



# **D.C. Bar Practice Management Advisory Service**

Basic Training & Beyond  
April 21, 2021

Rochelle D. Washington, Practice Management Advisor

# Day 2 Topics



LAW FIRM  
MANAGEMENT



CLIENT RELATIONS



MARKETING



**KNOW THE  
RULES!**

## Regulation

- ◆ Know the Rules
- ◆ Know Where to Get Help
- ◆ Get a Mentor



## New PMAS Offerings

Law Firm Management Self-Check is our new confidential self assessment quiz. See how you score.





# PRACTICE MANAGEMENT

ADVISORY  
SERVICE

## Practice 360° Newsletter

### Calendar

#### Networking

**Thursday, January 9,  
Noon,** *Increasing Revenue  
and Reducing Expenses in  
Your Practice*, presented by  
Geoff Gilbert of [Coach for  
Executives](#). The D.C. Bar, 901  
Fourth Street NW,  
Washington, DC  
RSVP to  
[lunchandlearn@dcbar.org](mailto:lunchandlearn@dcbar.org)

**Friday, January 10, 12:30  
p.m.,** *Alto Fumo*, 2909 Wilson  
Boulevard, Arlington, VA  
(Clarendon Metro)  
RSVP to  
[steven@stevenkriegerlaw.com](mailto:steven@stevenkriegerlaw.com)

### Lunch and Learn

All programs begin at Noon. You may attend in person or  
by video conference. Register for any or all at  
[lunchandlearn@dcbar.org](mailto:lunchandlearn@dcbar.org)

**January 9, 2020**  
***Increasing Revenue and Reducing Expenses in Your  
Practice***, presented by Geoff Gilbert of [Coach for Executives](#).

Most lawyers (and businesses) focus too much on expenses and  
not enough on increasing revenue. Learn how to balance your  
efforts so revenues far outgrow expenses.

### Register

**January 16, 2020**  
***Running on Empty: Burnout in the Legal Profession***,  
presented by Niki Irish of the [D.C. Bar Lawyer Assistance  
Program](#).

The World Health Organization defines burnout as a syndrome  
"resulting from chronic workplace stress that has not been  
successfully managed." The primary symptoms include

Sign up to  
receive our  
PMAS Practice  
360°  
Newsletter

# Law Firm Management



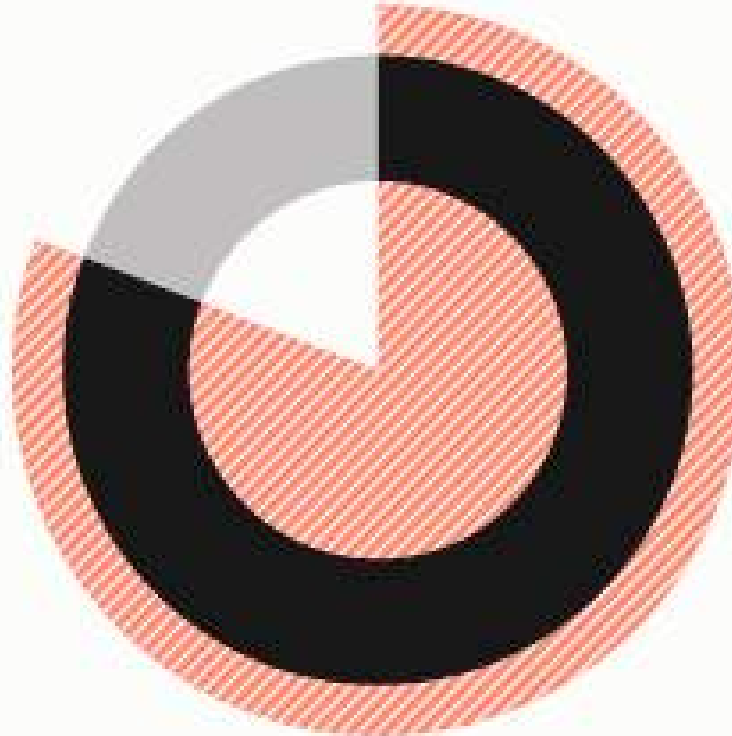
## ○ Utilization rate



Number of billable  
hours worked ÷ number  
of hours in a day =

**31%**

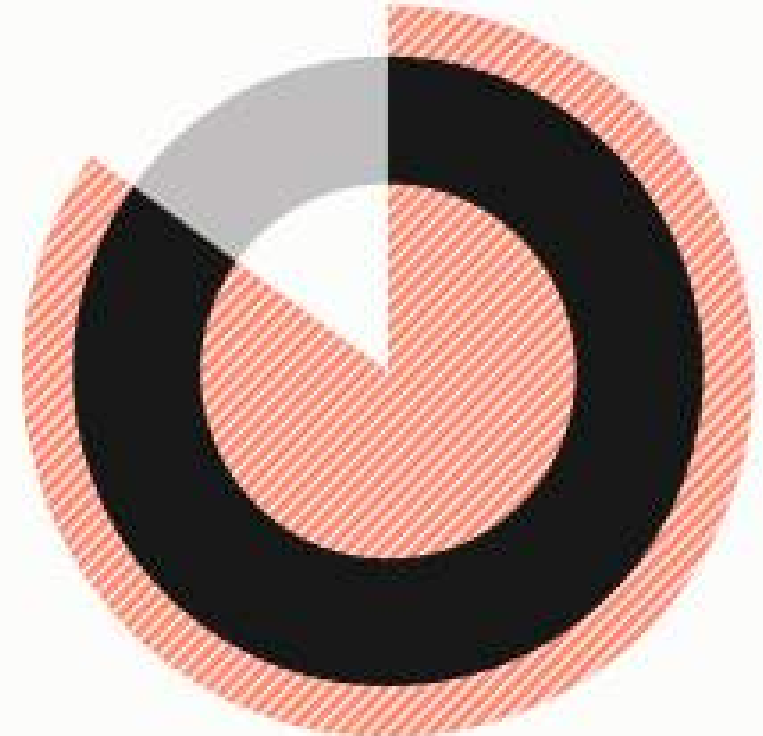
## ○ Realization rate



Number of billable  
hours invoiced ÷ number  
of hours worked =

**81%**

## ○ Collection rate



Number of hours  
collected ÷ number  
of hours invoiced =

**86%**

**The average lawyer worked just 2.5 hours  
of billable work each day in 2018**



## ○ Business areas firm managers often engage in



## How Lawyers Measure Success





A business  
plan in  
writing



# 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







# Client Intake Process

- ◆ Consultation Agreements?
- ◆ Intake Forms/ Pre-Screening
- ◆ Conflicts Check
- ◆ Office Policies
- ◆ Fee Agreements
- ◆ Automate



# Automated Process



◇ <http://garnerlawpllc.com/>

# What's in a name?

◇ 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

## File Set-up

---

Fee Agreement

---

New matter info sheet

---

Case notes

---

Telephone messages

---

Log

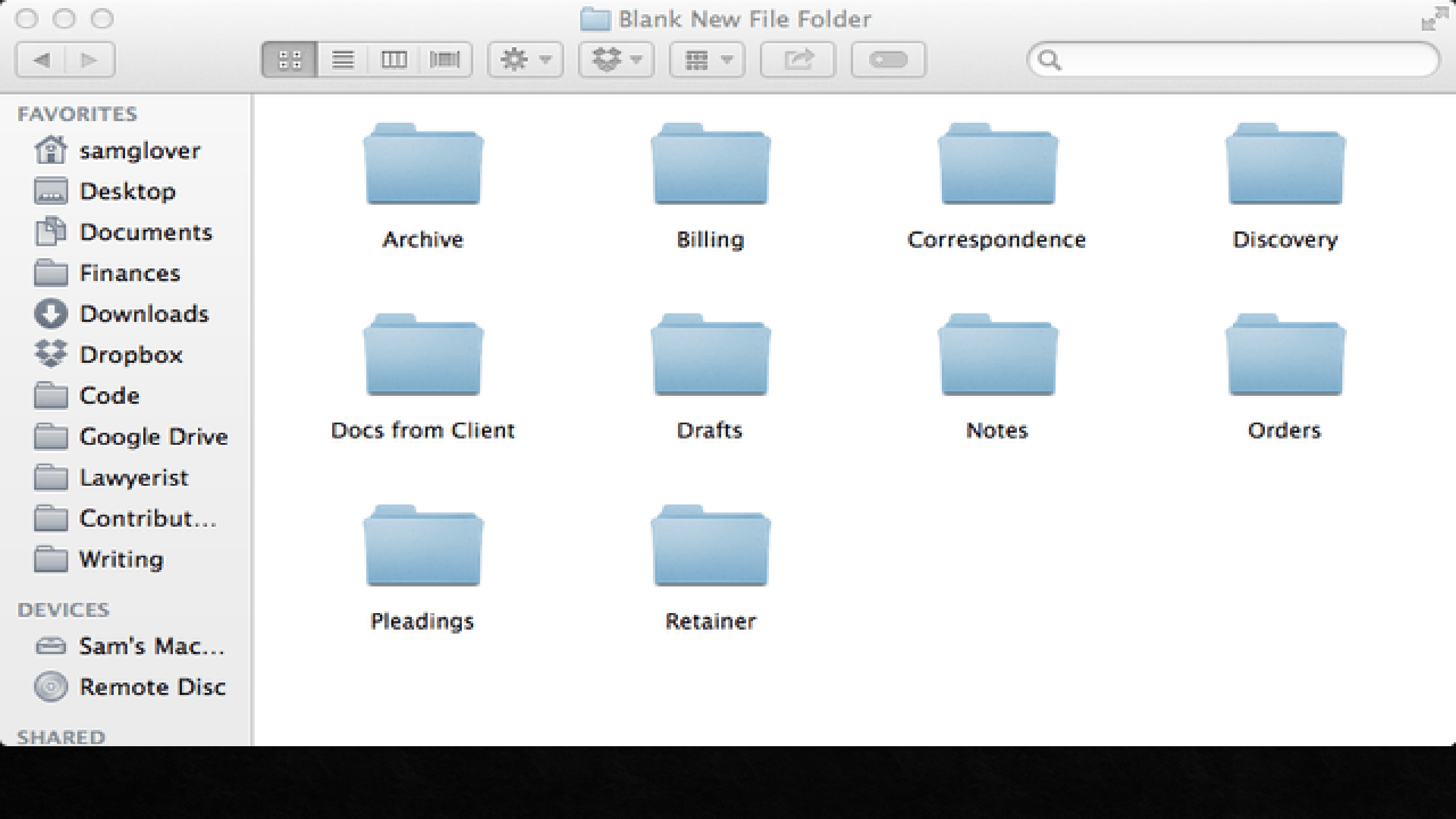
---

Discovery docs

---

Expense log





Blank New File Folder

FAVORITES

- samglover
- Desktop
- Documents
- Finances
- Downloads
- Dropbox
- Code
- Google Drive
- Lawyerist
- Contribut...
- Writing

DEVICES

- Sam's Mac...
- Remote Disc

SHARED

- |                      |              |                    |               |
|----------------------|--------------|--------------------|---------------|
| <br>Archive          | <br>Billing  | <br>Correspondence | <br>Discovery |
| <br>Docs from Client | <br>Drafts   | <br>Notes          | <br>Orders    |
| <br>Pleadings        | <br>Retainer |                    |               |

---

Conflict Check! D.C. Rule 1.7

---

Keep a master log of all files

---

File Maintenance

Consistent naming conventions

---

File location management system

---

Consider storage

# Case Management Case & Action Manager- Manual

[illegible]



---

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

Calendar/Docket

# Billing System: Track Your Time Now!

- Manual or electronic- but do it now not later!
- Saves you time
- Makes you Money
- Helps you bill timely and consistently





---

Content of your invoices will improve

---

Better explanation of the work

---

More likely to be fair and accurate

---

Review before they are sent to client

---

Block out time to do this!

---

Include all you did, even if you take off billing time

---

Tracking time now means...



