

Session Two  
Successful Small Firm  
Practice Course

Fee Agreements  
October 30, 2021

The Fee Agreement is part of  
our first interaction with the  
prospective client

Rule 1.18

What does it feel like  
for the prospective client?

**What is empathy?**

**Understanding what it feels  
like to be someone you never  
imagined being.**

From Session One

[Brene Brown on Empathy](#)

# The public's perception of lawyers

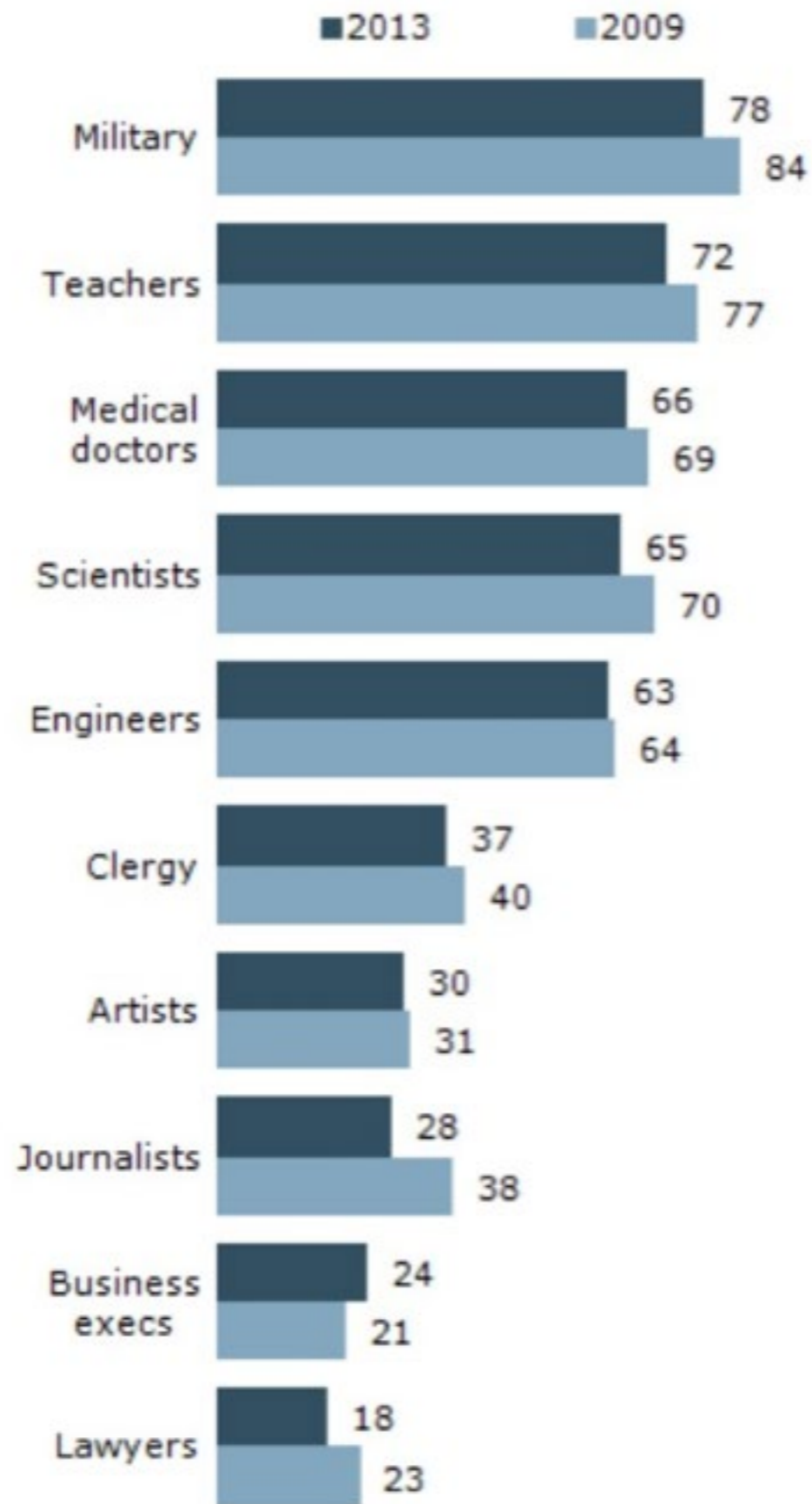
Please tell me how you would rate the honesty and ethical standards of people in these different fields -- very high, high, average, low or very low? How about -- [RANDOM ORDER]?

	Very high	High	Average	Low	Very low	No opinion
	%	%	%	%	%	%
Nurses	41	48	10	1	*	*
Medical doctors	27	50	19	2	1	*
Grade school teachers	26	49	17	5	2	*
Pharmacists	20	51	23	4	1	*
Police officers	16	36	30	11	7	*
Judges	9	34	40	12	4	1
Clergy	10	29	41	11	4	4
Nursing home operators	8	28	43	15	4	1
Bankers	5	24	48	16	5	*
Journalists	6	22	31	18	22	1
Lawyers	3	18	48	24	6	*
Business executives	2	15	46	26	10	1
Advertising practitioners	1	9	45	31	12	1
Car salespeople	1	7	53	29	8	*
Members of Congress	1	7	29	39	24	--

GALLUP, DEC. 1-17, 2020

## Trend in Perceived Contribution

*% saying each group contributes "a lot" to society's well-being*



What is our intent with the  
fee agreement?

Rule 1.5

What else?

The fee agreement is a plan  
for:

solving the client's problem,  
getting paid,  
building trust.

It starts with a conversation



Is the client properly identified?

Is the scope of the  
representation complete?

Is the fee clearly  
established?

Are the expenses & means of  
payment set out?

Is a third party paying  
the fee?

Do you need to cover  
inside & outside costs?

Are the client's duties set  
out?

How & when will you  
communicate with your client?



Are other lawyers  
involved?

Is fee sharing involved?

How does it end & what happens to the file?

When do you start? Signed  
agreement? Money?

How do you handle the  
advance fee?

Is consent to waiver  
really informed?

Is a line of credit  
involved?

Are you being paid  
by credit card?



How will you handle a fee  
dispute?

How do you handle  
termination of services?

Is a third party service provider needed?

What is the billing or  
accounting process?

Do you address  
expectations?

What about pro bono  
work & fee recovery?

Does your fee agreement  
build trust?

You may request a zip  
file of Word forms  
dmills@dcbbar.org



Examples from the zip  
file

# Client Relations

## Successful Small Firm Practice Course

October 30, 2021



**Client Relations**

**The systems**

- Described in the Plan.
- Implemented with each client.
- Evaluated regularly.

**The byproducts**

- The risks.**
  - OBC
  - Lawsuit
  - Fee arbitration
- The rewards.**
  - Satisfactions
  - Success
  - More problems to solve

**The process**

- The view from our end.
- The view from the client's end.

**Communications**

- Our marketing.
- The intake process.
- During our relationship.
- How the relationship ends.
- Whether we continue to communicate.

**The skills**

- Selection.**
  - Discretion
  - Vetting
  - Closing
- Listening.**
  - The 'active listening method'
- Empathy.**
- Boundaries.**
  - The good client with the big case who is not demanding.
  - The difficult client with the small case who is very demanding.
- Managing the drama.

**The context**

- What we do.
- How people see us.
- How things are changing.
- The Rules.**
  - 17 specific rules apply to the lawyer-client relationship.

**Our goal**

- Solve the problem.
- Get paid.
- Get a good result that is understood.
- Create good feelings & buzz.

