

CHECKLIST FOR STARTING A LAW PRACTICE

This checklist is designed simply as a guideline to provoke thought when considering starting a law practice. It is not meant to be all inclusive.

I. PLANNING/BUDGETING

- ☐ Do self-assessment about starting a practice
- ☐ Tolerance for Risk
- ☐ Managerial Skills
- ☐ Marketing Skills
- ☐ Confidence Level in Legal Skills
- ☐ Write a Business and Marketing Plan
- ☐ Projection of gross receipts
- ☐ Projection of overhead and expenses
- ☐ Projection of net receipts
- ☐ Cash flow projections
- ☐ Projection of hours worked
- ☐ Marketable experience
- ☐ Setting fees to make a profit
- ☐ Written fee agreements

II. MARKETING PLAN/PRACTICE DEVELOPMENT

- ☐ Potential Client Base
- ☐ Advertising
- ☐ Yellow Page ad
- ☐ Website
- ☐ TV, radio, billboard
- ☐ Office signage
- ☐ Sign up for Lawyer Referral Service
- ☐ Sign up for free Lawyer Search service on MOBAR website
- ☐ Firm brochure
- ☐ Client newsletter
- ☐ Join civic organizations
- ☐ Produce community seminars
- ☐ Announcements
- ☐ Speak at CLE programs

III. FORMS OF PRACTICE

- ☐ Considerations in Selecting Form of Practice
- ☐ taxation
- ☐ liability
- ☐ succession/dissolution
- ☐ Solo Practice
- ☐ Partnership
- ☐ Professional Corporation
- ☐ Articles of Incorporation
- ☐ shareholders, officers, chief operating officer
- ☐ Statement of Good Standing from Clerk of Supreme Court
- ☐ Limited Liability Company
- ☐ Articles of Organization
- ☐ members

☐ Limited Liability Partnership

☐ Consult with CPA

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☐ Specialized/General Practice

☐ Partnership Agreement in writing

☐ Capital/equity from partners

☐ Withdrawal/retirement issues

☐ Compensation and profit distribution

☐ Each partner's role in the practice

☐ Managing Partner

☐ Rainmaker

☐ Others

IV. OFFICE SPACE/LOCATION CONSIDERATIONS

☐ Office Building

☐ Image, upscale, informal

☐ Square footage

☐ ADA considerations

☐ Parking

☐ Services, janitorial

☐ Expansion Opportunities

☐ Renovation Needs

☐ Location

☐ Office sharing

☐ Renting, leasing

☐ Purchasing/buy into a law practice

☐ Working from home

V. ACCOUNTING NEEDS

☐ Consult with CPA

☐ set up accounting procedures

☐ Chart of accounts

☐ Profit and loss statements

☐ Balance sheets

☐ Cash Flow Statement

☐ quarterly and annual tax returns

☐ payroll services

☐ bank and trust accounting systems/reconciliation procedures

☐ software compatible with accountant

VI. START UP COSTS/CREDIT SOURCES

☐ Highly suggested that enough cash or a line of credit be available to cover start-up costs and at least the first 6 months to one year of operating expenses plus personal living expenses.

☐ Sources of credit

☐ Local bank/Credit Union

☐ personal, business loan

☐ home equity, home refinance

☐ line-of-credit to be drawn upon as needed

- ☐ lease, equipment loans
- ☐ family loans/private investor loans
- ☐ Personal savings

VII. BANK ACCOUNTS

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- ☐ Trust account (separate account)
- ☐ IOLTA account, if applicable
- ☐ Business operating account for expenses/payroll
- ☐ Short term savings
- ☐ Safety deposit box
- ☐ Firm credit card
- ☐ Investments
- ☐ Checks, deposit slips, endorsement stamp
- ☐ Set up account to accept credit cards
- ☐ Retirement plan

VIII. TECHNOLOGY

- ☐ Software
- ☐ Word processing
- ☐ Time and billing/accounting
- ☐ Calendaring and docketing
- ☐ Conflicts checking
- ☐ Case Management
- ☐ Document assembly
- ☐ Office Suite Software
- ☐ Word processing
- ☐ E-mail
- ☐ Spreadsheet
- ☐ Presentation Software (such as PowerPoint)
- ☐ Others
- ☐ Virus protection for computers
- ☐ Voice Recognition
- ☐ Other specialized or practice specific software
- ☐ Hardware
- ☐ Computers
- ☐ Operating system
- ☐ Back-up system
- ☐ Lease or purchase
- ☐ Printers
- ☐ Network/Firewall
- ☐ Scanners
- ☐ CD-ROM
- ☐ Laptop Computer
- ☐ Personal Digital Assistant (PDA)

IX. OFFICE EQUIPMENT/SERVICES/SUPPLIES

- ☐ Fax Machine
- ☐ Photocopier
- ☐ Scanner

- ☐ Shredder
- ☐ Dictation equipment/Voice Recognition Software
- ☐ Internet Service Provider
- ☐ Email address
- ☐ High speed Internet access or DSL line
- ☐ Telephone System