# Make Invoices Look Good





## Include:

- ◆ Date
- ◆ Time worked
- ◆ Expenses incurred
- ◆ Prominently display the amount owed
- ◆ Timeframe for client to dispute
- ◆ How you take payments
- ◆ Email or Snail mail, know your clients expectations

01

Follow the  
terms in your  
fee agreement

02

Bill when you  
say you will

03

If you don't  
send- they  
won't pay

04

Don't include  
invoice with  
work product-  
keep separate

## Invoice Timing





## A Few Suggestions:

- ◆ Resist billing for more than two hour blocks for work. (break up the entries)
- ◆ Total up smaller entries (avoid appearance of nickel and diming)
- ◆ When invoice is larger than normal send before normal cycle to give client a heads up

# A Few Suggestions:

- Avoid Duplicate entries
- Provide Dispute Options
- Automate!





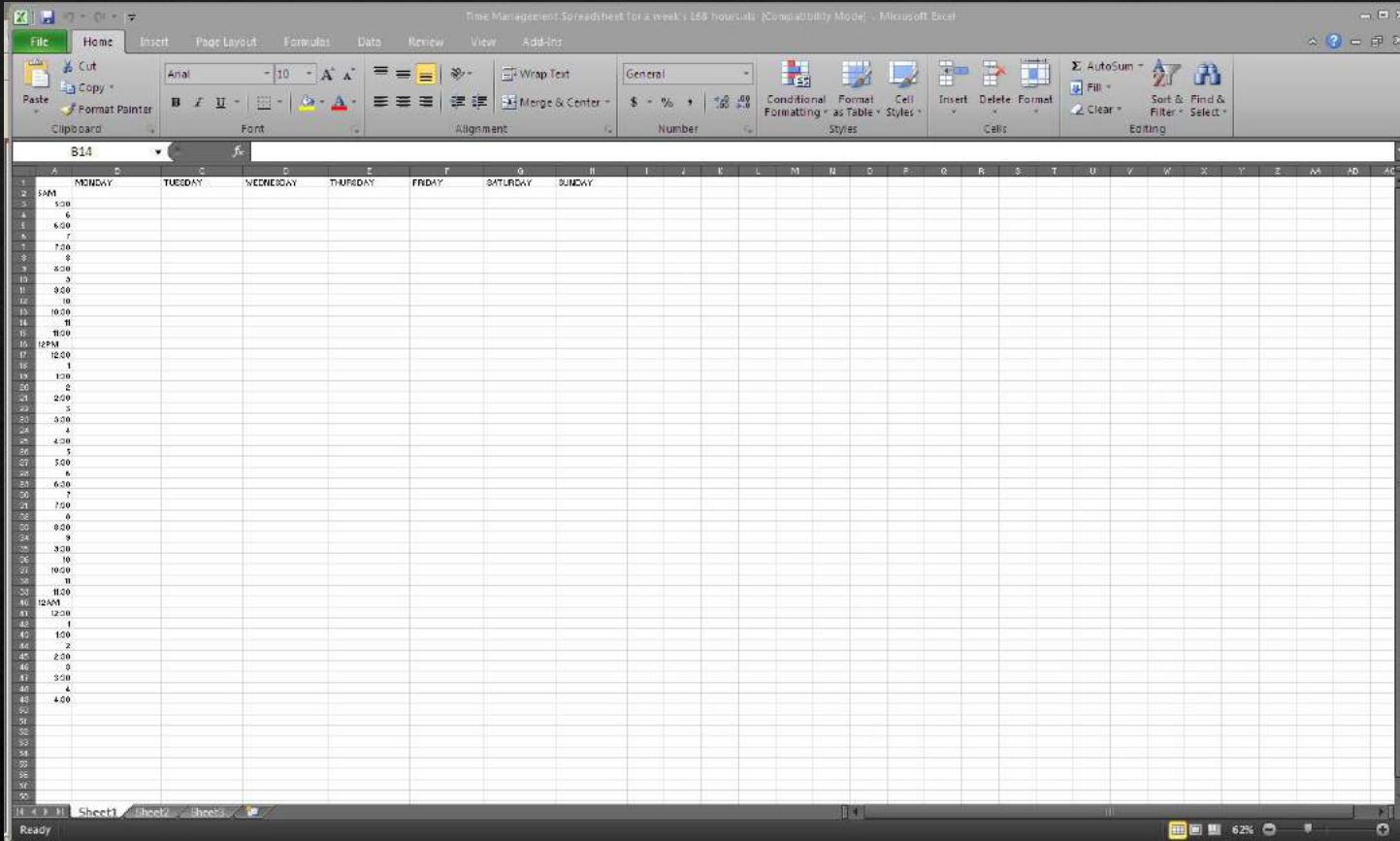


## If they do not pay:

- Collections process
- Standardized letters
- Follow-up
- Don't Delay
- Set expectations
- Be Consistent
- Earn their respect



# Time Management Sheet



# Office Accounting Procedures

- Basic Book-keeping
  - ◊ Tracking your business expenses
  - ◊ Effective debiting and crediting procedures
- Balance Sheet
- $\text{Assets} = \text{Equity} + \text{Liabilities}$ 
  - How much you owe and what you own

# Accounting Tips

Record all  
Transactions

Document and File  
Receipts

Review unpaid bills  
from clients

Pay Vendors/Office  
services

Prepare and send  
invoices regularly

Review Projected  
Cash Flow

- Know how much you  
need to make

Balance your  
Operating Account  
Checkbook

Process or Review  
Payroll

Review Actual Profit  
and Loss vs. Budget  
and vs. Prior Years



# Productivity

1

The simple secret to  
productivity

2


Block out Time -  
important times for  
all ongoing task

3

Being disciplined

Managing time . . .

# Working smarter . . .



How do you  
work the most  
efficiently and  
effectively

What are the  
tools you need



1. Name your workflow

2. Identify Start and End Points

3. Identify what is need to perform the process

4. List any task and activities

5. Identify the order task should be accomplished

6. Identify roles

7. Identify your flowchart type and draw it out

8. Review and finalize

9. Use a workflow automation tool to create your actual workflow

# Create Workflows



**TECHNOLOGY**  
**IS**  
*Key*



## Introducing A New Name: Business & Tech.

Every business is a technology business. Whether it's taxi cabs or taco delivery, today's enterprises are urgently figuring out ways to manage the growth of information technology and to turn its disruptive potential to their advantage.

Algorithms direct our doctors and instruct our farmers. They will increasingly guide nearly every function in the modern enter-

C

Envi  
mon  
data  
new  
a fas

By DA

Wh  
velop

The Wall Street  
Journal declared  
“Every business is a  
technology  
business.”



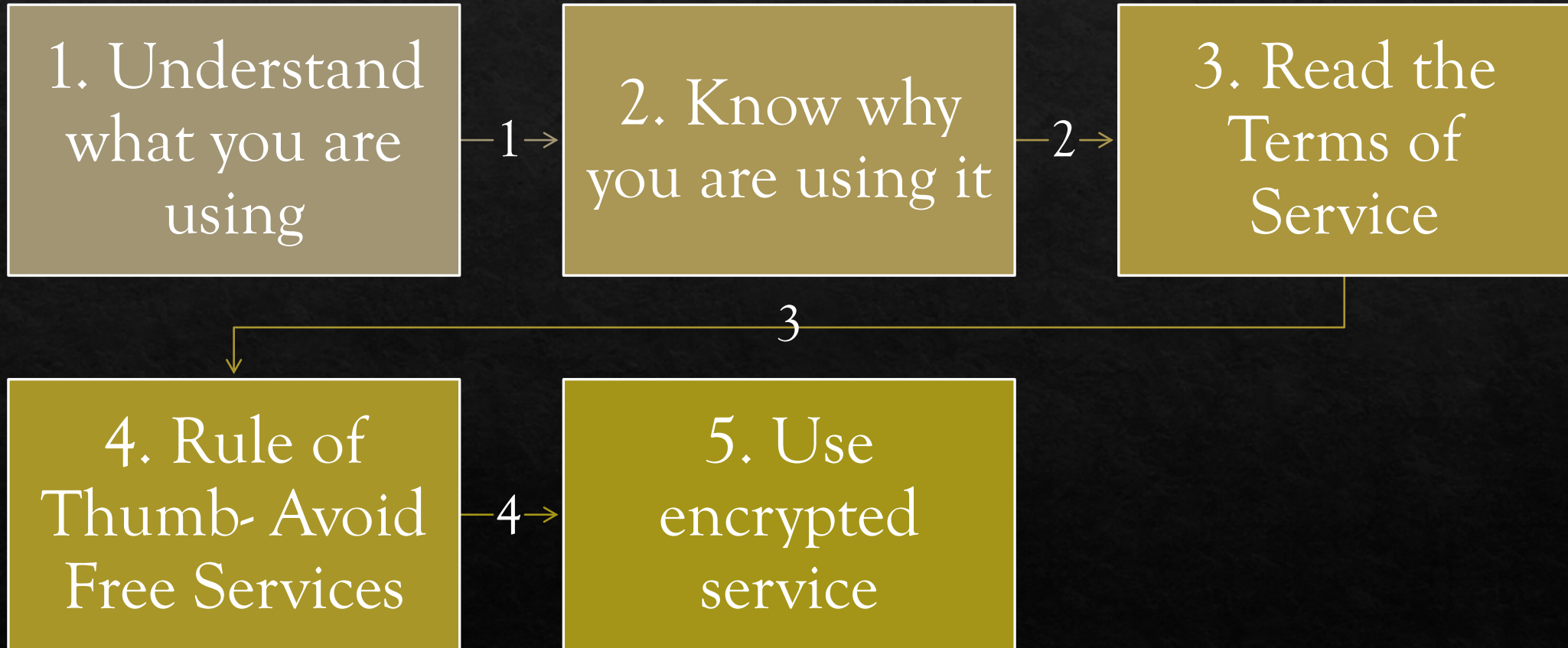
# How Technology Helps You



Ethical Obligation to Understand the Tech you implement in your law office



# Tech Implementation – Best Practices





# Do you really need an office?



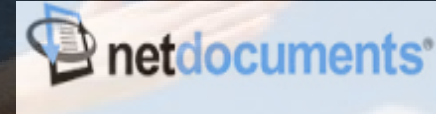
Virtual Office

Brick and Mortar

# The Virtual Office



Laptop



Document Management



Printer/Scanner/Copier



Phone



Conference/meeting room



Website



Email/web hosting



Case Management



Answering Service









# Virtual Law Firm

- ◇ [www.garnerlawpllc.com](http://www.garnerlawpllc.com)
- ◇ [www.mdfamilylawyer.com](http://www.mdfamilylawyer.com)



Monitors – the More the Merrier!





Printer and  
Scanner



And if you REALLY want to go Virtual...



# Client Portal

# A Client Facing Legal Document Automation Platform Plus a Virtual Law Office

DirectLaw is a secure, cloud-based solution that enables the delivery of Online Legal Services

**Free 30 Day Trial**

No Obligation. No credit card required.

## Watch the Video:



Key Features of the DirectLaw Virtual Law Firm Platform



See How Our Document Automation Solution Works Inside the DirectLaw Platform

## Read the Whitepaper:



HOME

LEGAL SERVICES

LEGAL ADVICE

DIVORCE GUIDE

ABOUT US

FAQ

SUPPORT

SEARCH

LOG IN



## DIVORCE YOU CAN AFFORD

Consider Divorce Mediation If You Have A Conflict

[Read More](#)





# When do you need tech?

- ◆ Automate
- ◆ Delegate
- ◆ Eliminate

# How to Choose Technology for your Law Office

- ◆ 1. Attractive/Appealing
- ◆ 2. Intuitive
- ◆ 3. Utility
- ◆ 4. Price Point
- ◆ 5. Secure

- ◆ 1. Steve Jobs
- ◆ 2. Word vs. Word Perfect
- ◆ 3. Functionality for your firm
- ◆ 4. Bottom Line
- ◆ 5. Safe for client data?