The context

“Lawyer”

“Legal profession”

trigger negative

responses

Until we are  
needed to solve  
a problem

Within the  
profession there  
is turmoil

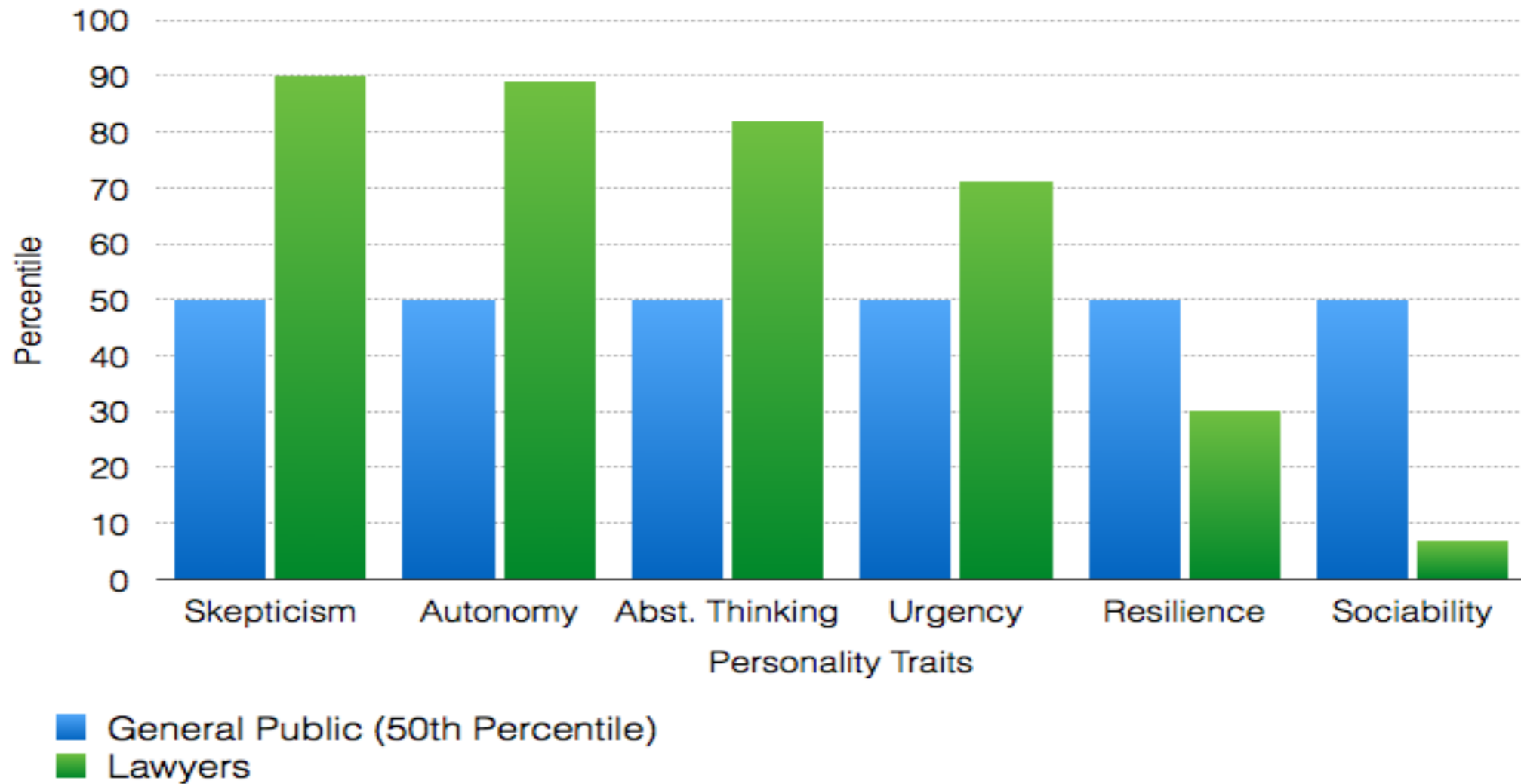
Lawyers struggle  
with substance  
abuse at nearly  
twice the rate  
of the general  
population.



Lawyers lead the  
nation with the  
highest  
incidence of  
depression among  
100 occupations.

And we solve  
other peoples'  
problems . . .

## The 6 Predominant Lawyer Personality Traits



From the research of Larry Richard, Ph.D.

[Dr. Larry Richard / LawyerBrain.com](http://Dr.LarryRichard.com)

Often, the  
problem we solve  
is a piece of a  
bigger problem  
for the client

We work within a  
challenging  
context &  
profession

# The goal

Solve our client's problem

Get paid

Get a knowably good result

Create good will

Stay healthy

# The skills

Problem solving

Selection

Listening

Empathy

Boundaries

Management

To have good  
client relation,  
select only your  
ideal client



# Vet the prospective client

Vet: to make a careful,  
critical examination; to  
assess, evaluate, screen

**Research data bases  
& social media**

**Use Experian's**

**service for lawyers**

**Charge an  
advance fee**

**Charge for the  
initial consultation**

# Charging for the initial consultation



**Garner Law PLLC**



## **60 Minute In-Office Consultation Session**

Need advice on a legal issue? This session is designed to help you navigate your legal issue and includes review of your documents.



\$200 USD



1 hour



## **60 Minute Online Consultation Session**

Need advice on a legal issue? This session is designed to help you navigate your legal issue and includes review of documents. Documents must be sent electronically at least 1 hour prior to the session.



\$200 USD



1 hour

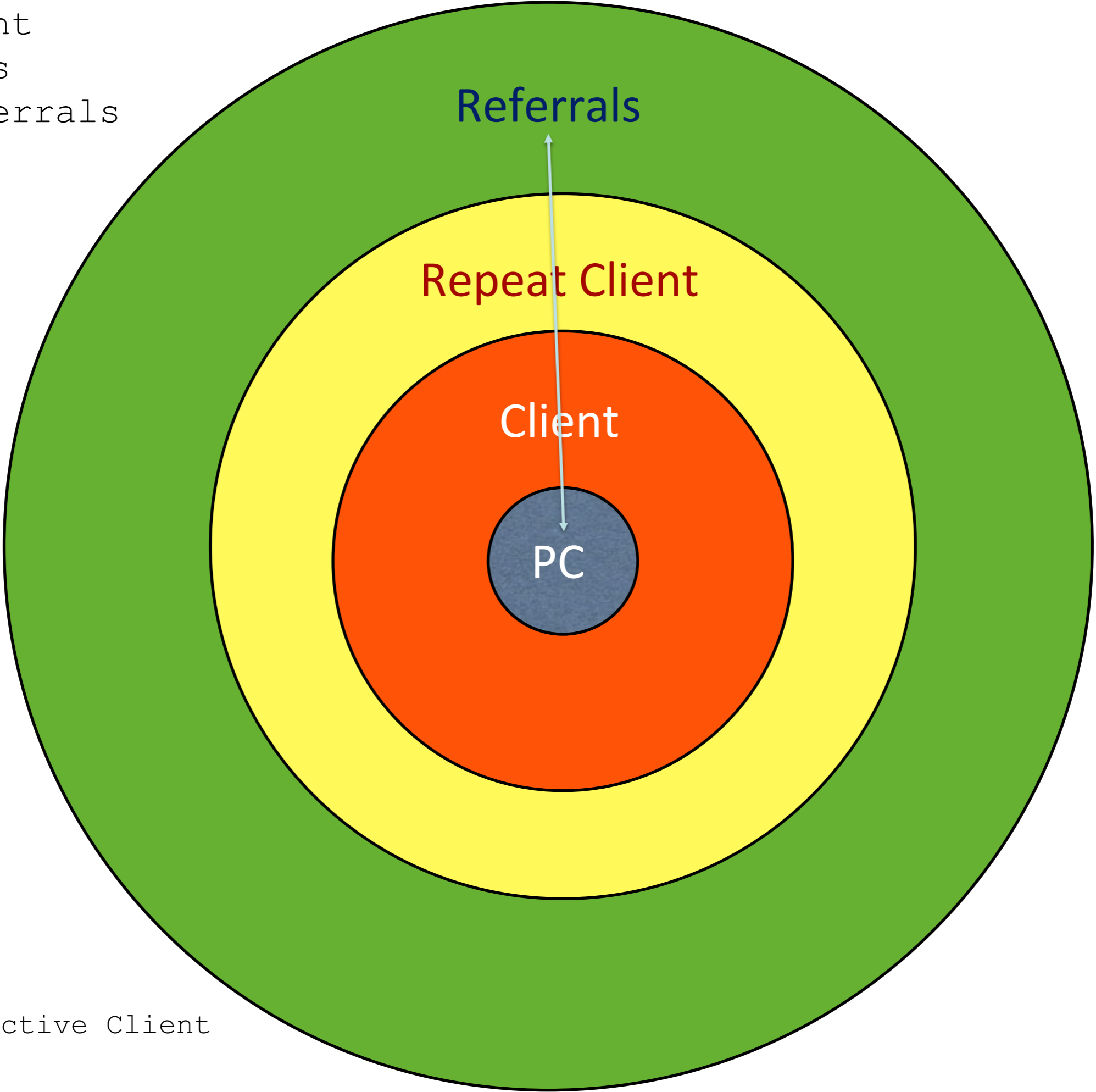
[Garner Law](#)

**Start work in the  
client's presence**

**The client should “see”  
you solving their  
problem**

Create a system for  
informing & educating the  
client throughout the  
matter

How client  
relations  
grow referrals



Referrals

Repeat Client

Client

PC

PC = Prospective Client



Survey the client both during  
and at the end of the representation.

