

Events

SMALL LAW FIRM LUNCHEON

Your Client Refuses to Pay.
Now What?

June 15, 2006 12:30 - 2 p.m.

So you've worked really hard for your client and they refuse to pay you. What can you do to get your fees from your client? Effective January 1, 2002, New York State instituted an attorney client fee resolution program, which requires clients to have the option to arbitrate most attorney client fee disputes. Our panel of experts will explore what is involved in fee dispute arbitration, how to win your case, and ways to encourage client payment.

Speakers:

Michael Lang

Chair of the Joint Committee on Fee Disputes and Conciliation

Heidi Leibowitz

Program Administrator, Joint Committee on Fee Disputes and Conciliation

Moderator:

Deborah Rosenthal

Rosenthal, Attorneys at Law, P.C.

This program is aimed at recent and soon to graduate students, as well as newly admitted attorneys.

Sponsored by Lexis/Nexis

Registration by June 8 is necessary. The fee, which includes lunch, is \$20 for members; \$30 for non-members. Please register online at www.nycbar.org or by clicking here.

SAVE THE DATE
November 1, 2006

**The Third Annual Law Practice
Management Symposium**

New Benefit for Members - ABA Books at a 15% Discount

The Small Law Firm Center is pleased to announce that members of the New York City Bar Association are now able to purchase any book published by the American Bar Association at a 15% discount off the regular price. This special discount allows even ABA members to receive additional savings (ABA members only receive 10% off) when ordering through NYC Bar.

Please note, that to take advantage of this offer you must place your book order through the NYC Bar. Books will be shipped to you directly. The NYC Bar will invoice you for the cost of the book plus any applicable shipping & handling charges and/or sales tax.

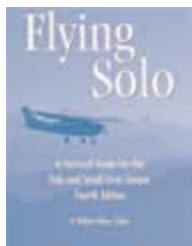
To order books online, visit www.nycbar.org, and when you get there, click on the ABA Books Coupon on the top-right. If you are interested in any ABA book other than those listed on our website, you may select the book by visiting www.ababooks.net and then send an email requesting the book to aroytberg@nycbar.org.

New Benefit for Members - Westlaw Forms Free to Small Law Firm Practitioners

Small Law Firm practitioners who are members of the New York City Bar Association are now able to access the following Westlaw Forms' Databases online by using the member login button on the New York City Bar Association Home Page:

- a) American Jurisprudence Legal Forms 2d;
- b) Nichols Cyclopedia of Legal Forms;
- c) New York Forms Legal and Business;
- d) New York Transactional Forms;
- e) National Transactional Forms; and
- f) West's Legal Forms.

Recommended ABA Books of the Month



Regular Price: \$99.95
Member Price: \$85.00



Regular Price: \$69.95
Members Price: \$59.00

Order online!

Forms and Information

CD-ROM Forms at the Library

Just click on the desktop icon "CD-Rom Titles for Members" at any library computer terminal and you can obtain current federal tax information and forms; federal practice treatises and formbooks such as Moore's and Bender's forms; American Jurisprudence legal forms; NY Codes, Rules and Regulations; West McKinney forms; New York Supplement 2d cases; real estate transaction information and many others. Access to this online information as well as the FREE Lexis and Westlaw access will make researching a snap.

Your Comments Are Welcome

If you have any comments concerning the Small Law Firm Center facilities, the Small Law Firm Center portion of the New York City Bar Website, or suggestion on how the New York City Bar could better address the needs of Small Law Firm Practitioners, please send an email to the Small Law Firm Center Director, Alla Roytberg at aroytberg@nycbar.org.

**Small Law Firm Center Facilities-
A Unique Benefit to Members**

The Small Law Firm Center facilities operate as a free benefit to members of the Association. They include a Conference Room in which attorneys can privately meet their clients and a separate Attorney Work Space equipped with computers, printers, copier and a fax machine. Phones are now available in both conference room and attorney workspace for outgoing local calls. Lexis has sponsored the renovation of the Conference Room, which now has been completed. The Center is located on the third floor of the Association's House. While Attorney Work Space is available on a walk-in basis, members should contact the Library Reference Desk (212) 382-6666 to reserve the conference room. For questions about the Center, you may contact Ronald Mirvis at (212) 382-6748 or rmirvis@nycbar.org.

