

CHECKLIST FOR SETTING UP A NEW LAW OFFICE

The following is not intended to be a complete list of everything that can, or must, be done to establish a new law office. Instead, we hope to provide some ideas for your consideration, and we would like to hear your suggestions for improvements or things that we have overlooked. The Alabama State Bar offers member benefit discounts for many of the products and services you will need, and the Practice Management Assistance Program can help you set up many of the business and practice systems listed below. See www.alabar.org.

THE VISION

- Draft Firm Mission Statement
- Draft Firm Core Services Statement
- Draft Firm Target Market Statement
- Draft Firm Practice Ambiance Statement

THE BUSINESS PLAN & BUDGET

- Draft Expenses Cash Flow Estimate
- Draft Revenue Cash Flow Estimate
- Draft Marketing Plan
- Draft Partnership, LLP, LLC, or Space Sharing Agreement
- Obtain necessary Internet, Facebook, Twitter, etc. domain names

THE OFFICE

Location

- Is it convenient for those I am targeting as clients?
- Is it a reasonable commute for me?
- Is it close to the courthouse or other agency offices I frequent?
- Is it close to the law library or other research sites I use?
- Does it have a sufficient amount of parking for clients and staff?
- Is it reasonably convenient to public transportation?
- Is it in a good location to attract walk-in clients, if I want them?
- Is it close to other lawyers who may provide guidance or referrals?
- Is it easy to find and easy to give directions to?
- Is there room for adequate signage?
- Is my bank reasonably convenient?
- Is the type of Internet access I want available from this location?
- Is it readily accessible to the clients I will target – including the disabled?
- Is the area well lit, safe, and accessible after regular business hours?
- Are restaurants and stores nearby?
- Is there adequate room for expansion as my practice grows?
- Does it create the image I want my practice to project?

- Does the price include cleaning service and utilities?
- Is the rent reasonable for the space and services provided?

Configuration

- Are the offices for lawyers adequate?
- Is there sufficient space for support staff?
- Is there adequate and convenient storage space for office supplies and files?
- Is the reception area adequate and attractive?
- Will the design and construction ensure client privacy and confidentiality?
- Is it suitable for computer network wiring/wireless network installation without excessive expense?
- Do I need a conference room/library?
- Is there room for a break area/kitchen?
- Does it have appropriate access and facilities for the elderly or handicapped if I expect them to be a substantial part of my clientele? ADA compliant?
- Is there an area where children can play quietly, if necessary, while I meet with their parents?
- Is there adequate space for postage meter, copy machine, scanning station, and fax machine or other equipment I need?
- If utilities are included, will the heat/ac be on nights and weekends if I need to work then?
- Where is the thermostat located and who controls it, me or the landlord?
- Is the electrical system adequate and are there enough outlets?
- Where do additional outlets and phone jacks need to be?

FURNISHINGS

Furniture

- Does my desk accommodate the type of equipment I will be using?
- Does my secretary's desk accommodate the type of equipment she will be using?
- Are additional stand-alone computer stations necessary?
- Do I have adequate seating in my office for clients?
- Does my secretary/legal assistant need at-desk seating for clients?
- How many people can I expect in the reception area at one time and what type of seating do I need?
- Are my furnishings suitable for the elderly and handicapped, if I expect them to be a substantial part of my clientele?
- How many people can I expect at depositions/conferences at one time and what type seating do I need?
- Are additional conference room furnishings necessary?
- Are wall hangings adequate and appropriate for the atmosphere I want to create?
- Do I have an adequate number of locking file cabinets or a file room that can be locked for secure in-office file storage for the next two years?
- Is there a secure location for my fileserver and other communications equipment?
- Are work tables necessary for scanning, copying, brief binding, mail handling, etc?
- Do I need additional stands for scanner, fax machine, postage meter, etc?