What was the client's experience?

[SurveyMonkey](#)

# What does your client really want?

## Gerber's six categories

(Chapter 15, page 104)

1. Tactile - direct communicator
2. Neutral - indirect (computer)
3. Withdrawal - ideas
4. Experimental - innovator
5. Transitional - dependable
6. Traditional - good deal

# **Client Relations & the Business Plan**

Working a good plan is a foundation  
for good client relations

Section V, Marketing - Clients, page 9

Section XI, Appendices - page 24  
add "Lessons Learned"

# Staff

How to determine the need

Determining the cost

Formula for determining true cost

Keep payroll well below 50% of revenue

# Hiring resources

[Mechanics of hiring](#)

[eGuide to hiring](#)

[Payroll options](#)

How to hire & manage employees

[SBA Guide](#)

[LawHelp/DC employment issues](#)

How do you respond to a prospective client who shows up with this?



# How to put the client at ease for the initial consultation

Type their name in large, bold letters  
on a sheet of paper.

Place it where they will sit.

Put their name on a folder with your  
firm's name & contact information.



How your phone is answered  
is more important  
than you think

[Why live call answering works](#)

everything is  
**MARKETING**



# Applicable Rules:

7.1

7.5

Legal Ethics Opinions

Codes, regulations &  
other jurisdictions can  
also apply.

Example:

Bergman v District of Columbia

[DC Court of Appeals 08-CV-859](#)

Marketing is anything we do that changes the culture for the better.

- Seth Godin



The first step . . .

**Start from what is  
real & true.**

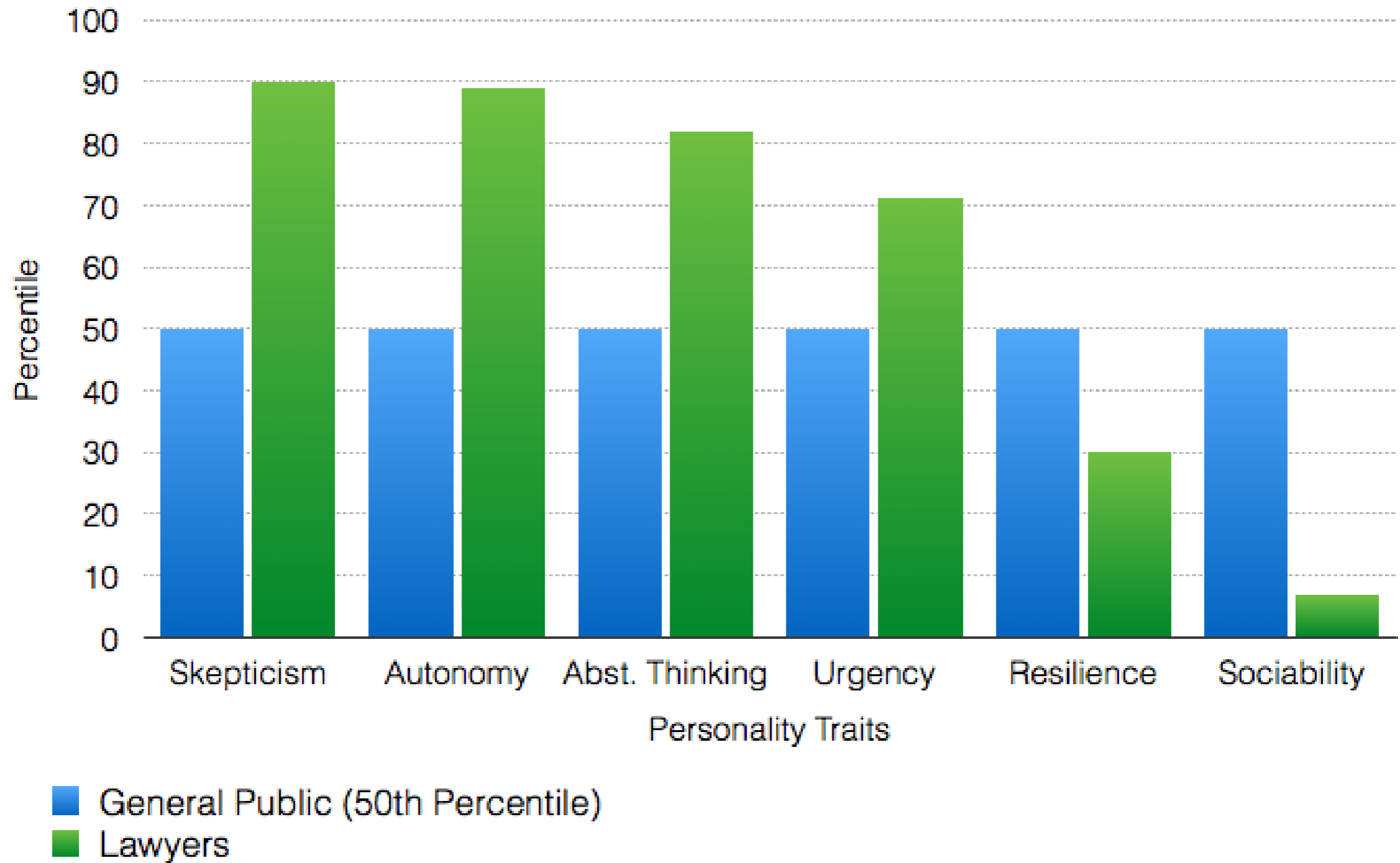
**I act  
on the basis  
of my  
self-image.**

**Own who you are.**

**Own where you are.**



# The 6 Predominant Lawyer Personality Traits



From the research of Larry Richard, Ph.D.

**Our choice . . .**

**-to talk about us**

**or**

**-to talk about the  
problem we solve**

Your perpetual questions:

**How does the client see me?**

**What is the client's experience  
with my firm?**

**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.com](http://www.juveniledefense.com)

A photograph of a man in a dark suit jacket, seen from the back. His hands are pressed against his head, and he is wearing metal handcuffs on both wrists. The background is a plain, light-colored wall.

# 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

Imagine your client's  
earliest thoughts about  
the problem . . .

If you had the chance  
to provide information  
at that moment . . .

What would you say?



How can you inform and educate your ideal client at each stage of their problem recognition process?

The information you  
would provide is . . . .

content for  
marketing messages .

Inform . . .

Be careful not to give  
legal advice  
when marketing.

The Miranda example . . .

You have the right to remain silent.

vs.

Never talk to the police.

The ideal client's  
**Problem Recognition Process**

- What's going on . . .
- *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?*

Yellow page ads are aimed at the  
last stage of the problem  
recognition process:

Who is the right lawyer for me?

Legal Zoom is aimed at the early stages.

Questions you can ask to learn  
about your client's

## **Problem Recognition Process**

- ☒ Why did you come to me?
- ☒ Tell me about your problem?
- ☒ What will the solution feel like?
- ☒ What worries you now?
- ☒ What have you worried about in  
the past?
- ☒ Who else have you told about this  
problem?

Questions you can ask to learn  
about your client's

## **Problem Recognition Process**

- ☒ Is this the first time you have talked to a lawyer?
- ☒ What concerns you about talking to a lawyer?
- ☒ What is the best way for us to communicate?
- ☒ When did you first realize you had this problem? What did you do?



Questions you can ask to learn  
about your client's  
**Problem Recognition Process**

