THE THRIVING SMALL FIRM
HOW TO BUILD, MANAGE AND SUSTAIN SUCCESS

Bill Jawitz
SuccessTrackESQ

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Matt Portella
MVPLawOffice.com
ABOUT US

• Name
• Years in practice
• Primary practice area
• # of attorneys and staff
• Bill: 18 years coaching attys
• www.SuccessTrackESQ.com
• Matt: 25 years in practice
• www.MVPLawOffice.com
30 HANDOUTS

- Self-Assessments
- Checklists and Outlines
- Best email practices
- Articles
- Practice Growth Resource Pack (TOC)
- www.SuccessTrackESQ.com
THE KEYS

1. Vision & Leadership
2. Business Development
3. Productivity / Time Mgmt
4. Financial Management
5. Team Building
6. Client Service
7. Operations / Technology
#1 VISION / LEADERSHIP

Goals

vs

Objectives
VISION / LEADERSHIP

• Business goals and objectives
• Personal goals and objectives
VISION / LEADERSHIP

Taking responsibility for your life

The Wheel of Life
VISION / LEADERSHIP

Self Knowledge
• Drive
• Influence
• Steadiness
• Compliance
VISION / LEADERSHIP

Strategic decision-making: Capture and analyze data
• Take/decline a case?
• Add/reduce staff?
RPC 1.1
Competence

A lawyer shall not:

• Handle or neglect a matter ... in such a manner that the lawyer’s conduct constitutes gross negligence

• Exhibit a pattern of negligence or neglect in the lawyers’ handling of matters generally
Establish and nurture Firm Values
• Promptness
• Accuracy
• Communication
• Accountability
You and Your Business
- Entrepreneur, Manager, Technician
- Systems
- Working IN vs. Working ON
The Life Blood of Your Firm
RPC 7.1 Communication Concerning a Lawyer’s Services

- Truthfulness
- Not False or misleading
- Factual Foundation
- Omission
RPC 7.2 Advertising

- 11 sub-rules including
  - Retention
  - Geography
  - Endorsements
  - Fees
- 15 comments
  - “the risk of practices that are misleading or overreaching”
Activities that build **visibility** and **credibility** in a targeted market

To audiences, groups:

Writing, speaking, site, webinars, video, social media, newsletters, advertising, sponsorships
Specific 1-to-1 interactions that lead to getting hired

1: Inquiries
2: Networking
3: Follow-ups: demos, presentations, trainings
4 STAGES BEFORE SOMEONE BECOMES A CLIENT

01 SUSPECT
Member of a target community who becomes aware of you

02 PROSPECT
A SUSPECT who chooses to learn more about you and your offerings

03 LEAD
A PROSPECT who invites or accepts a personal invitation to explore their situation

04 OPPORTUNITY
A LEAD with the authority, budget and motivation to make a hiring decision
THE PIPELINE
(aka The Funnel)

01 Visibility

02 Education

03 Engagement/Screening

04 Conversion

05 Service/Retention
RPC 7.3 Solicitation

• Distinct from Communication (targeted to individual with known need vs info to general public or group)
1. Set your course
2. Target specific work
3. Convey effective messages
4. Chart and navigate contacts
5. Use multiple channels
MARKETING & SALES

6. Build your online presence
7. Activate referral sources
8. Nurture existing/former clients
9. Plan Budgets and Vendors
10. Strengthen your BD habits
1. SET YOUR COURSE

- **Money**: gross, net revenue
- **Time**: hours worked
SET YOUR COURSE

Practice profile: Ideal matter types, team composition
2. TARGET WORK

The Power of Niching
GET THE RIGHT WORK

The **RIGHT** Work

- Can process efficiently / effectively
- Supportable by your budget

The **WRONG** Work

- Outside your wheelhouse
- Don’t like / not good at / not staffed for it
- Not committed to competing for it
- Shrinking market
Targeting Work

- Acute Care Facilities: 1 of 500<
- Hospitals: 1 of 6,000 Slice
- Healthcare: 1 of 80,000 Prac Area/Sector
- Business
- Lawyer
- Lawyer