- Do I have adequate reading materials in the reception area to keep clients occupied in the event of a delay, and will any of the materials I have displayed offend any of my clients?
- Do I have some picture books, coloring books, crayons, and small toys to keep children quietly occupied, if necessary, while I meet with their parents?

Office Equipment and Software

- Computers, one for each attorney and secretary/legal assistant
- Back-up System (See ASB member discount for CoreVault)
- Word Processing
- Time and Billing
- Case Management/Docket Control
- Accounting/Trust Accounting
- Payroll Management
- Conflict of Interest Check
- Database Program
- Legal Research (See Casemaker, Free Research Service for ASB members.)
- Internet Access
- Spreadsheet Program
- Speech Recognition Software
- Specialty Practice Software (Real Estate Closing, Bankruptcy, Estate Planning)
- Document Assembly Software
- Typewriters (Are these still necessary for your practice?)
- Copier
- Telephone system
- Fax Machine or Faxing Software/Online faxing account
- Scanner
- Dictation/transcription equipment or speech recognition system
- Portable tape or digital recorder
- Calculator
- Postage meter/mail scale or online postage system
- Binding machine
- Two- and three-hole punches
- Heavy duty stapler
- Shelving for storage areas
- Answering machine or voice mail/answering service (See Ruby Receptionists for ASB members)

Electronics

- Television set with VCR/DVD player
- Video camera
- 35 mm or digital camera
- Stereo system

Office Supplies

- Stationery - Professional letterhead with matching second sheet and envelopes.
(See Rule 7.5, Alabama Rules of Professional Conduct)
- Business cards (See rule 7.6, Alabama Rules of Professional Conduct)
- Enclosure cards
- Plain envelopes or pre-printed return envelopes
- Window envelopes (if your billing system can use them)
- Mailing labels
- Manila envelopes in various sizes
- File folders
- Copy paper and inexpensive plain paper for drafts
- Colored paper for memos, file opening sheets, etc.
- Miscellaneous paper clips, Aaco fasteners, pens, pencils, and rubber bands
- Mailers for CD/DVDs
- Supplies for Federal Express, UPS, etc.
- Calculator tape
- Typewriter ribbons and correction tape

Break Room/Kitchen

- Heavy duty coffee maker and cups
- Coffee, creamer, sugar and artificial sweetener
- Silverware, glasses, and plates
- Refrigerator
- Microwave oven
- Small dishwasher or dishpan and dish drainer
- Paper napkins, paper towels, detergent, sponge and dish towels
- Ice bucket
- Soft drinks
- Water cooler or bottled water
- Adequate food storage containers
- Garbage can/bags

OTHER MATTERS

Licensure, Notifications & Insurance

- Make sure your occupational license is current. Special membership status does not permit you to engage in the practice of law. Upgrade the status of your license if necessary.
- Notify the Alabama State Bar and your local bar association in writing of your new address. Notifications to the Alabama State Bar should be sent to the attention of "Membership" and can be faxed to (334) 261-6310, sent by e-mail to ms@alabar.org, or mailed to:

Alabama State Bar
Attn.: Membership
P. O. Box 671
Montgomery, Alabama 36101-0671

When you update the bar with your new address, that information will automatically be provided to the Administrative Office of Courts; it's not necessary to also notify them, too.

- Ask that your new firm information be published in the "About Members, Among Firms" feature of the Alabama Lawyer. Send information to margaret.murphy@alabar.org.
- Obtain any necessary city occupational license for your new office.
- Obtain malpractice coverage. Professional liability coverage is not required to practice law in Alabama, but it is highly recommended. The Practice Management Assistance Program maintains a list of known providers. See <http://www.alabar.org/pmap/insurance.cfm>.
- Make sure you have adequate hazard insurance coverage for the contents of your new office, including any necessary coverage for business interruption and destruction of papers and files. Also check on liability coverage for accidents which may occur in your office, and consider the purchase of disability coverage.
- Notify the post office of your new address.
- Send change of address cards to your bank and all publications to which you subscribe.
- Open accounts/change address with FedX, UPS, etc.
- Determine whether you will need worker's compensation insurance and, if necessary, obtain it. (See §25-5-1. et seq., Code of Alabama, 1975, as amended.)
- Post all notices to employees required by Federal or State law