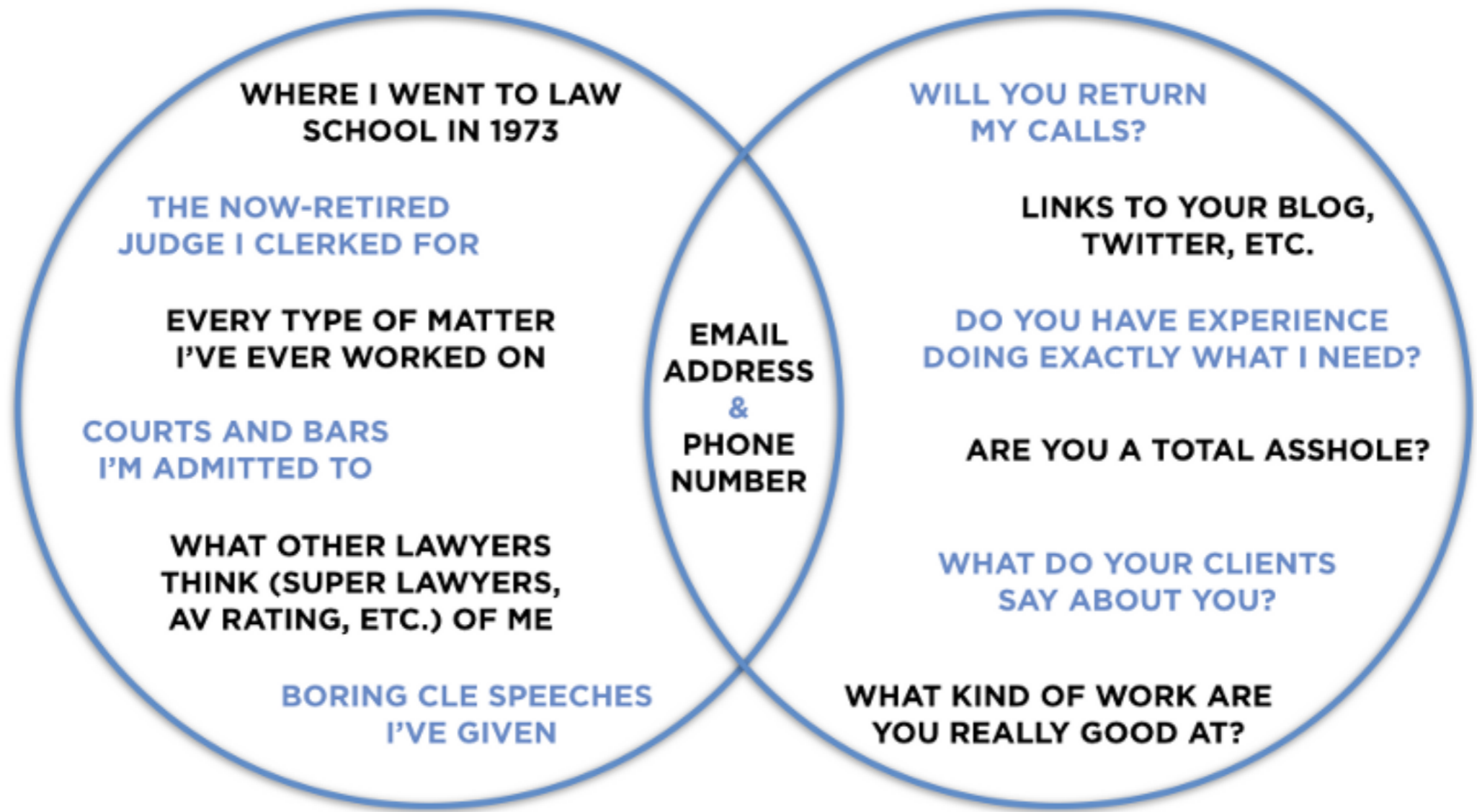
☒ Tell me what you know about this problem you want me to solve.

☒ Where have you looked for a solution?

☒ Since we have not worked together before, would you like to know how I charge to solve your problem?

**THINGS LAWYERS PUT IN  
THEIR WEBSITE BIOS**

**THINGS CLIENTS WISH  
WERE IN LAWYER BIOS**



# **What every prospective client needs to know & feel:**

Why I need this lawyer?

Can my lawyer really help?

What do others think about my lawyer?

Is my lawyer right for me?

Can I work with my lawyer?

Will my lawyer care?

Take what you learn and engage

What do *process focused*  
websites 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)

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

And perhaps the finest example of "it's all about me"  
lawyer marketing . . .



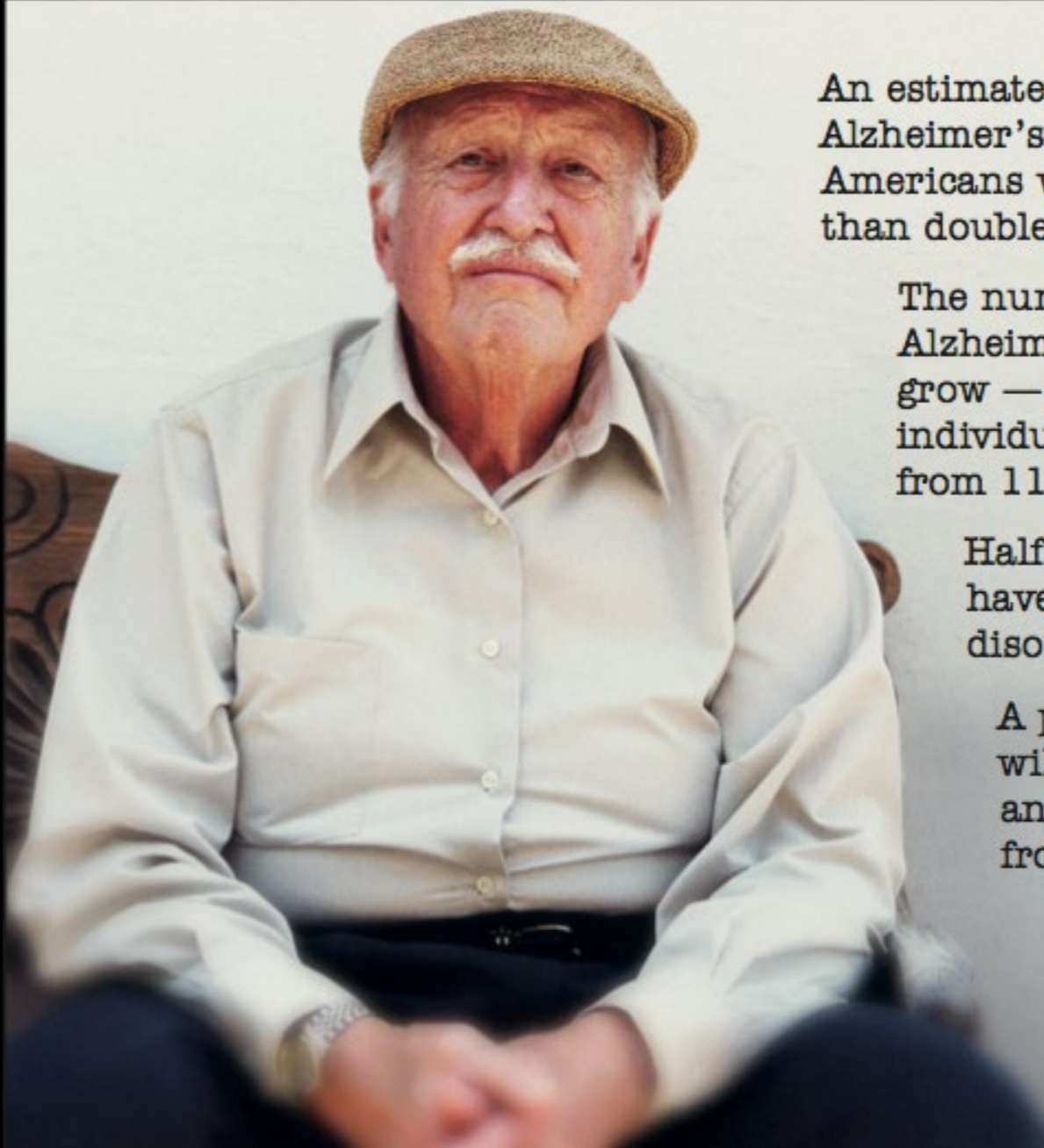


You are an estate planner  
or elder lawyer . . .

and you know your ideal client  
has a process . . .

How do you talk to them  
while they are working their way  
through their process?

# “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**

### **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**

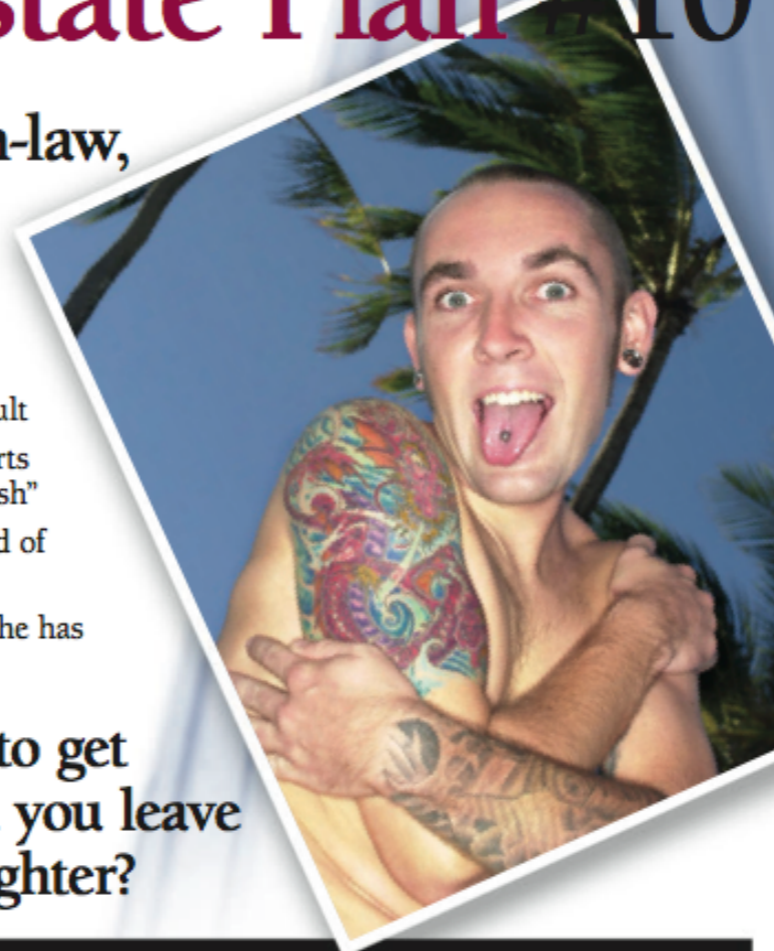
Cross Creek Pointe, Suite 402, 1065 Hwy. 315, Wilkes-Barre, PA 18702  
(570) 822-6919