If you want to build a ship, don't drum up people to collect wood and don't assign them tasks and work, but rather teach them to long for the endless immensity of the sea. - Antoine de Saint-Exupery

On Finding and Keeping Good Employees

Most attorneys who brave the turbulent waters of solo practice share two fundamental characteristics - a love of independence and a passion for their work. Robert Frost once remarked, "By working faithfully eight hours a day you may eventually get to be boss and work twelve hours a day". Yet he understated the realities of maintaining a solo practice, especially when one is in the middle of a lengthy trial. It is difficult enough to arrive in the office at 7 in the morning, gather trial documents, spend from 9 a.m. to 5 p.m. in court, and then return to prepare for the following day. In addition to all that, a solo practitioner must worry about jeopardizing his entire practice by focusing on one case to the exclusion of all others.

It is during such times that we end up relying on our most valuable resource - our employees. They literally "hold the fort", pacifying existing clients, requesting adjournments from adversaries, keeping new clients interested (answering "why can't the attorney meet with me until the middle of July?") and reminding us to pay the Verizon bill before the phone gets turned off. The optimistic, energetic, hardworking and loyal employees who enhance the image of one's firm are the proverbial Holy Grail at the end of the Solo Practitioner's Quest for success with clients.

My first employee was a 16 year old High School Student, named Ilya. He came in every day at 2:00 p.m., answered the phone in English and in Russian, made copies, filed papers and went to the post office. A couple of months later he was doing court filings, drafting letters and speaking to clients, all of whom liked him and knew him by name... and a few months after that I actually took my first vacation... After 10 years of trial and error with various types of employees I offer the following suggestions to our small firm practitioners:

1. Define the Position in Detail to Avoid Surprises

Start with good people, lay out the rules, communicate with your employees, motivate them and reward them. If you do all those things effectively, you can't miss - Lee Iacocca.

a. *Skill set* - Clearly define the required set of skills for a given position. List computer programs the employee will use. Will the employee communicate with clients via email? Does he/she need to speak a foreign language? Make sure that you actually test a candidate's skills at an interview. Have him answer a telephone call, send an email, speak a foreign language.

b. *Hours and Compensation* - Clarify the hours the candidate will work, explain sick leave, overtime pay, vacation and holiday policy and the benefits you are offering. Accurately assess your real cost of hiring an employee. Make sure that you have calculated all additional expenses, such as employer's FICA contribution, Workers Compensation and Unemployment Insurance payments, payroll fees and filings and the cost of additional professional liability insurance (if you are hiring an associate).

c. *Describe Office Duties* - Will the employee be required to answer calls, file papers, go to the post office or court? In a small firm you want to make sure that the person you hire will not have a mindset of "this is not my job" if you ask him to make a photocopy or fetch a cup of coffee for a client.

d. *Hire Locally and Offer a good "Quality of Life"*

Many people are willing to travel far in order to earn more money. However, if you are not offering a spectacular salary, try to refrain from hiring someone from Staten Island to commute

to your office in Queens. When you hire locally, provide a friendly office atmosphere and are flexible with an employee's personal needs, the "quality of life" aspect may prevail over a lower compensation and you may attract the likes of Henry David Thoreau who said, "Beware of all enterprises that require new clothes".

2. The Importance of Training

Thomas Jefferson's statement, "...the harder I work, the more luck I seem to have" clearly applies to employee training. It is usually not a great idea to hire a new employee when you expect to be unavailable to train or answer her questions. As a solo practitioner, if you delegate training to another, you are relying on that person's judgment completely and missing the important opportunity to develop rapport with the new member of your small firm family. When you take the time to train, nurture and get to know your staff you are able to foster firm loyalty, discover hidden skills and talents and reassure a new employee of your interest in his work.

3. Treat employee's work with respect, no matter how trivial it may appear.

I always tell my File Clerks that they have the most critical job in the office. Ensuring that a vital original document is appropriately filed is often more important than drafting a new one.

In conclusion, although many believe that work is "a necessary evil to be avoided" [Mark Twain], if you share your own passion with your staff, let them meet with your clients and observe you in court, and listen carefully to their views and opinions, you may inspire them to believe, that "Work is not man's punishment. It is his reward and his strength and his pleasure" [George Sand]. If you succeed, you will have employees who do not merely do your work for money, but who do it "for love of it" [Thoreau].