Target Condition Relevance

933,903 of 1.2MM in PP
Sample Niches

T&E for Artists
Employment for Higher Ed
Product Liability Defense re Medical Devices
Business Transactions re Electronic Payments

Target Work

Develop 1 - 2 niches
Differentiate
Deepen expertise
Earn “Go-To” status
(NAT 1 and 2)
RPC 7.4 Fields of Practice and Specialization

- Criteria for use of the term “Specialist”
- OK to indicate practice area focus and limitations (7.2.k)
3. CONVEY EFFECTIVE MESSAGES

Client centricity
Passion & Curiosity
Door openers & action triggers
Demonstrate relevance
RPC 7.5 Firm Names and Letterhead

- Harkens back to 7.1
- The Law Office of . . . vs The Law Offices of . . .
- Trade names
Customer Relationship Management

4. CHART AND NAVIGATE YOUR CONTACTS

Complete your list
Add to it regularly
Tend it quarterly
Use it to connect
5. USE MULTIPLE CHANNELS

Writing / Live speaking
YouTube / Site / Blogs /
Social / Directories / PR
Event networking
6. BUILD YOUR ONLINE PRESENCE

- Website
- Commentary/educational blog
- Google Local (map pack)
- Social Media
  - LinkedIn / AVVO
- Reviews
Internet Presence

Paid Search
Local SEO
Backlinks

Google search results for "title ix lawyer" show both paid and organic listings.
FEDERAL IMMIGRATION-RELATED CRIMES ON THE RISE

When you think of federal crimes, you may think of drug offenses, human trafficking, terrorism, and similar offenses. However, a lesser-known offense has almost single-handedly accounted for a 200 percent rise in federal convictions in the past 25 years – illegal reentry into the United States.

Many people think that people who are unlawfully present in the U.S. are simply deported back to their home countries. However, many of these immigrants are prosecuted in federal court and sentenced to a federal prison sentence. When a someone is facing illegal reentry charges, too many people think that they should call an attorney who focuses on immigration matters. However, these proceedings do not take place in immigration court – defendants face proceedings in the federal criminal justice system, which has very different procedures and possible consequences. Illegal reentry is a serious federal crime and you need a highly experienced federal criminal defense attorney handling this type of case.
1. Guest Posts
2. Press Releases
3. Scholarship Campaign
4. YouTube Videos
5. Directories
Back-links: Press Releases
Sample COI’s

Rainmaker at firm that doesn’t do your niche

Strategic networking
Referrers & Centers of Influence (COI’s)
TOMA
Trust-building behaviors

7. ACTIVATE YOUR REFERRAL SOURCES
RPC 7.7 Referral Services

• May pay fees to services that otherwise do not violate any RPCs
  • 7.2 comment 6
  • 7.7 comment 1
8. NURTURE YOUR CLIENTS

- Timely communication
- Understand cutting-edge legal issues
- Add non-legal value
- Get and apply feedback
- Deliver **experience**
9. BUDGET AND SPEND WISELY

- Track results
- Analyze ROI
- 2.5 – 6% of gross collections
- Hire proven vendors
10. STRENGTHEN YOUR BIZ DEV HABITS

- Calendar time for BD regularly
- Prep before each BD event
- Study selling and closing
## Sample Marketing Calendar

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<thead>
<tr>
<th>ACTIVITY</th>
<th>GOALS</th>
<th>JAN</th>
<th>FEB</th>
<th>MAR</th>
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<th>MAY</th>
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#3 PRODUCTIVITY / TIME MGMT

1. Plan Effectively
2. Capture & Update Tasks
3. Prioritize & Schedule
4. Delegate & Supervise
5. Organize Info
6. Optimize Procedures
7. Frame Expectations
8. Cultivate Awareness
TWO TRUTHS

If you don’t control your time, other people and events will

There is always more to do than time available
THE GREAT MISNOMER

We can’t:

Get more time
Have more time
Make more time
Find more time
It's self management
It's choice management