# 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*



 LAW OFFICES OF  
**KIMBERLY T. LEE**

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

## Reason #11 Why Every Parent **Needs** An Estate Plan

Your daughter, Isabella

- Waved to you from the stage throughout her first appearance in the Nutcracker this past year.
- Wants to be a veterinarian when she grows up (either that or Cinderella).
- Loves to hike (in her tutu).
- Still falls asleep in your lap.

How important is *her* future?



### FREE Estate Planning Educational Event

Wednesday, October 12, 2011  
6:00pm

OR

Saturday, October 15, 2011  
3:00pm

Mill Valley Community Center • Forest Room • 180 Camino Alto • Mill Valley

Seating is limited. Register today at [www.TheaLaw.com](http://www.TheaLaw.com)

or call: **415-451-0123**

\*We strongly recommend both parents attend. **FREE CHILDCARE FOR EVENT!**



Thea Beatie Elliot  
Attorney at Law and  
local mom



TRUSTS | ESTATES | FAMILIES  
Protect what you love.

700 Larkspur Landing Cir. • Suite 249  
Larkspur, CA 94939  
Tel (415) 451-0123 • Fax (415) 451-7644  
[www.TheaLaw.com](http://www.TheaLaw.com)

# 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*?

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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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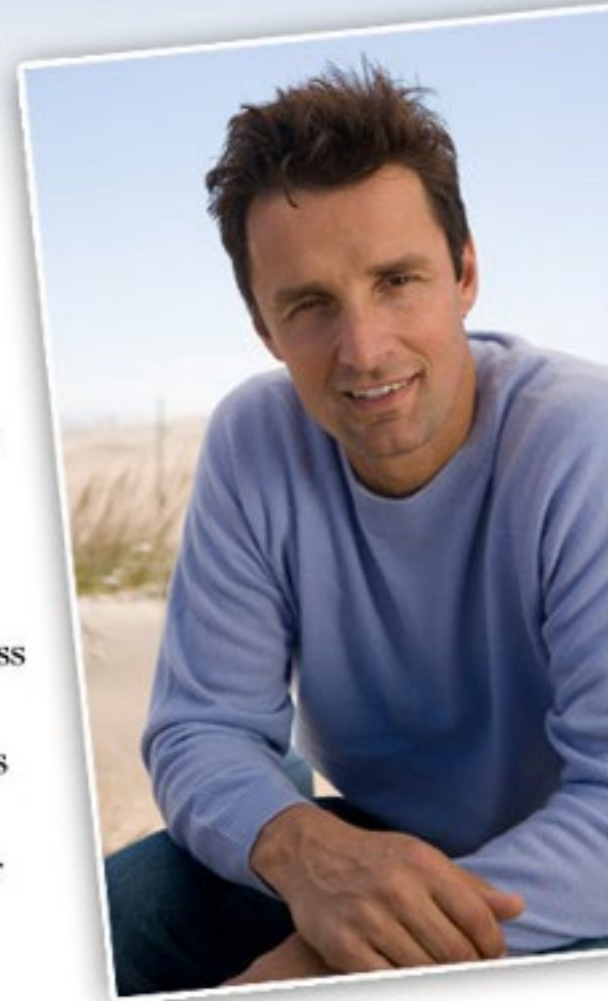


700 Larkspur Landing Cir.  
Suite 199  
Larkspur, CA 94939  
Tel: (415) 451-0123  
Fax (415) 451-7644  
[www.TheaLaw.com](http://www.TheaLaw.com)

# Reason #6 To Get A Divorce

## Your husband, Alex

- Helps with the dishes, then acts like he should get a medal
- Sheds so much hair, your bathroom floor looks like it has a rug on it
- For Christmas, gave you a dual-bag vacuum cleaner
- Main occupation in life is watching endless hours of sports on TV
- Refers to your favorite sushi restaurant as “the bait shop”
- While out to dinner with you and another couple, likes to hit on the waitresses
- Or your best friend



## Are You Sure You Want To Stay Married?

**Call Today For A Complimentary and Confidential  
Divorce Consultation: 626.683.8869**

RUSSAKOW | RYAN | JOHNSON

LAW

RRJ

### Pasadena Office

225 South Lake Avenue, 10th Floor

Pasadena, CA 91101

626.683.8869 tel

626.683.8870 fax

### Ontario Office

3633 Inland Empire Blvd., Ste. 777

Ontario, CA 91764

909.466.1661 tel

909.466.1662 fax

### Orange County Office

2603 Main Street, Ste. 1050

Irvine, CA 92614

949.833.8838 tel

949.833.8808 fax

# SmartMarketing

Lots of free information here

Good ideas here

Elements of a good,  
long term  
marketing system



Prepare information  
about  
the five to ten  
questions  
you get from every  
new client.

Prepare a 15 to 30 minute  
talk to a room full of  
your potential ideal  
clients informing &  
educating them about the  
problems you solve.

Give this talk to groups  
& organizations.

Break the talk into one  
to three minute videos.

Create a database of  
contacts

in Outlook,

in a spreadsheet,

or in any other

functional system.

Who goes into your  
contacts list?

Friends, family, clients,  
former clients, potential  
clients, professionals &  
anyone who can refer  
someone with a problem.

Sophisticated contact management  
software review:

[http://contact-management-software-  
review.toptenreviews.com/](http://contact-management-software-review.toptenreviews.com/)

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

A basic contact  
management system . . .

Contact ID	Contact Name	Contact Name2	Contact Title	Billing Address	City	State or Provi	Postal Code	Coun
1	Contact 1	Contact 1	Title 1	Address 1	City	New York	12345	Unit
2	Contact 2	Contact 2	Title 2	Address 2	New York	New York	12345	Unit
3	Contact 3	Contact 3	Title 3	Address 3	Seattle	Washington	12345	Unit
4	Contact 3	Contact 4	Title 4	Address 4	New York	Washington	12345	Unit
5	Contact 4	Contact 5	Title 5	Address 5	New York	New York	12345	Unit
6	Contact 5	Contact 6	Title 6	Address 6	New York	New York	12345	Unit
7	Contact 6	Contact 7	Title 7	Address 7	Seattle	Washington	12345	Unit
8	Contact 7	Contact 8	Title 8	Address 8	Seattle	Washington	12345	Unit
9	Contact 8	Contact 9	Title 9	Address 9	New York	New York	12345	Unit
10	Contact 8	Contact 10	Title 10	Address 10	New York	New York	12345	Unit
11	Contact 8	Contact 11	Title 11	Address 11	New York	New York	12345	Unit
12	Contact 9	Contact 12	Title 12	Address 12	Seattle	Washington	12345	Unit
13	Contact 10	Contact 13	Title 13	Address 13	Seattle	Washington	12345	Unit
14	Contact 11	Contact 14	Title 14	Address 14	New York	New York	12345	Unit
15	Contact 12	Contact 15	Title 15	Address 15	London		12345	Unit
16	Contact 13	Contact 16	Title 16	Address 16	London		12345	Unit
17	Contact 14	Contact 17	Title 17	Address 17	London		12345	Unit
18	Contact 14	Contact 18	Title 18	Address 18	London		12345	Unit
19	Contact 14	Contact 19	Title 19	Address 19	London		12345	Unit
20	Contact 15	Contact 20	Title 20	Address 20	London		12345	Unit
21	Contact 16	Contact 21	Title 21	Address 21	Tokyo		12345	Japa
22	Contact 17	Contact 22	Title 22	Address 22	Tokyo		12345	Japa
23	Contact 18	Contact 23	Title 23	Address 23	Tokyo		12345	Japa
24	Contact 18	Contact 24	Title 24	Address 24	Tokyo		12345	Japa
25	Contact 19	Contact 25	Title 25	Address 25	Tokyo		12345	Japa
26	Contact 20	Contact 26	Title 26	Address 26	Tokyo		12345	Japa
27	Contact 21	Contact 27	Title 27	Address 27	Tokyo		12345	Japa
28	Contact 22	Contact 28	Title 28	Address 28	Tokyo		12345	Japa
29	Contact 23	Contact 29	Title 29	Address 29	Paris		12345	Franc
30	Contact 24	Contact 30	Title 30	Address 30	Paris		12345	Franc
31	Contact 24	Contact 31	Title 31	Address 31	Paris		12345	Franc
32	Contact 24	Contact 32	Title 32	Address 32	Paris		12345	Franc
33	Contact 25	Contact 33	Title 33	Address 33	Paris		12345	Franc
34	Contact 26	Contact 34	Title 34	Address 34	Paris		12345	Franc
35	Contact 26	Contact 35	Title 35	Address 35	Paris		12345	Franc
36	Contact 27	Contact 36	Title 36	Address 36	Paris		12345	Franc