---

Block out Time

---

Try at least 3

---

Confirm capabilities and Intuitiveness

---

Like the look and feel

---

Allows for your billing methods

---

Integration with other products (accounting)

---

Electronic/ Batch Invoicing option

---

Accounts Receivables

---

WIP view

---

Selecting  
Your Product





## HOW TO GO PAPERLESS IN 2019: A MONTH-BY-MONTH PLAN

 Larry Port  January 25, 2019  Quick Tips  0 Comments

<https://www.lawtechnologytoday.org/2019/01/how-to-go-paperless-in-2019/>



## BENEFITS AND SAVINGS

### REASONS TO GO PAPERLESS

ONE



SAVES TIME

TWO



USE LESS SPACE

THREE



BETTER SECURITY



\$10,000

**\$10,000**

estimated savings per year at an  
**EIGHT-EMPLOYEE** company



\$1,000,000

**\$1,000,000**

estimated savings per year at a  
**370-EMPLOYEE** company



# A FEW GREAT TECH TOOLS



# Get iMazing

## Manage your iPhone. Your way.

Get a trusted software to transfer and save your music, messages, files and data. Safely back up any iPhone, iPad or iPod touch. Powerful and user-friendly, iMazing is simply the best iOS device manager for Mac and PC.

[Free Download](#)[Buy Now](#)

iOS 13



Press about  
**iMazing**



# SAAS vs. Software on PC



**TIME TO UPDATE**





# Basic Technology for Lawyers

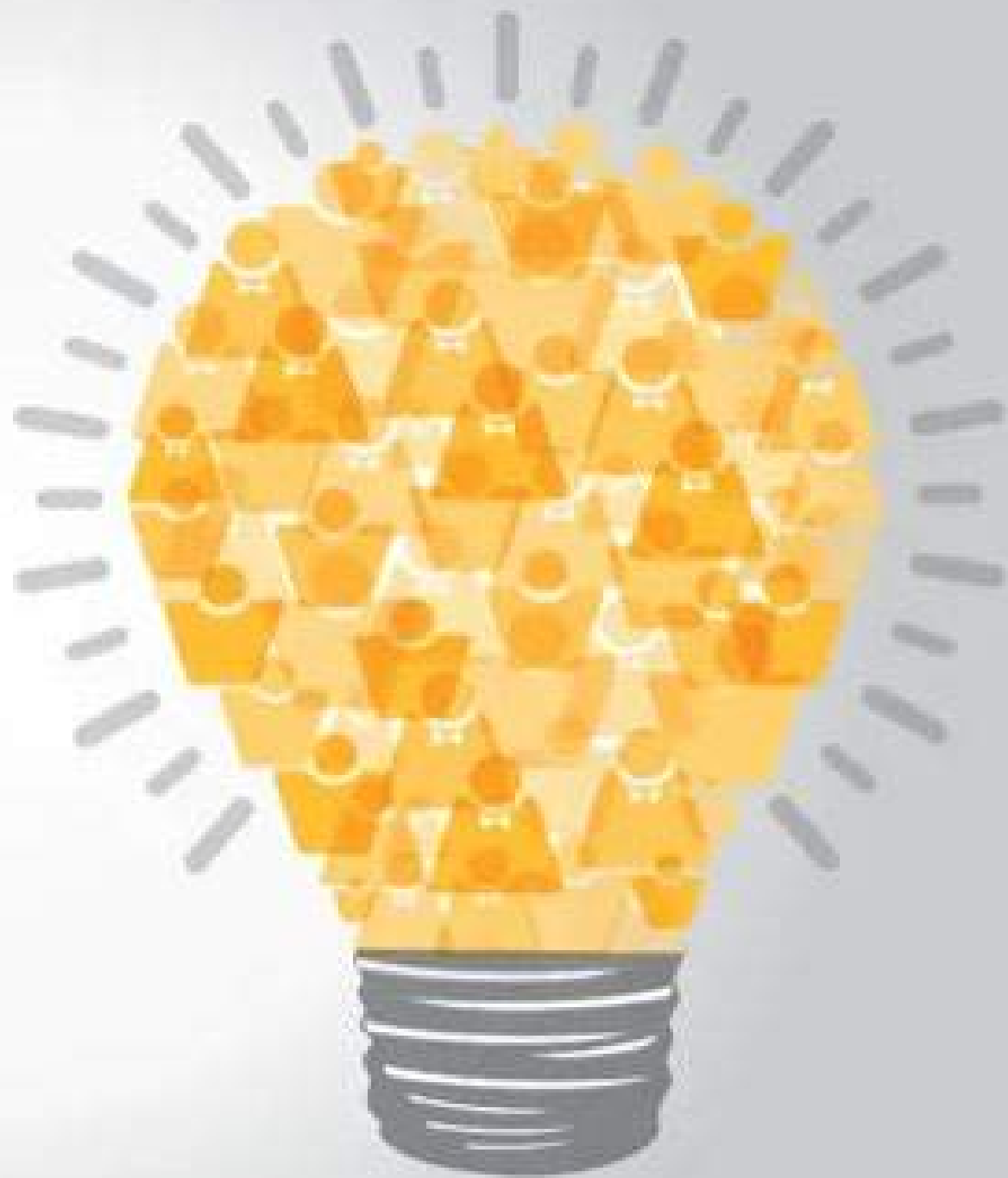
- ◇ Case Management Software
- ◇ Word Processing/Business Suite
- ◇ Accounting/Bookkeeping
- ◇ Time and Billing
- ◇ Document Automation
- ◇ Document Management Storage
- ◇ Encrypted Email
- ◇ Answering Service
- ◇ Electronic Signatures

# CASE

MANAGEMENT

---

## GET SMART





**Clio**

The Clio Suite is cloud-based law firm software that will transform the way your law firm operates—from the first intake call to the last invoice ...



User reviews: **1,023**  
Average rating: **4.7**

[VISIT WEBSITE](#)

[LEARN MORE](#)



**MyCase**

MyCase legal practice management software helps law firms solve key business challenges, including getting paid faster, keeping cases on track, and ...



User reviews: **310**  
Average rating: **4.7**

[VISIT WEBSITE](#)

[LEARN MORE](#)



**PracticePanther**

Highest rated legal case management software on GetApp. Perfect for lawyers and law firms of all sizes.



User reviews: **323**  
Average rating: **4.78**

[VISIT WEBSITE](#)

[LEARN MORE](#)



**Aderant Expert ...**

Aderant Expert Sierra is a legal case and practice management solution for mid-size law firms (15-150 users) and legal professionals.



User reviews: **7**  
Average rating: **4.43**

[VISIT WEBSITE](#)

[LEARN MORE](#)



**LegalEdge**

LegalEdge is a web-based platform, which assists government attorneys, agencies, school districts, & city or county lawyers with streamlining ...



User reviews: **0**  
Average rating: **N/A**

[VISIT WEBSITE](#)

[LEARN MORE](#)



**Actionstep**

Actionstep is a top-rated law firm management system, built in the cloud with automation at its heart. Giving lawyers more headspace to make a ...



User reviews: **91**  
Average rating: **4.41**

[VISIT WEBSITE](#)

[LEARN MORE](#)



**Zola Suite**

See why Zola is the FASTEST-GROWING practice management software. Industry-leading features such as patented email management, robust billing & ...



User reviews: **99**  
Average rating: **4.63**

[VISIT WEBSITE](#)

[LEARN MORE](#)



**CosmoLex**

CosmoLex is the ONLY Cloud-based, all-in-one practice management, billing, AND accounting system (No QuickBooks Required).



User reviews: **276**  
Average rating: **4.73**

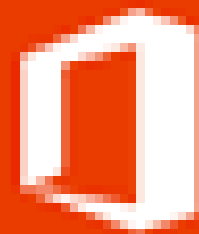
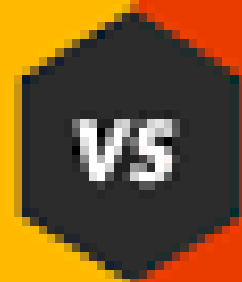
[VISIT WEBSITE](#)

[LEARN MORE](#)

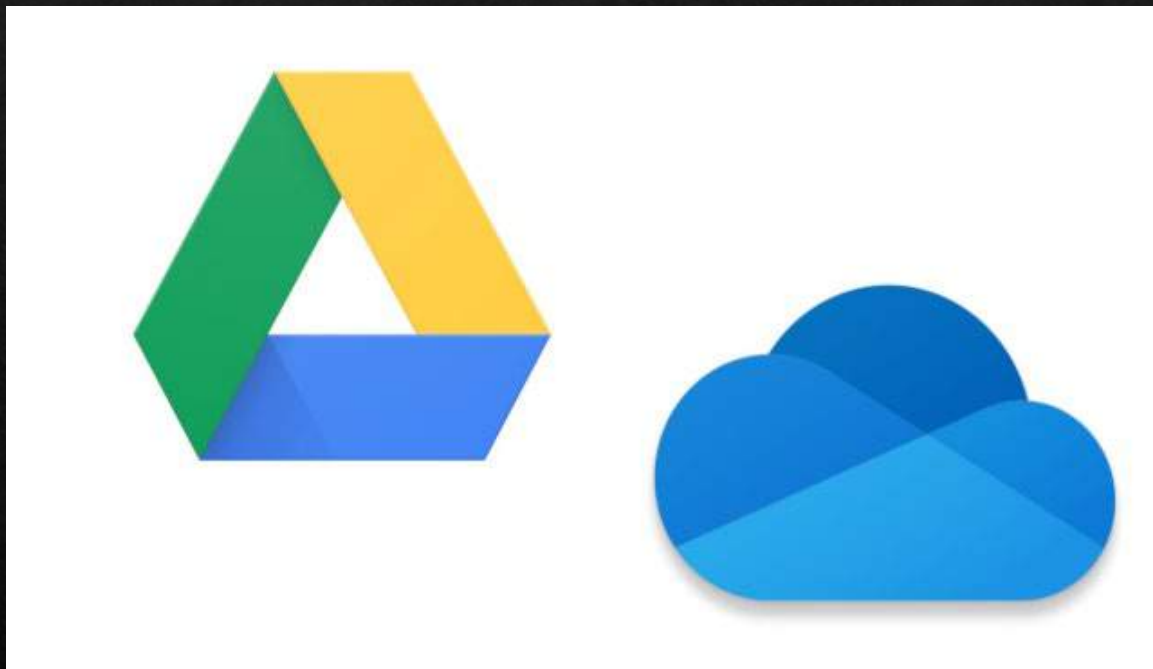
[Click here](#)



G Suite



Office 365



# Simple Document Management

[Google Drive vs. Microsoft OneDrive: A point-by-point comparison](#)

PC World 12/2019

# Document Automation





# Calendar System



# Time and Billing



**BillQuick**

<https://lawyerist.com/law-practice-management-software/>

# CLOUD FILE MANAGEMENT



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

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

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

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

[Click here to see comparison](#)



# The Lawyer's Options



~~\$199.99~~  
**\$174.99**

## Dragon Premium Version 13

Interact with your PC by voice, with greater freedom and flexibility.



Now  
**\$299.99**

## Dragon Premium Wireless

Dictate to your computer with a Dragon wireless Bluetooth headset.



Now  
**\$299.99**

## Dragon Premium Mobile

Transcribe on the go with the included Nuance certified Philips Digital Voice Recorder.

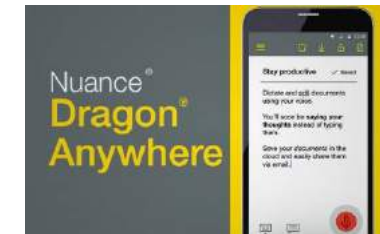


## Dragon Professional Individual

New in 2015 **\$300**



Dragon Legal Individual  
New in 2016  
**Starting at \$500**



## Dragon Anywhere for Android and iOS

New in 2015  
**\$15 per month to \$150 per year**

# Office Accounting



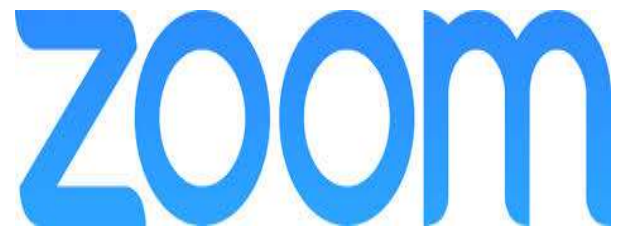
[www.quickbooks.com](http://www.quickbooks.com)

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

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

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

# Video is the Way to Go!

The Zoom logo, consisting of the word "zoom" in a blue, lowercase, sans-serif font.