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- ☐ Equipment/answering machine
- ☐ Voice mail/manual message system
- ☐ Answering service
- ☐ Local and long distance carrier
- ☐ Conference calling
- ☐ Music on hold
- ☐ Cell phone/service
- ☐ Pager
- ☐ Postage scale/mail equipment
- ☐ Establish UPS and Fed Ex accounts
- ☐ Office furniture for lawyer(s), staff, reception area, file cabinets, conference, room furniture, carpeting and area rugs, book shelves, art work/office decorating needs
- ☐ Office supplies, paper, envelopes, pens, staplers, file folders, etc.
- ☐ Business cards, announcements
- ☐ Order public information brochures from the Bar for clients

X. LIBRARY/LEGAL RESEARCH

- ☐ Online legal research provider
- ☐ Purchase new or used law books
- ☐ Local law library
- ☐ Law school library
- ☐ Courts library
- ☐ Internet research
- ☐ CD-ROM
- ☐ CLE Deskbooks

XI. OFFICE SYSTEMS/PROCEDURES

- ☐ Develop office manual/operating procedures manual
- ☐ Standard procedures/policies for practice
- ☐ Personnel policies/benefits
- ☐ Docketing, calendaring, tickler system
- ☐ Computer (dual-system is highly recommended)
- ☐ Manual
- ☐ File organization
- ☐ Alpha/numeric
- ☐ Centralized/decentralized
- ☐ Opening file procedures
- ☐ Closing file procedures/retention/storage/destruction
- ☐ Document maintenance
- ☐ Offsite - safety deposit box
- ☐ Computer backup

- ☐ Fireproof files
- ☐ Forms used in practice
- ☐ Client interview form
- ☐ Engagement/non-engagement letters
- ☐ Written fee agreements
- ☐ Practice specific checklists
- ☐ Billing Statement Form
- ☐ General client correspondence, notices, etc.
- ☐ Client survey form after conclusion of representation

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- ☐ Client billing procedures
- ☐ Regular monthly statements even if no amount due
- ☐ Detailed billing statement
- ☐ Expense billing
- ☐ Costs to be billed
- ☐ legal assistant time/paralegal time
- ☐ telephone expenses
- ☐ duplicating expenses
- ☐ computerized legal research
- ☐ mailing costs
- ☐ others
- ☐ Collection policy
- ☐ Credit cards for payment
- ☐ Client Relations Policy
- ☐ Setting appointments, introducing staff
- ☐ Returning phone calls, e-mail messages
- ☐ Client intake form/survey at conclusion of representation
- ☐ Keeping clients informed
- ☐ Send copies of work, documents
- ☐ Communicating Fees
- ☐ Clear discussion about fees
- ☐ Written fee agreements/engagement letters
- ☐ Accounting Procedures
- ☐ Bank account reconciliation
- ☐ Cash Flow Statement
- ☐ Accounts Receivables/Payables
- ☐ aging review
- ☐ Expense Approval System
- ☐ Counter signature requirement on checks
- ☐ Others

XII. INSURANCE PROTECTION

- ☐ Professional liability
- ☐ Workers' Compensation
- ☐ Health Plan
- ☐ Car Insurance for business use
- ☐ Property (liability, wind, fire, earthquake, etc.)
- ☐ Loss of valuable documents

- ☐ Life
- ☐ Disability
- ☐ Business Interruption

XIII. PERSONNEL

- ☐ Legal Assistant/Paralegal
- ☐ Full-time
- ☐ Part-time
- ☐ Temporary
- ☐ Hours, flex-time

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- ☐ Sharing personnel with other professionals
- ☐ Training
- ☐ Employee benefits
- ☐ Vacation, holidays
- ☐ Sick leave
- ☐ Overtime policy
- ☐ Medical insurance
- ☐ Retirement Plan
- ☐ Others

- ☐ Secure I-9 forms, W-4 forms, confidentiality agreement, employment applications, etc

XIV. MISCELLANEOUS

- ☐ Call MOBAR Law Practice Management Information Center for assistance
- ☐ Lending library
- ☐ Register fictitious name (if applicable)
- ☐ Obtain city or county business licenses or permits
- ☐ Order Post Office Box (if needed)
- ☐ Build a forms file
- ☐ Become a notary or have someone on staff or close by that is available
- ☐ Develop a disaster plan for your office, files, computer, etc.
- ☐ Develop a plan for your illness, incapacity or death.
- ☐ Consider attending The Missouri Bar's Solo and Small Firm Conference held annually in June.
- ☐ Join The Missouri Bar's Solo and Small Firm Committee and email listserv for access to a network of other solo and small firm lawyers.
- ☐ Change address with Missouri Bar
- ☐ Call Sara Rittman, Legal Ethics Counsel, with ethical questions.
- ☐ Join local bar association
- ☐ Develop a network of other lawyers to call upon for assistance
- ☐ Consider requesting a mentor through The Missouri Bar's Mentoring Program