If you need fewer rows than provided in the sample data, just select the rows you don't need and then, on the Tables tab of the Ribbon, click Delete and then click Table Rows. Or, right-click, point to Delete and then click Table Rows.

Click the arrow heading cell in the column for sort and filter.



Contacts are referral  
sources & potential  
clients so long as you  
engage with them.

How many opportunities  
exist for you to be  
found?

How many venues can you  
create for your  
marketing message?

You & your presence

Your office

Business card

Website (video)

Newsletter

Blog

Brochure

Social media

Community engagement

Speaking engagements,

books & free publications

are useful tools

A professional photograph is essential

[Michelle C. Thomas](#)



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

Create a great logo



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

# Sources for unique & traditional cards:

[Moo.com](https://www.moo.com)

[DesignYourOwnCard.com](https://www.designyourowncard.com)

[Crane.com](https://www.craneprint.com)

[VistaPrint.com](https://www.vistaprint.com)

# 6 Major Mistakes to Avoid When Selecting An Estate Planning Attorney



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

Hardcopy is better than 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

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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.

Email post links  
back to blog

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

The concept applies in  
any practice area . . .

Employer Alerts by  
Charles H. Fleischer

Relate to Marketing  
like it is  
your best client.

How would you treat your  
best client?

You would have a plan

You would strategize

You would open a file

You would work on it every day

You would evaluate it often

**You can do the work yourself:**

[Rollins & Chan](#)

[Wufoo form builder](#)

[Square Space](#)

[How to create a Facebook business page](#)

**Or you can use a service:**

[Mockingbird Marketing](#)

[Foster Web Marketing](#)

[Great Legal Marketing](#)

[SmartMarketingNow.com](#)

[UpwardAction.com](#)

# 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 & Renegade Lawyer Marketing](#)

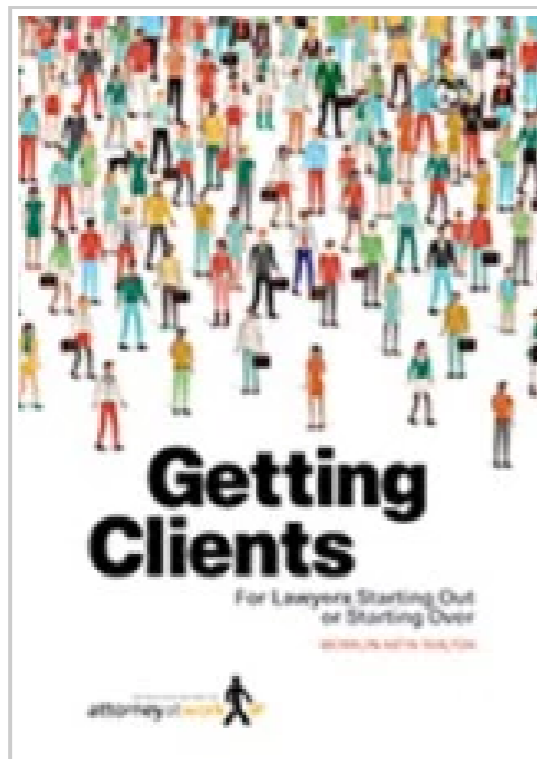
by Ben Glass

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

# Getting Clients

## Getting Clients: For Lawyers Starting Out or Starting Over

BY MERRILYN ASTIN TARLTON



Save when you pre-order by October 31 - Just enter the code "[GettingClients10](#)" at checkout for 10% off the normal price.

Price: \$40.00

BUY NOW

**The most difficult challenge you face as a lawyer is figuring out how to get clients.** Particularly if you're a young lawyer. It can feel like there is a secret no one is telling when other lawyers have lots of clients with what looks like a minimum of work.

Merrilyn Astin Tarlton has been coaching lawyers to unlock those secrets for over 30 years. In her new book "**Getting Clients**," she brings extensive knowledge and a warm sense

of humor to walk you through what you need to be doing — and when you need to be doing it — to become the lawyer you have always wanted to be, doing the type of work you have always wanted to do.



# Truths

All marketing works. Some work  
better than others

Marketing is long term trust  
building.

Bad phones kill good marketing.

More truths

You cannot impact a  
feeling with a fact.

You can only impact  
a feeling with a  
feeling.

What is your mindset?

**I have to market.**

**or**

**I get to market.**

# Successful Small Firm Practice

District of Columbia Bar

Productivity, technology & the  
essentials

October 30, 2021

## The Three Cs of Small Firm Success

Competency

Chemistry

Compensation

# Solid infrastructure . . .

- The Plan
- The Office Manual
- A system for engaging prospective clients
- A system for problem solving for clients

# Working smarter . . .

- How do you work efficiently and effectively
- What are the tools you need
- We can always work smarter

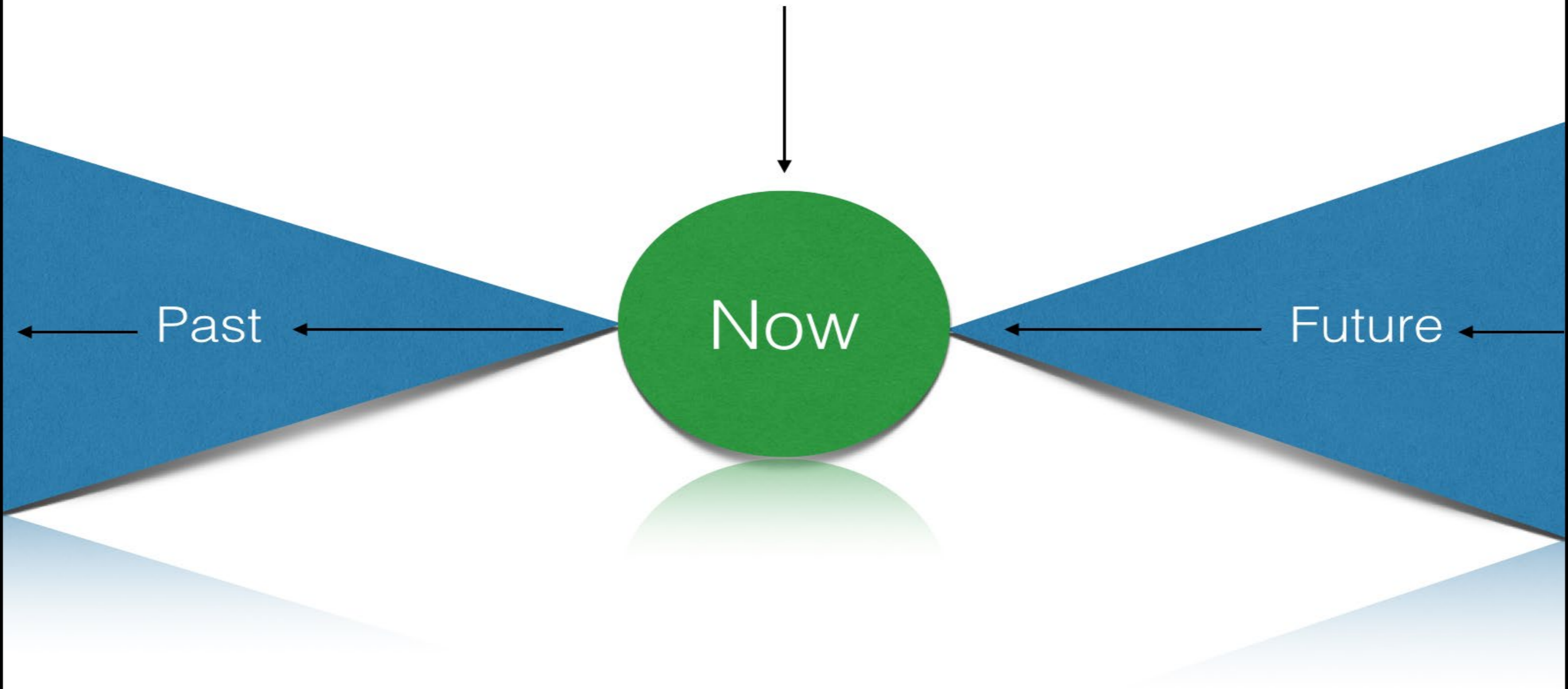
# Is it really possible to manage time?