IT'S NOT TIME MANAGEMENT
PLAN EFFECTIVELY

Daily
Quarterly
Annually
DAILY PLANNING

15 – 30 Minutes First Thing

1. Note the day’s free space
2. Block communication time
3. Review written task list
4. Select 1 – 3 top items
5. Project realistic time for each
6. Enter those blocks
7. Scan rest and next week
8. Execute adjustments
CAPTURE & UPDATE TASKS

Accessible and Trustworthy

ToDoist / Outlook Tasks
Practice mgmt platform
OneNote
Three ring binder
Legal Pad (NOT white or yellow)
PRIORITIZE & SCHEDULE

Urgent and Important

Important but Not Urgent

Urgent but Not Important

Not Important and Not Urgent
TIME - TASK ESTIMATES

Check whitespace
Determine scope
Pause to reflect
Add 33%
Track for one week
RPC 1.3 Diligence

A lawyer shall act with reasonable diligence and promptness in representing a client
THE MYTH OF MULTITASKING
SEE FOR YOURSELF

A B C D E F G . . . Z
1 2 3 4 5 6 7 . . . 26

A B C D E F G . . . Z
1 2 3 4 5 6 7 . . . 26
DELEGATE & SUPERVISE

Hmmm... this new management fad is crazy enough that it might just work...
EFFECTIVE DELEGATION

Specificity
Level of authority
Feedback
5 ORGANIZE INFO

information
overload

multitasking
inaccuracies
information pollution

SMS
instant messaging

cellular telephony

data
news

media
internet

computers
reports
spam

mail
RSS

delayed decisions
information pollution

memory malfunction

high-tech devices

inaccuracies

stress

mistakes

data

contradictions

distractions

numbers

interruptions
PAPER & DIGITAL FILING

Folder location and naming conventions

Hire a professional organizer (Laura Leist, EliminateChaos.com)

Calendar monthly time
Password Management

DISCOVERY

Knowledge revealed.
X1 provides blazingly fast access to compartmentalized data, so that people need not maximize their productivity and make the best decisions.

dashlane

LastPass

RoboForm
OPTIMIZE PROCEDURES & PROCESSES
80-20 Rule

20% Inputs → 80% Results
SMOOTH PROCESSES

Intake / file opening, closing
Calendaring
Drafting
Admin
Client / biz development
Apply 80-20 rule

SMALL CHANGE
BIG IMPACT
TIME SPENT ON EMAIL

Forty 10-hour days = 400 hours
TAKING CONTROL

Email mgmt = core work responsibility

4 Key Strategies

1. Reduce Volume
2. Improve Quality
3. Manage & Organize
4. Teach Others
SPECIFICITY & PREFIX / SUFFIX

ACTION: Schedule Jones mock depo for 12.5, 2-7pm

DELIVERED: Baker summary judgment motion for your review

INFORMATION REQUEST CONFIRMED

EOM (end of message)
NRN (no reply needed)
SUB-FOLDERS AND RULES

Apply this rule after the message arrives with 'sageprofessional.com' or 'abanet.org' or 'salesresults.ccsend.com' or 'markmarai' move it to the Newsletters -- LEGAL folder
7 FRAME EXPECTATIONS and BOUNDARIES
COST OF INTERRUPTIONS

Stress: higher risk of mistake, increased rework, longer hours, more frustration

*Multi-Tasking Myth Exercise
PHONE INTERRUPTIONS

Establish timeframe at the front end of each interaction

Try putting phone on DND
#4 FINANCIAL MANAGEMENT

Time = Money (Life energy exchange)
Make friends with your data
Mindset (time, effort, practice)
Consistency at the margins
Applies to all practice areas and matter/fee types

Increased Profitability:
More net Income in less time at an enjoyable, sustainable pace
KEY IDEAS

Two main paths to increased profitability

1. Dollars in/out & Efficiency
2. Practice Focus, Pricing, Reputation & Service

Revenue growth vs expense reduction
KEY TERMS
Profit Margin

Net Income = Gross Income – Total expenses
Profit Margin % = Net Income / Total Income (x 100)
Often misreported in legal press
Average small law firm profit margin is about 27% (pre-tax)
“Success” depends on business model
MINDING THE MONEY

- Internal Controls
- Strong billing practices
  - Retainers / Evergreen provisions
- Clear narratives (demonstrate effort), timely capture, timely delivery, timely follow-up
FEE SETTING