[Compare](#) here or [Compare](#) here



# Electronic Signatures



◇ [www.echosign.adobe.com](http://www.echosign.adobe.com)

◇ [www.docuSign.com](http://www.docuSign.com)

◇ [www.rightsignature.com](http://www.rightsignature.com)

◇ [www.hellosign.com](http://www.hellosign.com)



# How E-Signatures Work



# Electronic Fax



◇ <http://Faxzero.com>

◇ [www.efax.com](http://www.efax.com)

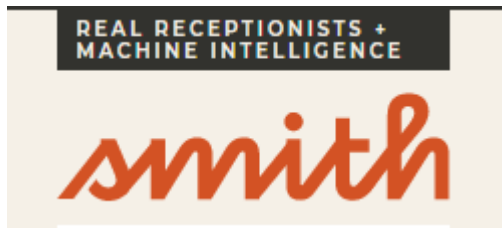


# Legal Research

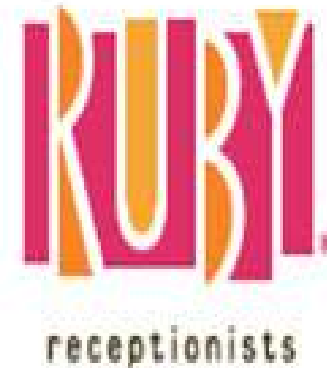
Fastcase is a Member Benefit at many bar associations



# Outsource It!



- ◆ [www.smith.ai](http://www.smith.ai)
- ◆ [www.callruby.com](http://www.callruby.com)
- ◆ [www.upwork.com](http://www.upwork.com)
- ◆ [www.Virtualparalegalservices.com](http://www.Virtualparalegalservices.com)
- ◆ [www.Atlasvirtualparalegal.com](http://www.Atlasvirtualparalegal.com)



# Data Back-up



**CARBONITE** ™

◇ [www.mozy.com](http://www.mozy.com) \*

◇ [www.carbonite.com](http://www.carbonite.com)

◇ [www.ironmountain.com](http://www.ironmountain.com)







Good afternoon

↓ Install Office 2016

Other installs

Search online documents 🔍

 Mail	 OneDrive	 Word	 Excel	 PowerPoint	 OneNote	 SharePoint	 Teams	 Yammer	 Dynamics 365
 Flow	 Calendar	 People	 Newsfeed	 Planner	 Tasks	 Delve	 Video	 Sway	 PowerApps
 Forms	 Stream	 Store	<h1>Office 365</h1>						

## Office 365 Business

**\$8.25** user/month  
(annual commitment)

[Buy now](#)

Best for businesses that need Office apps plus cloud file storage and sharing on PC, Mac, or mobile. Business email not included.

### Office apps included



Outlook Word Excel PowerPoint



Access  
(PC only)

### Services included



OneDrive

## Office 365 Business Premium

**\$12.50** user/month  
(annual commitment)

[Buy now](#)

Best for businesses that need business email, Office apps, and other business services on PC, Mac, or mobile.

### Office apps included



Outlook Word Excel PowerPoint



Access  
(PC only)

### Services included



Exchange OneDrive SharePoint Teams

## Office 365 Business Essentials

**\$5.00** user/month  
(annual commitment)

[Buy now](#)

Best for businesses that need business email and other business services on PC, Mac, or mobile. Desktop versions of Office apps not included.

### Office apps included

(Web and mobile versions only) <sup>1</sup>

### Services included



Exchange OneDrive SharePoint Teams

Not just Microsoft



Doodle®

17hats



asana

zoom

zapier







# Appointment Scheduling



calendly



Find Time\*

(this will be rereleased and renamed October 2017)

HOW DO I START A POLL FOR A TIME TO MEET?

Sign in

- 1 Navigate to <http://www.office.com>.
- 2 Sign in
- 3 Open your calendar
- 4 Click **new**
- 5 Click **Poll for a time to meet**

The screenshot shows the Office 365 Outlook interface. The 'New' dropdown menu is open, showing options: 'Calendar event', 'Poll for a time to meet' (highlighted with a red box and a red arrow), 'Email message', and 'Birthday event'. The calendar view shows September 2017, with the 22nd highlighted. The date range '7-23, 2017' is visible next to the dropdown menu.

ALWAYS READ TERMS Of  
SERVICE



# ENCRYPTION



◆ [www.sookasa.com](http://www.sookasa.com)

◆ [www.boxcryptor.com](http://www.boxcryptor.com)

◆ [www.spideroak.com](http://www.spideroak.com)



◆ (beware of companies that shut down ex. Cloudfogger.com)







A note on extra security measures



# Email SCAMS

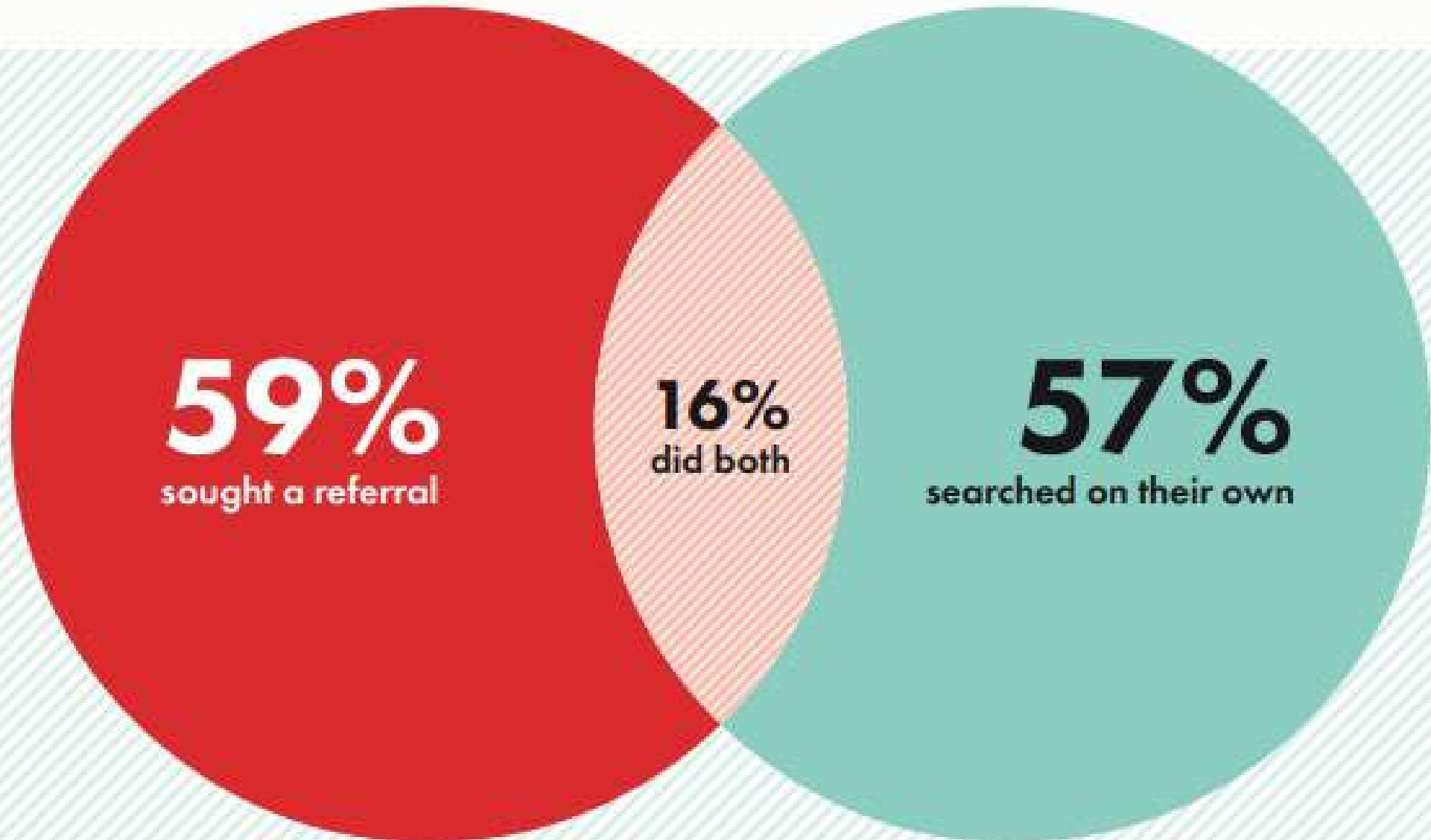


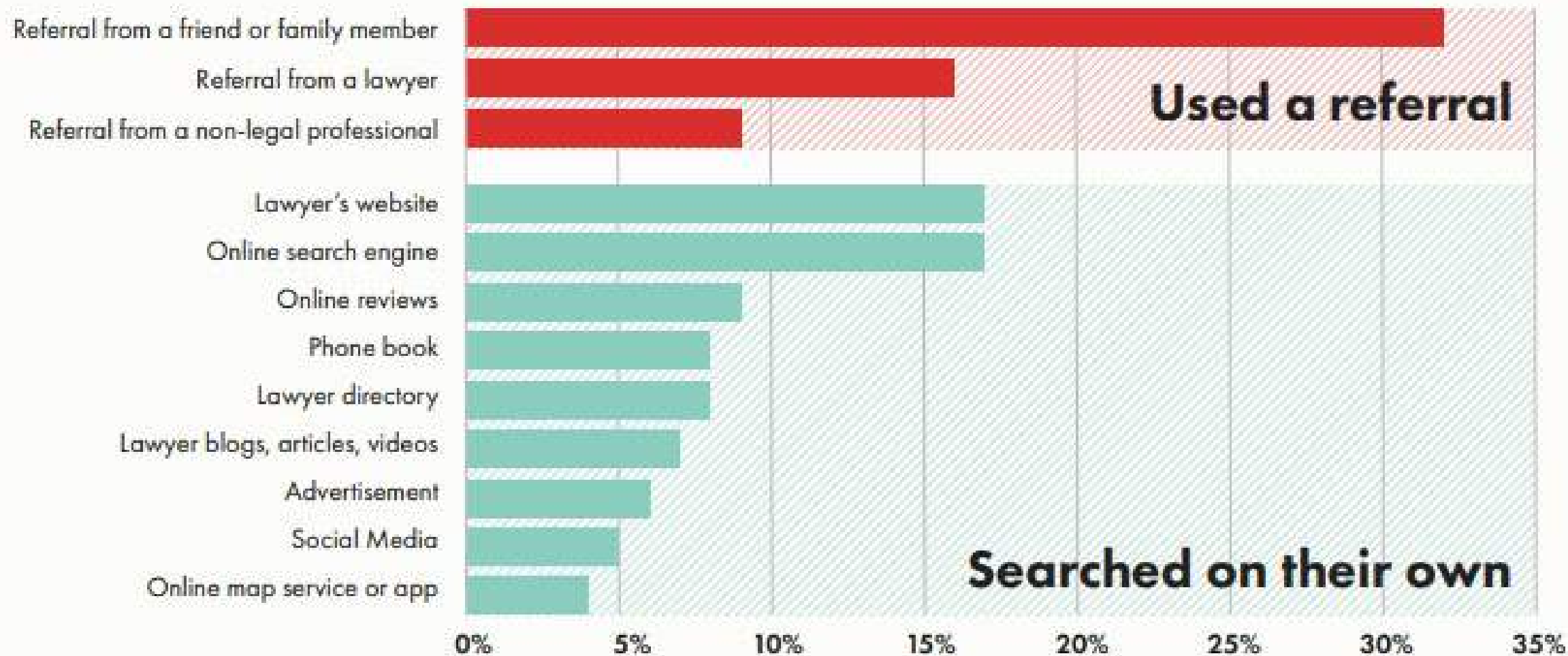


# *Client Relations*



## ○ Clients seeking a referral versus searching on their own





**18% of clients said they would never seek a referral from a friend or family member**



# Know What the Client Wants

CUSTOMER RELATIONSHIP  
MANAGEMENT

- Trust
- Competency
- Communication  
(number one  
complaint  
NEGLECT) 28%

- **77%** want to know a lawyer's experience and credentials (also ranked the most important).
- **72%** want to know what types of cases they handle.
- **70%** want a clear understanding of the legal process and what to expect.
- **66%** want an estimate of the total cost for their case.