Office Systems

- Office Policies & Procedures Manual
- Administrative Policies & Procedures
- Job Descriptions
- Salaries & Benefits
- Confidentiality Policy
- Hiring Policies (recruiting, interviewing, negotiating, etc.)
- Orientation & Training Policies
- Payroll Policies & System

- Mail, fax and delivery handling system
- Phone message system
- Complete Computer Backup System
- Matter Handling Policies & Procedures
- Client Intake Form
- Conflict of Interest System (incorporate data from previous practice or employment)
- File Opening System
- Filing System
- Client Index/Database System
- Calendaring System & Backup Procedures
- Statute of Limitations System
- Accounting, Timekeeping & Billing System
- Trust Accounting Procedures
- Client Relations Policies & Procedures
- Policies for Communicating Fees and Deadlines
- Engagement, non-engagement and disengagement letters
- Policy for copies to client and release of file at end of matter (See Formal Opinion 2010-02)
- Phone call return policy
- Substantive Legal Systems
- Checklists for all substantive law areas
- Fee schedule for all substantive law areas

Financial Systems

- Open new firm account, and select book-keeping or check book software which will balance the account and prepare income and expense reports.
- Open new IOLTA trust account(s). (If you are planning to handle real estate matters, it is a good idea to have one account for that and another for general matters. Effective as of January 1, 2008 IOLTA accounts became mandatory. See Rule 1.15, Alabama Rules of Professional Conduct.)

Marketing

- Compile a mailing list and send announcements of your new office/address to other attorneys and prior and potential clients. (See ARCP Rules 7.1 – 7.6 on Information about Legal Services.)
- Yellow pages, web site, FaceBook, Twitter and other advertisements
- Notify your state and federal court judges of your availability for appointed indigent defense work, guardian ad litem work, etc.
- Open House

Last Minute Details

- Determine how the court clerk distributes hearing notices, etc. and make sure you will receive all notices for your cases. (Mandatory efilng has eliminated this.)

- Use any “down” time before new clients start to call to familiarize yourself with all the features of the telephone system, computer software, and other new systems you will be using.
- Contact the Alabama State Bar Association’s Practice Management Assistance Program (PMAP) at (334) 517-2242 if you need further assistance in setting up or managing your office, or have any questions regarding technology or software. We may not have all the answers, but we can usually put you in touch with someone who does.

OFFICE SHARING ARRANGEMENTS

For many new lawyers, particularly those leaving law school in debt, the cost of equipping a law office can be prohibitive. One possible alternative is the office sharing arrangement. Often, several lawyers who wish to practice as solos may band together to acquire office space, or one lawyer with more space than he or she needs may be willing to rent an office. These arrangements provide not only an office in which to interview clients, but also a shared receptionist to answer your phone, shared conference, reception and library facilities and furnishings, shared equipment such as copy and fax machines, and possibly even shared telephone and internet access systems. An added advantage is the presence of other lawyers. These office mates can guide you as you enter new areas of practice and can also be a source of clients seeking services in areas of the law they don’t cover.

If you consider one of these arrangements, it is wise to obtain your own phone number, keep control of it, and not share it with other lawyers in the building. For malpractice insurance purposes and in order to comply with the Alabama Rules of Professional Conduct, you want to be sure that your stationery and business cards, your sign, and the way your telephone is answered make it clear that you are not in partnership or another business relationship with other lawyers in the shared space, if that is not the case. (See ARPC 7.1) Likewise, if the relationship with the other lawyer or lawyers doesn’t work out or you find the space is not suitable, you will not have to obtain a new number and risk losing established clients because they can’t get in touch with you.