## **When people & projects compete for your time:**

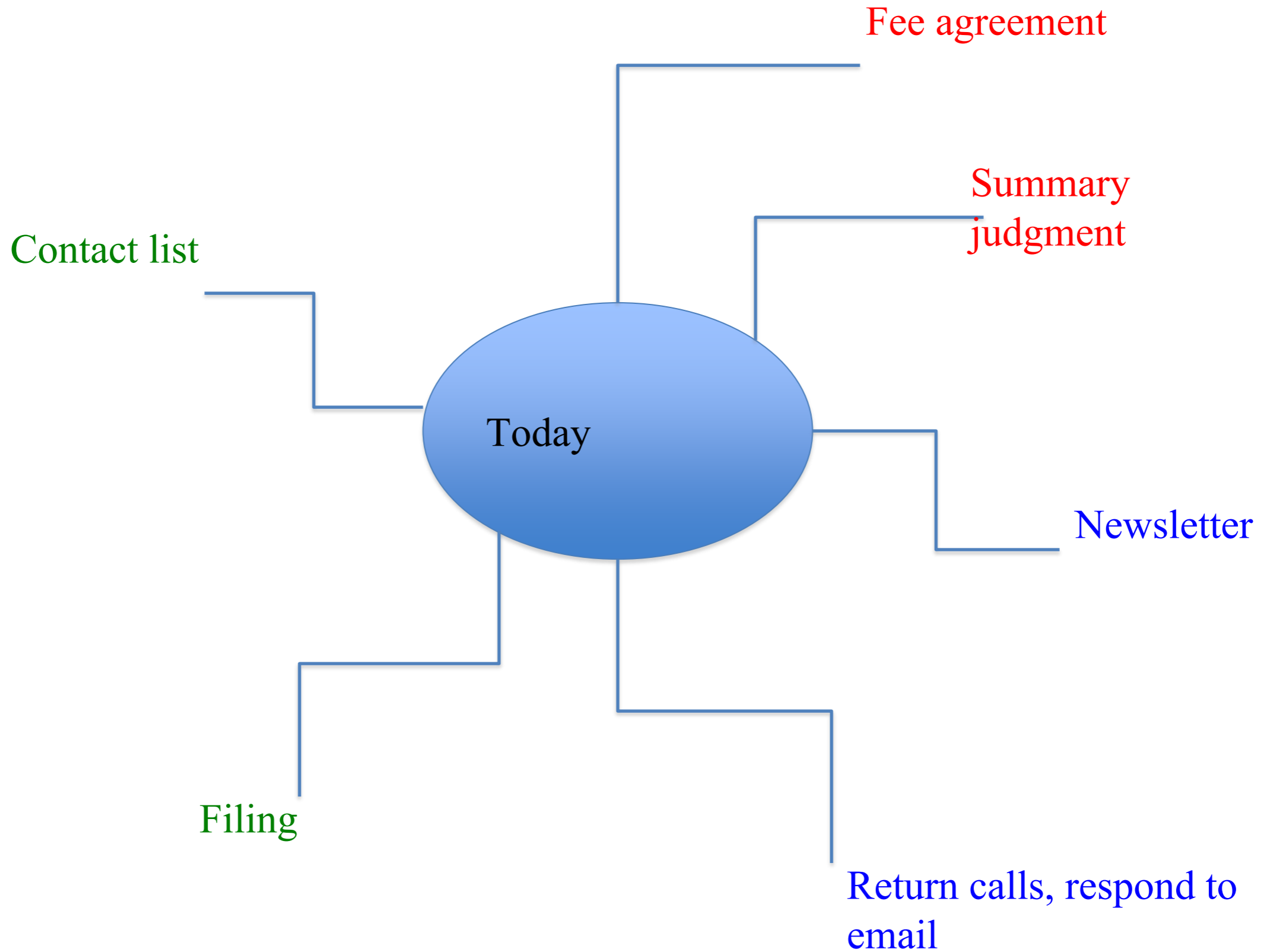
- Works in blocks of time with a single goal
- Employ self-discipline & focus
- Avoid *Chronic Reaction Syndrome*
- Avoid *Distractions of Doom*



The only moment for action or omission



# A concept map for the next three hours



To clear your head, to get focused, ask yourself:

Why am I here?

What's going on around me?

What am I going to do about it?

How will my actions affect others?

# Manage information

- Information is power; create a system for managing it
- A paperless system can mean productivity and efficiency for the small firm if it is managed well and used by all
- Ideally, be able to access all client and firm data from your device

# Working smarter helps avoid:

Undervaluing your work

Procrastinating

Living with disorganization

Giving away time

Discounting fees

Accepting clients who cannot pay

Handling too many non-lawyer tasks

Only working in your enterprise & not on your enterprise

Catastrophizing

How to make a good impression & get clients

# LISTEN

L = laser focus on the target

I = investigate the target

S = shun judging

T = take brief notes

E = elevate the target

N = Note non-verbal messaging

1,440

Everything and everyone comes  
and goes  
and maybe comes again  
except time.



Your competition may be  
smarter  
richer  
and better looking,  
but they have the same  
amount of time  
as you.

Every day

Set your most important task

Do creative work first

Do reactive work second

Schedule time  
for the most important task

Design your ideal week  
in blocks of time  
on your calendar

Keep a journal

Self-evaluate

It does not have to be perfect

# The paperless system. . .

- One or more computers & a Fujitsu Scansnap
- RocketMatter, MyCase, Clio, NetDocuments or LegalWorkspace
- [Going Paperless-A Practical Guide](#)
- [ScanSnap demo](#)

# FUJITSU Document Scanner ScanSnap



ScanSnap scanners take the complication out of document imaging with one-button ease of use. Perfect for home and small business environments, the ScanSnap family of scanners bring duplex multi-sheet scanning to everyone, combining performance and affordability in a compact size.

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## ScanSnap iX500



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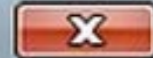
## ScanSnap iX100



[ScanSnap products](#)



# ScanSnap



★ Favorites

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Organizer



Scan to  
CardMinder



Scan to Folder



Scan to E-mail



Scan to Print



Scan to Mobile



Scan to  
Dropbox



Scan to  
Evernote (Doc...)



Scan to  
Evernote (Note)



Scan to Google  
Docs(TM)



Scan to  
Salesforce C...



Scan to  
SugarSync



ABBYY Scan to  
Word



ABBYY Scan to  
Excel(R)



ABBYY Scan to  
PowerPoint(R)



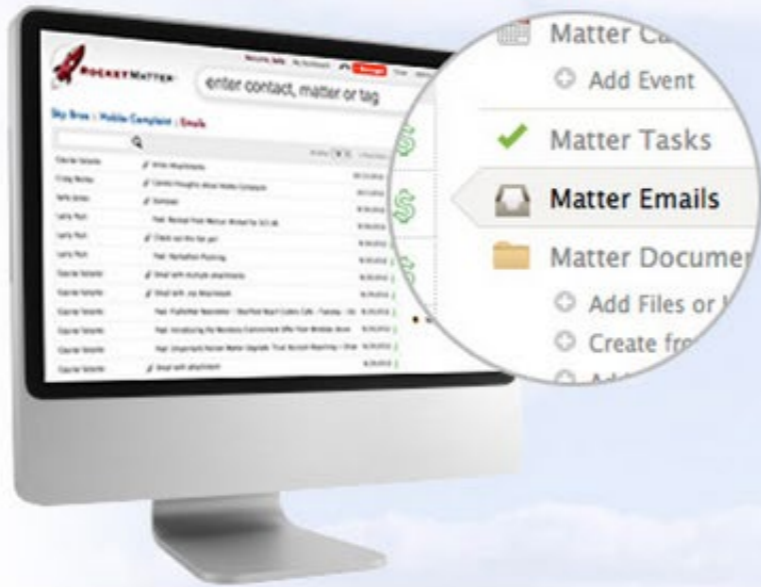
Scan to  
SharePoint



Scan to Picture  
Folder

Detail





## Legal Software with E-mail Integration

Effortless e-mail integration allows you to quickly associate correspondence with matters & track billable time.