- **81%** want a response to each question they ask.
- **80%** say it's important to have a clear understanding of how to proceed.
- **76%** also want to get a clear sense of how much their legal issue could cost.
- **74%** want to know what the full process will look like for their case.

# What do clients look for?



# Honesty/ Ethics Ratings

## 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	--	--	69
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



# Once Someone Needs a Lawyer, Negative Views of the Profession Fall

[http://www.abajournal.com/lawscribbler/article/do lawyers really suck no potential clients antipathy can be overcome](http://www.abajournal.com/lawscribbler/article/do_lawyers_really_suck_no_potential_clients_antipathy_can_be_overcome)



Client  
Relations  
Starts with  
Your  
Choice



# Good Client Selection

Identify:

1. Who is the ideal client?
2. Characteristics of the ideal client?
3. Where are they and how do you find them?





# The Goal

1. Solve the problem
2. Remain Ethical
3. Exceed expectations
4. Develop a referral source
5. Make a profit



I CAN HELP YOU  
I'M REALLY GOOD  
AT BAD DECISIONS



## Ask Yourself:

1. Can I do this?
2. Is this in the Plan?
3. Do I want this case or client:
  - a. Is my fee reasonable?
  - b. Can they afford to pay?
  - c. Do you know their expectations?



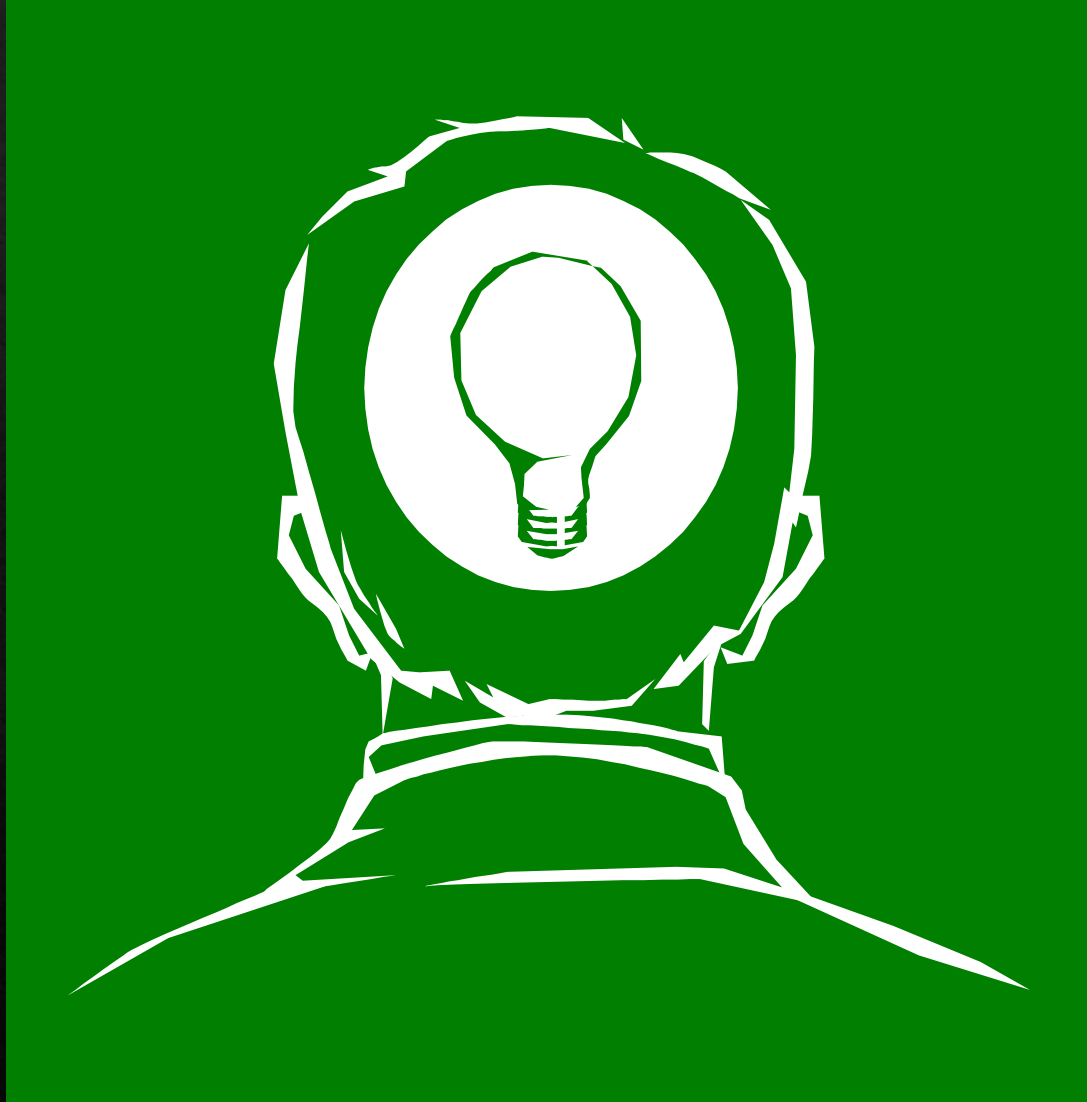
# So How ?

## 1. Questionnaire

- a. Have they had a lawyer before
- b. Check case viability
- c. Can you handle

## 2. Google

- a. Check public databases, social media, etc.
- b. Take advance fee



# How to Close- 10 Steps: 1. Thinking

Conflict Check

Consider a consultation agreement

Consider the fee you will charge





## 2. Opening the Discussion

◆ -Ask how you can help

◆ -Set an agenda

-LEO 374

◆ Ethical Obligations Regarding Prospective Client Information

### 3. Needs Assessment

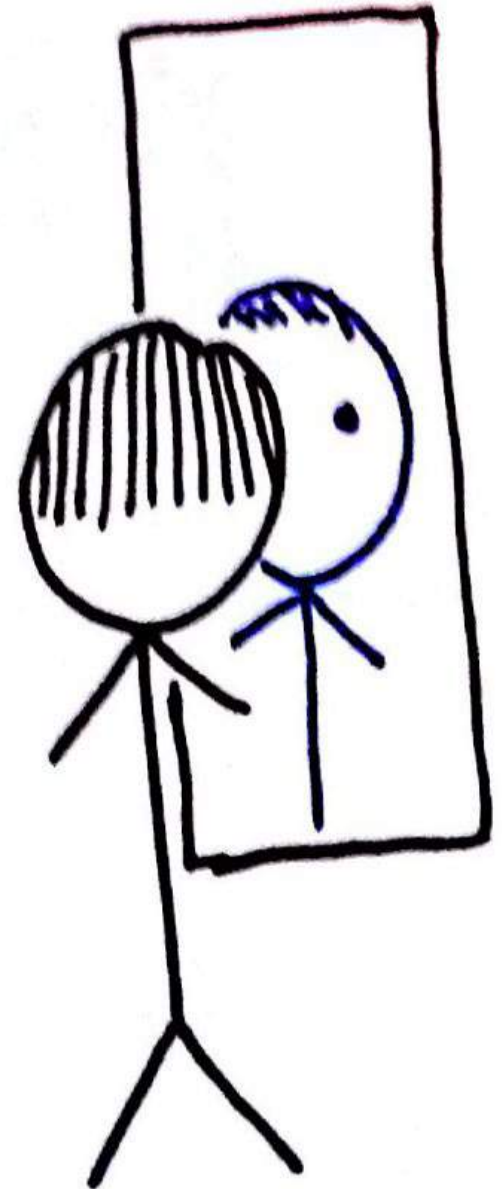
- ◆ Ask questions about the potential client
  - ◆ Who
  - ◆ What
  - ◆ When
  - ◆ Where
  - ◆ Why
  - ◆ How
- ◆ Listen to the answers and follow up as needed



## 4. Summarize/Restate

Restate your understanding

Mirror the PC's concerns

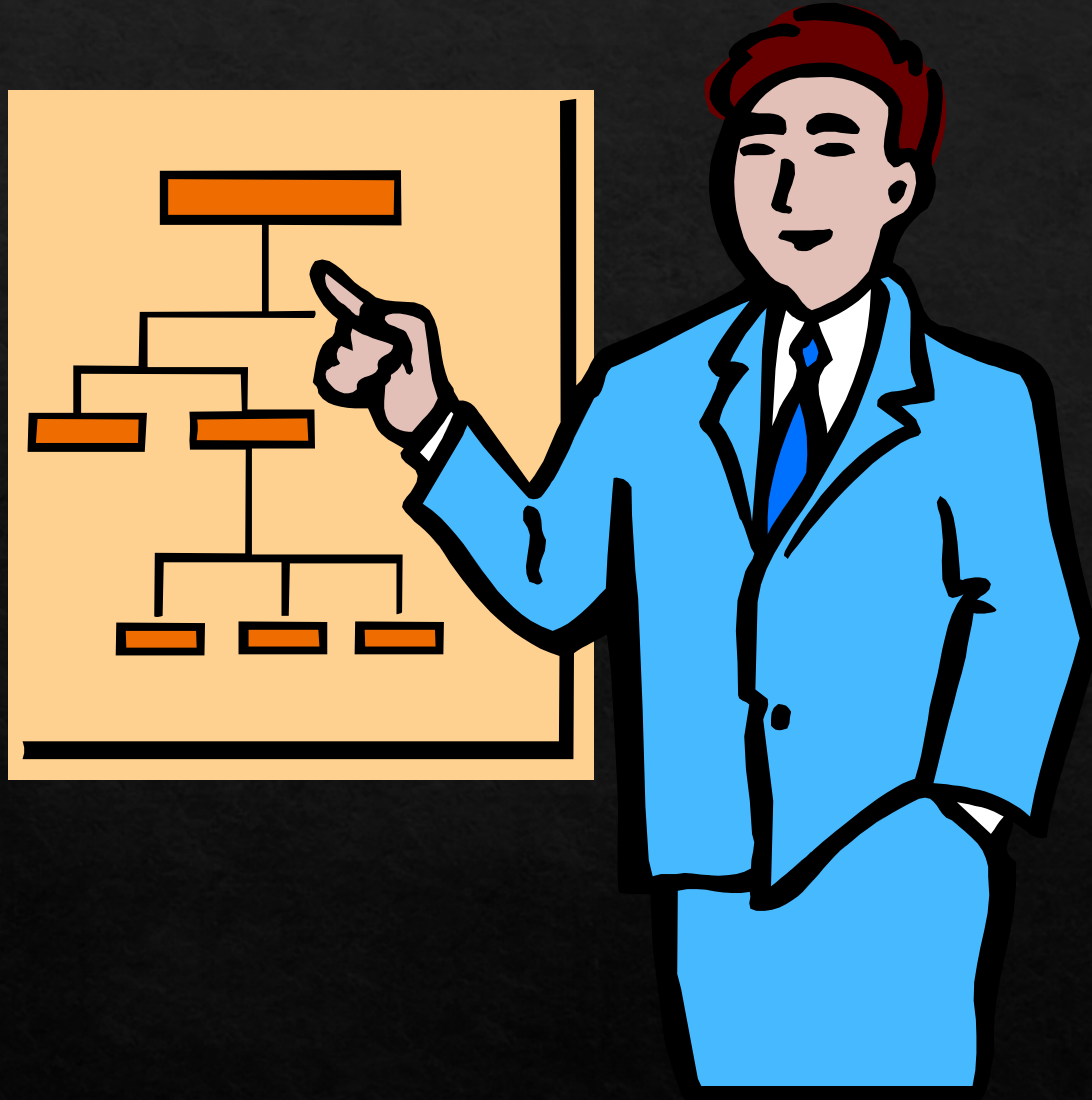




## 5. State Your Solution



- ◆ Communicate Clearly
- ◆ Give Honest Opinion
- ◆ Appreciate their point of view,  
but stick to your own
- ◆ Focus on their agenda



## 6. Explain the Process

- ◊ What will happen
- ◊ The possibilities
- ◊ The solution
- ◊ Don't oversell

## 7. Recommendation

◆ You can help

◆ You can't help

◆ Refer it out





## 8. Justify and Close and...

Tell the PC you are the right person for the job  
then let them know....

**WHO'S IN  
CHARGE?**

Don't let them  
beat you up on  
price!