- Money mentality
- Value-based pricing (OMV)
- Set fees based on data, then gut
- 3 No-Blink rule
ALTERNATIVE FEES

- Fixed / Phased
- Blended Rates
- Reverse Contingency
- Success Fees
- Capped Fees
- Hybrid Fees
CASH FLOW

- Capital contributions (startup / expansion)
- Case costs
- Line of Credit
- EQ purchases
- Quarterly taxes
EXPENSE CUTTING

- Analyze P&L quarterly
- Assess ROI
- Target most adaptable expenses first
- Work with Cost Analysts
- Research and shop
FINANCES / FEES

ACTION ITEM
Identify and explore one important aspect of how you deal with money in your practice and commit to becoming more effective in that area
#5 TEAM BUILDING

Hmmm... this new management fad is crazy enough that it might just work...
YOU are the conductor

Why Good People Stay

- Recruiting and training
- Role / task clarity
- Culture
- Buy-in
- Performance reviews
BUILD YOUR TEAM

- Cultivate positive culture
- Attract and leverage good people
- Understand work styles (DISC)
BUILD YOUR TEAM

- Train, manage, coach (Tulgan)
- Set Professional Development goals
- Delegate effectively
BUILD YOUR TEAM

Applies to ALL team members

▪ Contract paralegals & attorneys
▪ Virtual Assistant
▪ Bookkeeper
▪ Marketers
RPC 5.1 – 5.3
Supervision

(b) A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that he/she conforms to the RPC

(c) A lawyer shall be responsible for another lawyer's violation of the RPC . . . (orders, ratifies, or knows of)

Subordinate lawyers and non-lawyers
BUILD YOUR TEAM

ACTION ITEM

Assess each of your live and virtual staff members for strengths and weaknesses that bear on productivity and profitability; pick top weakness to address
# 6 CLIENT SERVICE

- Starts with strong screening and selection
  - Use forms / checklists to assess quality
  - Estimate fees and budget conservatively
  - Say NO bravely
  - Have good people to refer to
Intake/Welcome Kit
Interactions w/ Staff
Waiting area
Technology
Fees and billing
Document formatting
Layman’s language
Thankyou cards
RPC 1.4

Communication

(a) A lawyer shall fully inform a prospective client of how, when and where the client may communicate with the lawyer

(b) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information
RPC 1.4 Communication

(c) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation (enough time to process, verifying conversations)
• Personal time management
• Daily planning
• Regular case and calendar review
• Create checklists and flowcharts
• Interruptions management
WORKFLOW EFFICIENCY

- Folder and file name conventions
- Quarterly process review lunches
- Tech training (pro and YouTube)
- Applies to production & non-production
WORKFLOW

ACTION ITEM
Identify three significant processes of how work flows in your office which, if improved, would yield a significant improvement in efficiency and quality
TECHNOLOGY

- Practice management software
- Cloud access: Google drive / Office 365
- Inquiries/Intake (Lexicata)
- Video Conferencing: GTM, Skype, Zoom
- Voice recognition
TECHNOLOGY

- Fujitsu ScanSnap
- Wireless desk headset
- MeMail
- LawPay
- What do YOU use?
SEARCH STATS

25% Time spent looking for information

38% Time spent recreating existing content after failed search

61% Annual growth in enterprise info
TECHNOLOGY

ACTION ITEM

Identify, then research, one element of tech (hardware or software) that you believe you should start using or learn to use more effectively to make your office more efficient.
RPC 1.6, 1.7/8

- Confidentiality of Information
- Conflict of Interest

(investing time and $ in appropriate technology)
FIVE FROG WERE SITTING ON A LOG . .
QUESTIONS

• www.SuccessTrackESQ.com
• 203.806.1300
• https://mmeetme.so/BillJawitz
• www.mvplawoffice.com
• matt@mvplawoffice.com
• 856.310.9800
SUCCESTRACKESQ.COM

SuccessTrackESQ.com/testimonials

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Text “RESOURCES” to 444999
bill@successstrackesq.com
203.806.1300