplib.org>
Open to the public, with Westlaw privileges
 - 2. Contra Costa County Public Law Library – Richmond Branch
100 37th Street, 2nd Floor, Richmond, CA
Hours: 8 a.m. – 4:30 p.m., M – FRI (closed from noon – 12:30)
Open to the public
 - 3. John F. Kennedy University Law Library
100 Ellinwood Way, Pleasant Hill, CA
Hours: 9:30 a.m. – 9 p.m., M – TH, 9:30 a.m. – 5 p.m., FRI, 10:00 a.m. – 5:00 pm SAT, 1 p.m. – 6 p.m. – SUN
<http://library.jfku.edu>
Free access to Solo Section members (no check-out privileges, though)
All others pay

STAFFING INTRODUCTION

- A. Pre- Hiring Considerations
- B. Employees vs. Independent Contractors

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