## 9. Follow-up

- ◊ Check in with the PC
- ◊ Agreement must be signed
- ◊ Decline Letter





10. Start  
Working Now



Their choice  
too!

Contextualized Knowledge

Technologically Competent

Reasonably Accessible

Industry Awareness



# Trust is the Key: Listening is the Way

- ◆ Focus
- ◆ Hear words and feelings
- ◆ Restate and validate
- ◆ Clarify
- ◆ Reflect and Summarize
- ◆ Defer Judgment





But They  
Said No???

## Financial pain points during coronavirus outbreak differ widely by race, ethnicity and income

% saying they have \_\_\_\_ since the coronavirus outbreak started in February

	Used money from savings/retirement to pay bills	Had trouble paying bills	Gotten food from a food bank/organization	Had problems paying rent/mortgage
All adults	33	25	17	16
White	29	18	11	11
Black	40	43	33	28
Hispanic	43	37	30	26
Asian*	33	23	14	15
Upper income	16	5	1	3
Middle income	33	19	12	11
Lower income	44	46	35	32

\*Asian adults were interviewed in English only.

Note: White, Black and Asian adults include those who report being only one race and are not Hispanic. Hispanics are of any race. Family income tiers are based on adjusted 2019 earnings.

Source: Survey of U.S. adults conducted Aug. 3-16, 2020.

"Economic Fallout From COVID-19 Continues To Hit Lower-Income Americans the Hardest"

PEW RESEARCH CENTER



## Roughly four-in-ten adults say they or someone in their household lost a job or wages because of COVID-19

% saying each of the following has happened to them or someone in their household because of the coronavirus outbreak

	Been laid off/lost job	Had to take a cut in pay	Net either/both
All adults	25	32	42
White	23	29	38
Black	29	32	43
Hispanic	34	44	53
Asian*	24	41	47
Ages 18-29	32	45	54
30-49	28	38	48
50-64	27	30	40
65+	14	15	21
Bachelor's+	19	32	39
Some college	28	34	44
HS or less	29	31	42
Upper income	14	26	32
Middle income	26	33	42
Lower income	33	37	47

\*Asian adults were interviewed in English only.

Note: White, Black and Asian adults include those who report being only one race and are not Hispanic. Hispanics are of any race.

"Some college" includes those with an associate degree and those who attended college but did not obtain a degree. Family income tiers are based on adjusted 2019 earnings.

Source: Survey of U.S. adults conducted Aug. 3-16, 2020.

"Economic Fallout From COVID-19 Continues To Hit Lower-Income Americans the Hardest"



## About four-in-ten upper-income adults say their family's financial situation has improved in the last year

% saying that, compared with one year ago, their financial situation (and that of their family) is now ...

	Better	Worse	About the same
All adults	30	21	49
Lower income	22	31	46
Middle income	32	18	49
Upper income	39	11	50

Among those who are usually able to put money into savings, % saying they have been able to put \_\_\_\_ money into savings than usual since the coronavirus outbreak began in February 2020

	More	Less	Same amount
All who can usually save	23	31	45
Lower income	16	47	34
Middle income	22	31	46
Upper income	32	17	50

Note: Share of respondents who didn't offer an answer not shown. Family income tiers are based on adjusted 2019 earnings. Source: Survey of U.S. adults conducted Jan. 19-24, 2021. "A Year Into the Pandemic, Long-Term Financial Impact Weighs Heavily on Many Americans"

PEW RESEARCH CENTER



You may be the problem!



# How We Drive Clients Away!

Clio 2019 Legal Trends Report Says:

1. No guidance
2. Unclear pricing
3. No explanation of why
4. Talk like a lawyer
5. Abrupt/Dismissive

SHAME ON YOU IF YOU DON'T

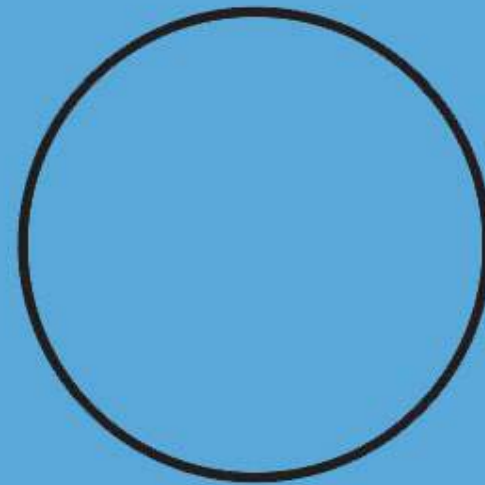


# So, you should....

1. Be competent
2. Help them do their job
3. Just give them the best answer
4. Flat fee or explain process with pricing in mind.
5. Don't over sell, you don't have to be "all that"
6. Respect their time- give them only what they need
7. Adapt and Innovate
8. Ask for feedback
9. Customer Service (outsource happiness!)

Why No?  
Don't End Up  
Here!

# CIRCLE OF TRUST



*YOU* → •



If they say  
YES...



**Get started**

**Keep**

**going**



Relationship  
Management

---

Listen

---

Manage Expectations

---

Initiate Dialog

## Initiate Dialogue

1. Interviews

2. Conferences

3. Team interviews

4. Financial planning discussions

5. Ask for Feedback

6. Close Survey



# Client Surveys

Request our Consultation Agreement and/ or  
Client Satisfaction Survey Form

From [PMAS@dcbar.org](mailto:PMAS@dcbar.org)

Use [www.SurveyMonkey.com](http://www.SurveyMonkey.com)

More information on Client Relations is at  
Page 77, e-Manual





BUT  
WAIT!

# Who should you avoid?

- ◆ Serial litigant
- ◆ Angry
- ◆ Liar
- ◆ “Let’s Take ‘em Down!”
- ◆ Undercutter







# Symptoms of a Problem Client

# Managing the Difficult Client

1. Special Time

2. Document, Document, Document LEO  
333

3. Set Boundaries- before, during and after

4. Train and Remind



You're Fired!  
Rule 1.16(b)

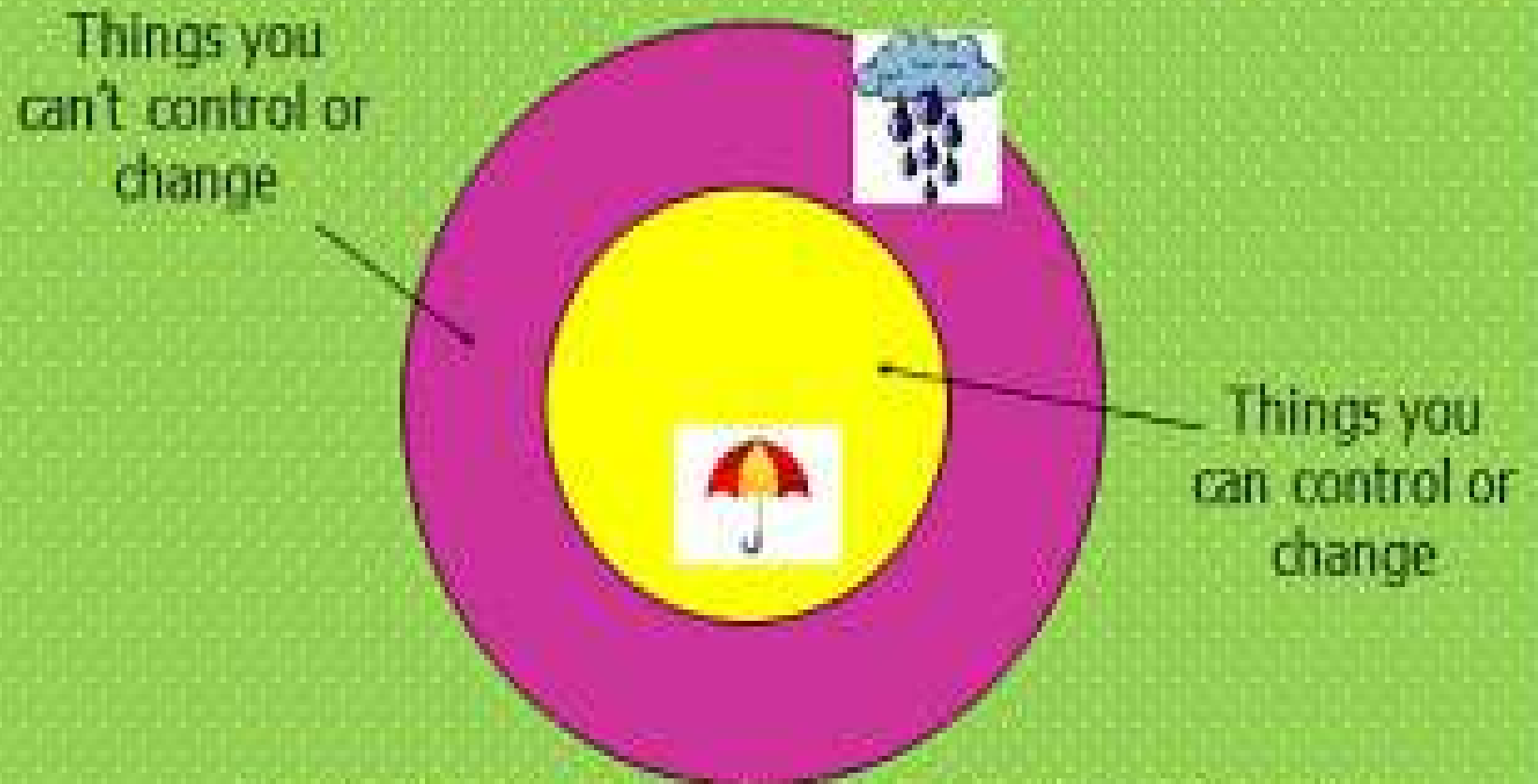
Stop wasting  
precious time





# We Can't Control Everything!

But you can...



Being ***proactive*** means you focus on things you have control over to make things better

# Getting Clients to Pay

1. Bill regularly
2. Bill after good result
3. Bill after a productive conversation
4. Review billing entries
5. Never delay billing
6. NEVER DELAY BILLING!



LAW FIRM <sup>AV</sup>

MARKETING <sup>ST</sup>



# Applicable Rules:

## 7.1 and 7.5

New Ethics Opinions LEO 370 and 371

Codes, regulations & other  
jurisdictions can also apply.

Example:

Bergman v District of Columbia

DC Court of Appeals 08-CV-859






# Marketing

The history.

Herd mentality.

Figuring out what works for you.





Just  
BE  
you

# Marketing

◆ Your Entrepreneur Hat

◆ Change the approach

◆ Think Differently

◆ Know your client





# 10 Great Marketing Tips

- ◆ Relationship Building
- ◆ Find Help
- ◆ Mastermind Group
- ◆ Learn SEO/Social Media
- ◆ Use Free Directories



# 10 Great Marketing Tips

- ◆ Attend Networking Events
- ◆ Sponsor a Local Event or Charity
- ◆ Manage Your Public Relations
- ◆ Host Seminars and Events
- ◆ Become a Public Speaker



# Remember the Plan: Business Plan will

- ◆ Discern your purpose
- ◆ Refine your message
- ◆ Locate the target
- ◆ Avoid overloading the message
- ◆ Give them the right message
- ◆ Follow-up
- ◆ Connect with clients

Questions during intake you can ask to learn  
about your client's

**Problem Recognition Process**



Potential  
Client's  
Problem  
Recognition  
Process

---

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 MESSAGE

---

Talk about you

---

Or

Your Choice

---

The problems you solve



## Avoid the Three **Deadly** Marketing Message Sins

- 1 **FEATURE** ~~your company~~ <sup>the customer</sup>
- 2 **FOCUS ON** ~~brand position~~ <sup>customer message</sup>
- 3 **CREATE** ~~content~~ <sup>a distinct point of view</sup>

## Stand Out

- ◇ 1. Determine your Target Market
- ◇ 2. Find the Problems of your Target Market
- ◇ 3. Solve Your Target Market's Problem
- ◇ 4. Build Credibility Among your Target Market

# Science of Persuasion

<https://youtu.be/cFdCzN7RYbw>



01

Prepare information (about 5-10 questions you get often from clients

02

Prepare a 15-30 minute talk for a room full of your potential ideal clients

03

You should be informing and educating on the problems you solve

Develop the Message



Which is  
more effective?