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**VIEW A DEMO** ➔



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**IT'S AWESOME...**



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**TESTIMONIALS...**

# RocketMatter integrations



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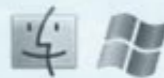
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Web-based. Works with Mac & PC

# A suite of web-based tools to help manage your law firm

Clio is the leading practice management, time & billing and client collaboration platform for small- to mid-sized law firms. Your important client data is securely accessible anywhere – from your PC, your Mac, and even your iPhone.

Get Started

Feature Tour

## The best features. Case closed.

Clio leads the way in cloud-based practice management with a rich set of features that make managing everything from intake to invoicing a snap.



### DOCUMENT MANAGEMENT

Quickly and securely store/access electronic copies of relevant file correspondence.



### BANK GRADE SECURITY

256-bit SSL encryption combined with enterprise-class data security and redundancy ensures the safety of sensitive client data.



### TIME TRACKING

Effortless time tracking ensures simplified and accurate billing and recovery.



### SIMPLIFIED BILLING



### TASK SCHEDULING



### 100% WEB-BASED

# A DC Bar Member Benefit



nd

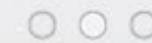


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Case Studies  
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What we do

Who is NetDocuments for?

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# Build a system . . .

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[The Form Tool](#)

## Automate YOUR Word Documents in Minutes

*TheFormTool does in a few seconds what used to take me an hour to do.*



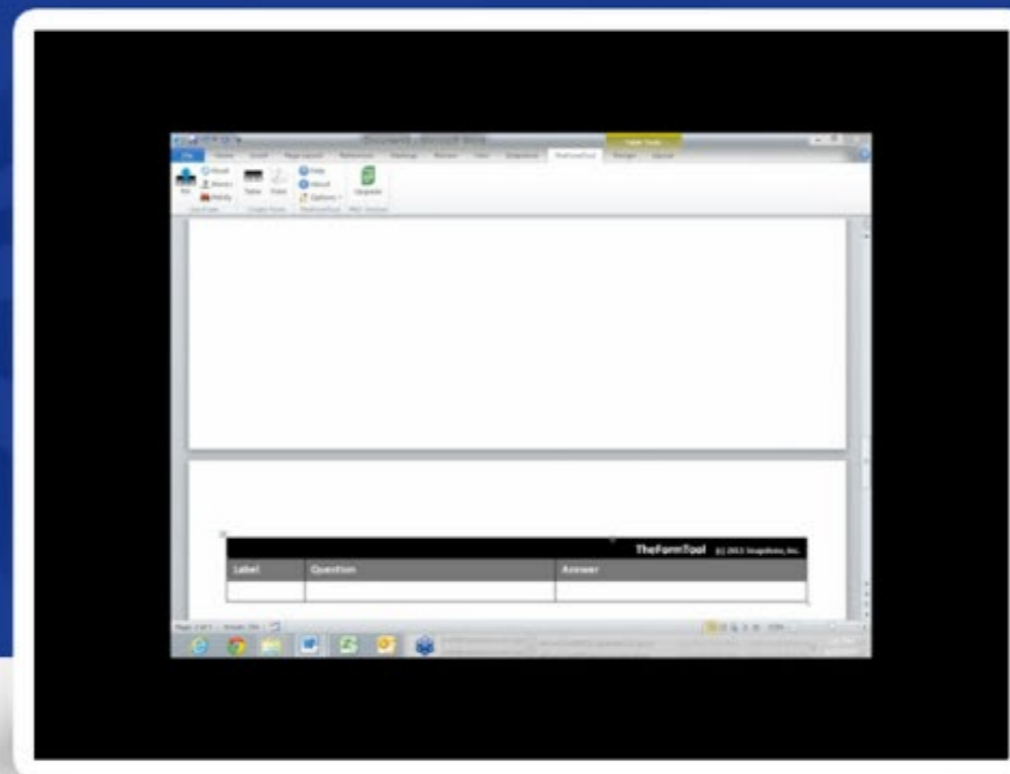
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**"The Learning Curve"**



**Wednesdays**

# Free & low cost research . . .

- Fastcase: [Nationwide law library for free](#)
- Local research sources: request from [PMAS@dcbar.org](mailto:PMAS@dcbar.org)
- Google Scholar / <http://scholar.google.com>



### What is Fastcase?

What makes Fastcase different

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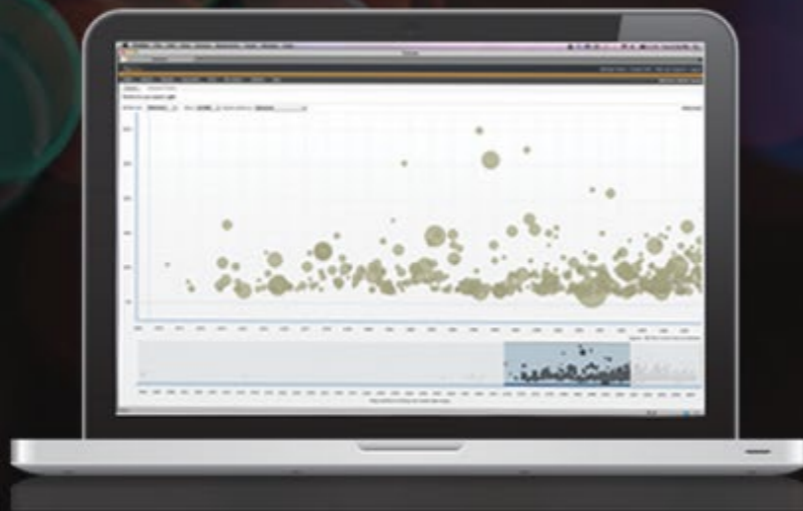
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**24** hour free trial



## Web-Based Time & Billing Software For Lawyers

Why Time59?

Simplicity. Essential features. Outstanding value.

Free 30 Day Trial

Take The Tour



### How much does Time59 cost?

Time59 is priced at \$99.95 / YEAR for unlimited data. Your first 30 days are FREE. Time59 also has an optional mobile web app called [My Time59](#). Each Time59 subscription includes one FREE My Time59 user. Additional users are priced at \$9.95 per user, per month.

### How do I get started?

To get started go to the [sign up form](#) where you will create your user name and password. When you sign in to your account for the first time you will be instructed on how to proceed. Time59 has plenty of online help to guide you. There's also free, friendly support via phone or e-mail.

### Here's what Time59 users are saying...

"I absolutely love Time59! It's the best application (web-based or otherwise) that I've ever used and I really mean that. It has pretty much everything I need and nothing I don't need. I hate overloaded software with a million features I will never use getting in the way."

*Reed W. Super, Esq.*

"Time59 allows me to easily track time and expenses for all my clients. The system is easy to use and has great features. I highly recommend it for solo lawyers."

*Pamela S. Wynn MSW, JD  
Boynton Beach, FL*

"As a previous user of Timeslips for many years, I can easily toss it out the window for Time59, which is user-friendly, accurate, and easy to access from the internet. I don't have to install software on multiple computers, updates are automatic, and invoices are easy to create and send. I love working with Time59!"

*Time59 User From Arizona*

[Time59](#)



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Ruby is the smart and cheerful team of virtual receptionists trained to make a difference in your day. From our offices in Portland, Oregon, we handle your calls with care. We deliver the perfect mix of friendliness, charm, can-do attitude, and professionalism. Best of all, your callers will think we work in your office. *Meet us!*

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Our friendly, professional virtual receptionists will WOW your callers.

#### BE MOBILE

We'll transfer your calls to you, when and where you like.

#### RELAX

Your calls are always answered by a cheerful, live person.

#### SAVE

You'll gain top-notch service at a fraction of the price of an on-site receptionist.

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Ruby

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# Emotional intelligence for lawyers

## The Power of Emotional Intelligence

Travis Bradberry



# Be bold . . .

- Follow the rules
- But don't be paralyzed by your lawyer brain
- Our analytical, problem-solving skill-set does not always work well for growing our firm
- You are a lawyer-entrepreneur; find your way around “no”
- Know your value to the potential client & communicate it well

Take care of yourself . . .

In a knowledge business,  
capital is human.