# **Juvenile Defense**

**Experienced Former Prosecutor**

**Now focused on the problems of juvenile  
defendants.**

**Thomas Wright, Esq**

**123 Sesame Street**

**Washington, DC 21115**

**[www.websitehere.com](http://www.websitehere.com)**

A close-up photograph of a person's head and hands. The person is wearing a blue shirt and has their hands clasped behind their head. They are wearing metal handcuffs on both wrists. The background is dark and out of focus.

# This is Serious

No one thinks their child will  
end up here.

For HELP when the  
unthinkable happens call.

Thomas Wright

Attorney at Law

555-555-1212



Ask yourself...

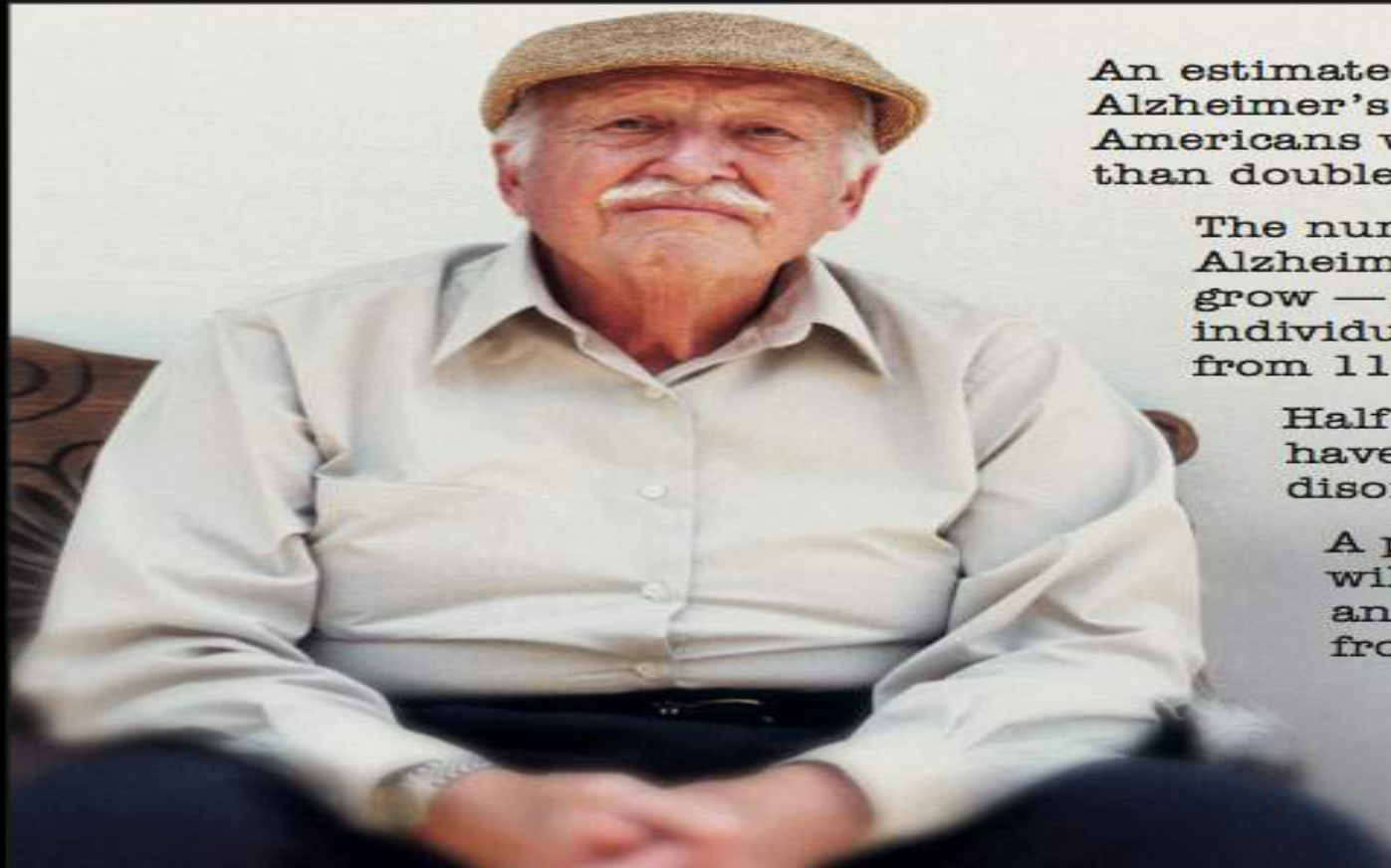
---

Do your readers (of your marketing material, newsletter, website, book) see themselves in what you write,

---

Or is your writing all about you?

# "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](http://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**

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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



# Information vs. Legal Advice

◆ Miranda Example:

◆ You have the right to remain silent

◆ Vs.

◆ Never talk to the police



# Marketing

- ◆ All marketing works - some just better than others
- ◆ 80% of new business comes from 20% of your existing clients. How do you get more 20% clients?
- ◆ Jump start marketing (handout)

# ENGAGE

What does *process focused*  
Marketing do?

Some examples of  
process focused sites:

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

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

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

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

[www.oginski-law.com](http://www.oginski-law.com)

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



# How do I get a Divorce in North Carolina?



ABSOLUTE DIVORCE



CHILD SUPPORT



CHILD CUSTODY



PROPERTY DIVISION



ALIMONY



DOMESTIC VIOLENCE



MEDIATION



DIVORCE & TAXES



RETIREMENT



ENTREPRENEURS



SPOUSAL SPYING



LAWYER LOCATOR

## Get answers at the webinar

The Divorce Legal Webinar will teach you how to prepare for the topics you will face in divorce;



## Free attorney advice

Get answers from Rosen Law Firm attorneys and members of North Carolina's largest



<https://vimeo.com/168929480>



Marketing focused on  
"me"



**Tax, Business Law, Business Formation and Finance, Computer/High Tech/Biotech Law, Intellectual Property, Trusts, Estates, Wills, Probate, Estate Planning, Real Estate, Civil Litigation, Mediation.**

Attorney and accountant, Notary Public. Former IRS attorney and former tax/business transactions attorney for a major corporation (Freddie Mac®). Education: University of Maryland (B.A., 1977); St. John's University School of Law (J.D., 1980); Georgetown University (M.S. Accounting, 1981); New York University School of Law (LL.M., 1987). Practice serves individuals, business, trusts, estates, partnerships, nonprofit organizations, etc. in regional, national, and international legal matters. Licensed to practice law in Maryland, District of Columbia, Virginia, and New York. Admitted to U.S. District Court-District of Maryland, U.S. District Court-Northern District of New York, U.S. Tax Court, U.S. Court of Appeals-Fourth Circuit, and U.S. Supreme Court Bar.

Computer law, high tech law, biotech law, software/product development agreements, consulting services agreements, software/product licensing agreements, software/product maintenance agreements, domestic and international software/product distribution agreements, e-commerce and web development agreements, joint ventures, teaming agreements, subcontracts, confidentiality agreements, litigation, etc.

Intellectual property (trademarks, service marks, and copyrights), applications, protection issues, infringement issues, domain name and web content protection, online brand protection issues and resolution strategies, domain name recovery and acquisition processes, unfair competition, trade secrets, trade dress claims, litigation, etc. Identifying and inventorying intellectual property assets, buying and selling intellectual property assets, etc.

Trusts, estates, wills, probate, estate planning and administration, general and special powers of attorney, health care power of attorney and advance medical directives/living wills, revocable living trusts, insurance trusts, charitable trusts, special needs

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(My Dogs Do)

Robert (Tito)  
Meyer

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- Wrongful Death

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LAMAR





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\*plus filing fees

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*No Conviction!*

This is an  
advertisement



*Dealt a Bad Hand? Play Your Cards Right...*

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SPEER**

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[themagiclawyer.com](http://themagiclawyer.com)





MAYBE THIS  
INSTEAD

## Process Focused Marketing

# 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**

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FAX 760-406-5053  
WWW.LEELAWYERS.COM



## Process Focused Marketing

### Reason #5 To Name **Guardians** For Your Kids

Your mother-in-law, Barbara

- Offers you lots of free parenting advice
- Thinks the answer to all baby problems is “more solid foods”
- Most important values are family and carpeting
- Believes in “spare the rod, spoil the child”
- Would do a much better job than you if given the chance.



Are you sure the court won't assign guardianship of your children to *her*?

Call Today For Your **Free Parent's Protection Planning Guide**: (415)451-0123 or visit [www.TheaLaw.com](http://www.TheaLaw.com)



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Suite 199  
Larkspur, CA 94939  
Tel: (415) 451-0123  
Fax (415) 451-7644  
[www.TheaLaw.com](http://www.TheaLaw.com)



***Your legal case is no place  
for on the job training.***



***Call the right lawyer.  
(706) 543-0002***

# Who lawyers say is their Competition:

◆ 67% - other law firms of similar size

◆ 49% say significantly larger firms

◆ 13% pro se

# Where do you market?

- ◆ How many different ways could someone who needs to know what you know find you?
- ◆ How hard are you making it for your best client to find you?



You & your presence



```
graph TD; A[You & your presence] --> B[Your office]; B --> C[Business card]; C --> D[Website (video)]; D --> E[Newsletter];
```

Your office

Business card

Website (video)

Newsletter

Marketing  
Opportunities

01

Blog

02

Brochure

03

Social media

04

Speaking  
engagements

05

Books/ free  
publications

More Marketing Opportunities

# Elevate Your Practice

Lexicata is the **law firm CRM & client intake software** that helps improve organization, maximize efficiency, and drive more revenue.

[Get Started](#)

Now merged - Clio Grow



# Don't get Comfortable!

◆ How you treat your best client:

- You would have a plan
- You would strategize
- You would prioritize
- You would work on it regularly
- You would evaluate it often

# Remember

- ◆ The best advertising for your law firm will come from a happy client
- ◆ Make your client's case your case...make it personal.





# Business Cards



# The Website

Website



weebly



duda mobile

# Must have website

◆ You can do the work yourself:

◆ <http://rollinsandchan.com/>

◆ [www.weebly.com](http://www.weebly.com)

◆ [www.wix.com](http://www.wix.com)

◆ [www.wordpress.com](http://www.wordpress.com)

◆ [www.directlaw.com](http://www.directlaw.com)



# Use a Service

- ◆ [www.networksolutions.com](http://www.networksolutions.com)
- ◆ <http://www.rocketx1.com>
- ◆ [www.web.com](http://www.web.com)
- ◆ <https://www.godaddy.com/websites/web-design>
- ◆ [www.top10webbuilders.com](http://www.top10webbuilders.com)

---

Unique, relevant content

---

Link equity

---

An old domain name

---

SEO

---

D.C. Metro Crash - who is first in Google?

---

Search living trust or I need a will

Marketing:  
Website





## Marketing: Mobile Website

---

Mobile website? [www.dudamobile.com](http://www.dudamobile.com)

---

Thumb-friendly design;

---

Create for visibility & simplicity;

---

Click-to-dial phone number;

---

No more than 7 main navigation  
buttons



Before



After



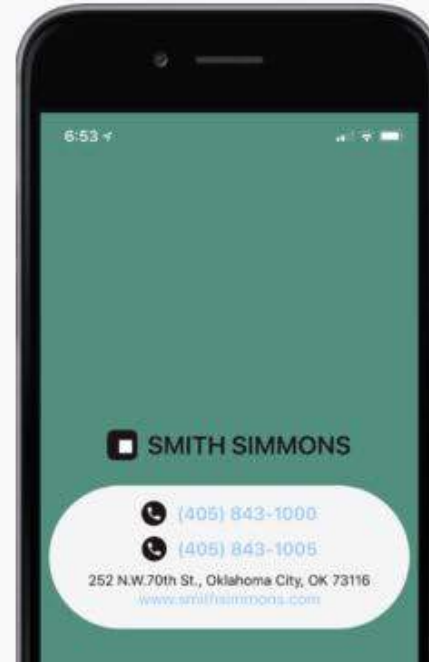
# Marketing: Internet

- ◆ Use Free Listings:
- ◆ Google, Yahoo, Bing, MSN, AOL, Yellowpages, Yellowbook and more....



[Home](#)[Explore](#)[Pricing](#)[FAQ](#)[Blog](#)[Contact](#)[Admin Login](#)

The app your clients have been asking for.



Yourfirmapp.com

## Newsletter

1. Talk about ideal clients problem



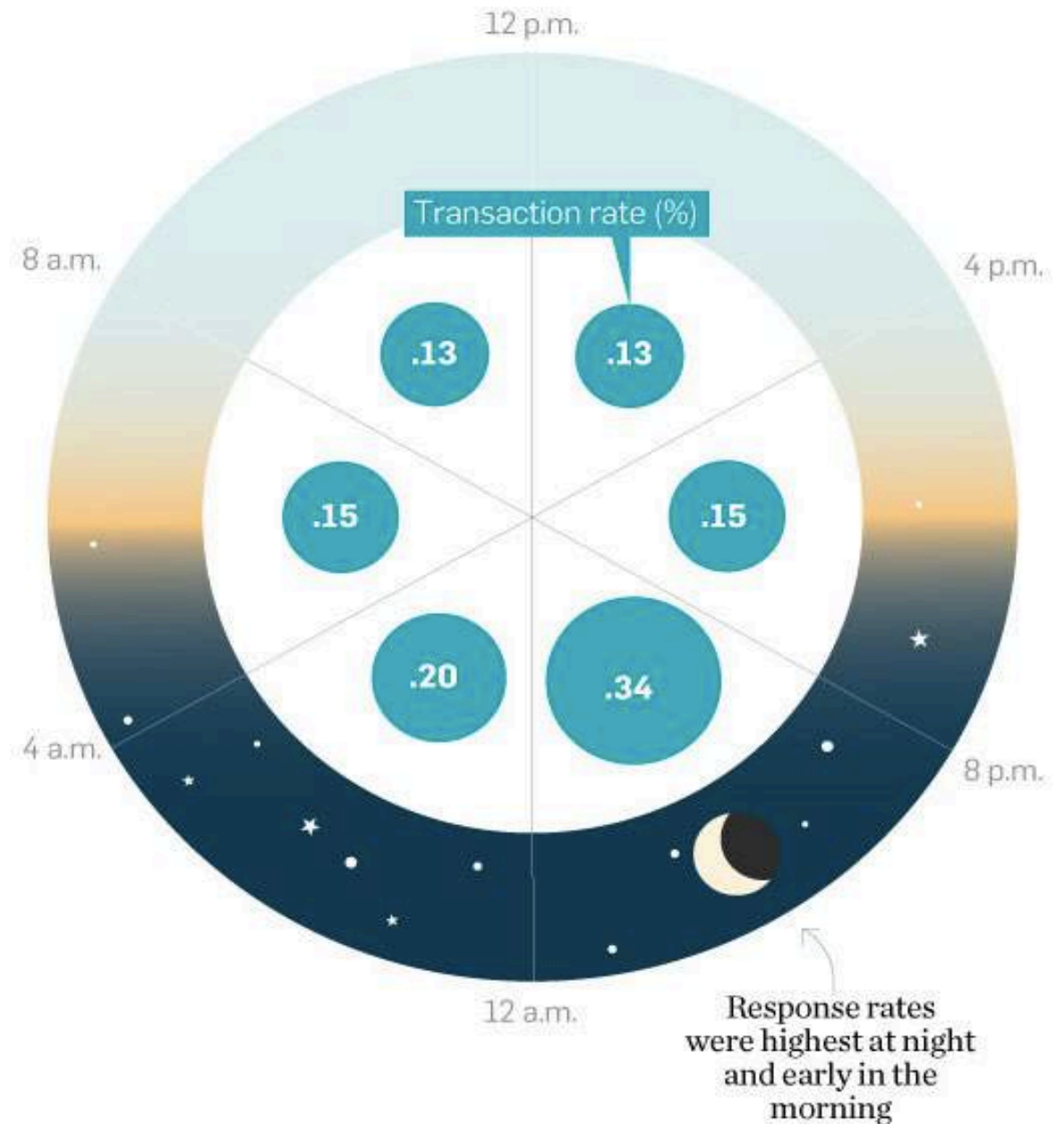
2. Directed to the potential client



3. Your solution reaches the problem

# Newsletter-Timing

- ◆ What is the best day of the week to send an electronic newsletter?
- ◆ Conventional wisdom - Tuesday night;
- ◆ New approach - Saturday night. Why?







MailChimp



Marketing Tools

Customer  
Relationship  
Management  
Software

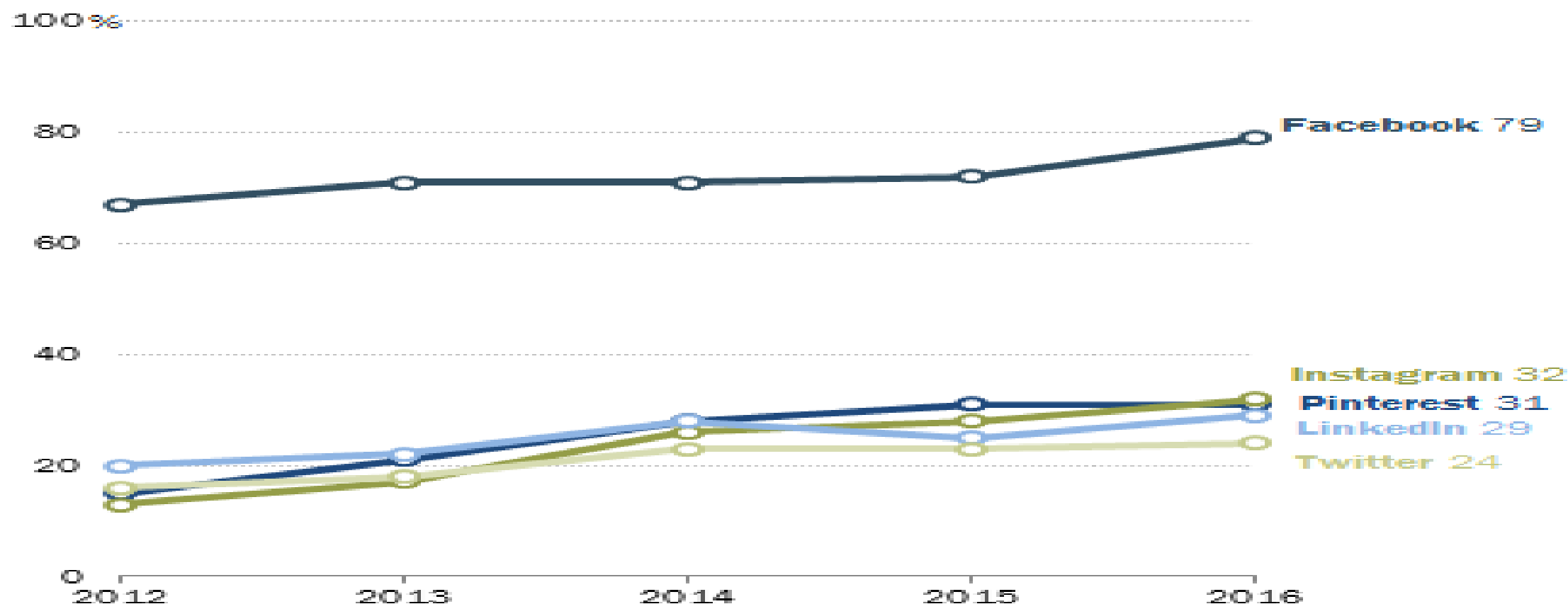
keap

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# Facebook remains the most popular social media platform

% of online adults who use ...



Note: 86% of Americans are currently internet users

Source: Survey conducted March 7-April 4, 2016.

"Social Media Update 2016"

PEW RESEARCH CENTER



# Worst Lawyer Video

Lawyers and  
Video:  
Thoughts?

# Video Marketing

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

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

[www.oginski-law.com](http://www.oginski-law.com)

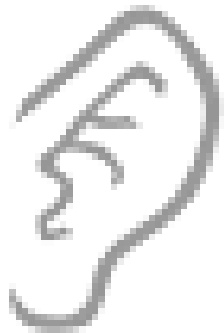
[www.crispvideo.com](http://www.crispvideo.com)

## Lawyer Video Examples

- ◆ How to apply for a work visa:  
<http://www.youtube.com/watch?v=sUWG2MJWJ0A&feature=fvsr>
- ◆ How do I file bankruptcy:  
[http://www.youtube.com/watch?v=aHAycjv\\_MM](http://www.youtube.com/watch?v=aHAycjv_MM)
- ◆ How to file a legal separation:  
<http://www.youtube.com/watch?v=oi-y9s4OhEo>

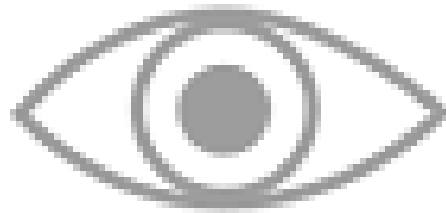


Think about it. **People remember...**



**20%**

20% of what they hear



**30%**

30% of what they see



**70%**

An amazing 70% of  
what they see & hear!

Create a great logo



<http://99designs.com/logo-design>

priced packages will attract more experienced designers and offer you more support.

	Bronze	Silver	Gold	Platinum
	US\$299	US\$499	US\$899	US\$1,299
Design concepts (approx.)	30	60	90	60
100% money-back guarantee	✓	✓	✓	✓
Full copyright ownership	✓	✓	✓	✓
Mid & Top Level designers only	—	—	✓	—
Top Level designers only	—	—	—	✓
Dedicated manager	—	—	—	✓
Prioritized support	—	—	—	✓



A FEW FINAL WORDS

◈ *Self-discipline is the ability to make yourself do what you should do, when you should do it, whether you feel like it or not.*



---

One Practice Area

---

High quality work product

To Make It  
Work

---

Be the expert



# Build Your Network



who's in your network?



**Thursday, July 15, 2021**

**Law Firm Automation ■ Ethics ■ Wellness ■ Marketing**  
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Network

---

Build a system for  
engaging

---

Create and Feed your  
network

---

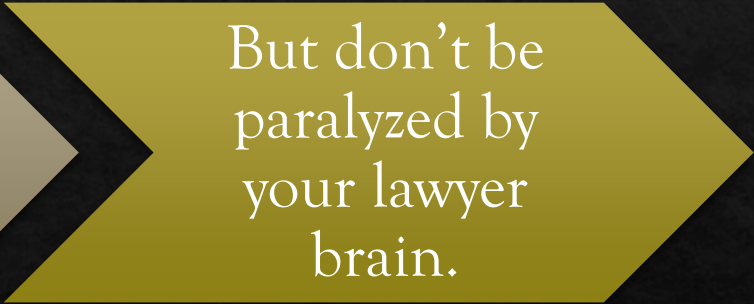
Follow up



Be Bold....



Follow the rules



But don't be  
paralyzed by  
your lawyer  
brain.

# Lunch and Learn

Practice Management Advisory Service



- ◆ April 22, 2021 - Office On-Demand | Flexible Law Office; The New Normal
- ◆ April 29, 2021 – QuickBooks Online Crash Course (Attorney Edition)

# Networking Opportunities

- ◆ Friday, April 30<sup>at</sup> at noon. RSVP to [rsjillions@gmail.com](mailto:rsjillions@gmail.com)
- ◆ Friday, May 14, 12:30 p.m. RSVP to [steven@stevenkriegerlaw.com](mailto:steven@stevenkriegerlaw.com)



# Thank You!

Rochelle D. Washington



## Contact Me

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- ◆ Washington, DC 20001
- ◆ 202-780-2764
- ◆ [rwashington@dcbar.org](mailto:rwashington@dcbar.org)

# More Marketing Resources

*The Culture Code* by Clotaire Rapaille

*Influence, the Psychology of Persuasion*  
by Robert B. Cialdini

*Contagious, Why Things Catch On* by Jonah Berger

*You Can't Teach Hungry* by John Morgan

*Great Legal Marketing* by Ben Glass  
([Request the book - it's free](#))

*Primal branding: Create Zealots for Your Brand, Your Company,  
and Your Future* by Patrick Hanlon