



The Florida Law Practice

LINK

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10 Keys to Our Remote Office Success

by Camille J. Iurillo and Sabrina C. Beavens

August 2011 marked the two year anniversary of Sabrina Beavens' re-joining the Firm and the addition of our remote office in Portsmouth, New Hampshire. Our primary office is located in St. Petersburg and Sabrina has been working out of Portsmouth since re-joining the Firm. Obviously not all law practices are suited to having one or more attorneys working remotely, however it has worked surprisingly well for us. For those who may be considering setting up a remote office, we offer the following keys to our success:

- **Trust.** Admittedly, the remote office arrangement has been easier because Sabrina had previously worked for the Firm and has known Camille since 2000. Also, in an hourly billing practice like ours, it is evident when someone is not performing based on their time entries. Still, "virtuality requires trust to make it work. Technology on its own is not enough."¹ Both sides need to be honest as to their relationship before entering into this type of set-up.

- **Communication.** Communication in any office is a significant issue and a pivotal key to success with a remote employee. In a remote office setting, it is easy to feel isolated and become frustrated when you do not know what is going on at the main office. For example, an attorney stepping outside of her office will recognize when it is not the best time to ask someone to assemble a binder because she can see that the staff are working on an emergency. Because that unspoken awareness is impossible

with a remote employee, there were a few instances when Sabrina was left in a panic after she discovered that a project she sent to the Florida office had not been started because there were other emergencies taking the staff's time. Now, a staff person is assigned to communicate with Sabrina when meetings are running late, when an emergency project comes up, etc. Frankly, as we all became accustomed to the new remote office arrangement, it became second nature to everyone to update Sabrina, as appropriate, on events at the Florida office that may impact her work flow.

- **Videoconferencing.** The value of virtual "face to face" contact with office personnel and clients is worth the investment in videoconferencing equipment and software (and admittedly, it is fun too). Today, you don't need an elaborate set-up for quality, reliable videoconferencing. We currently use Logitech Vid and Skype for our conferencing software. The only additional equipment required is a webcam which can be purchased for under \$100. Lastly, many of our clients use videoconferencing and appreciate our ability to communicate with them in this manner.

- **Fast, reliable accessibility to the Firm's computer system.** When we decided to give the remote office a try, we contacted our IT company to make sure that we had the capability for Sabrina to continuously access our server. A few modifications to our systems were necessary to ensure consistent and fast access for Sabrina. Now, Sabrina simply logs on to the network

in the morning and stays logged on for the entire day without issue (usually).

- **Business grade equipment.** It is tempting to think that since most of the secretarial work will be performed at the main office, you do not need to invest in business grade office equipment. Don't be foolish. The equipment in the remote office is used much more than a personal home office and the bells and whistles of business equipment are necessary. We recommend having at least 2 available phone lines at the remote office with a phone system with all of the typical features of business phones (multiple lines, speakerphone, conferencing abilities, etc.) and a high end all-in-one fax, scanner, copier. The initial investment results in better efficiency and fewer distractions in the long run.

- **Digital dictation equipment.** If your firm is still using mini cassette dictation equipment, use the remote office arrangement as an opportunity

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Message from the Chair

by Frank Maloney



The 2011-2012 Bar Year has been an exciting and fulfilling year for the General Practice, Solo and Small Firm Section. We are 40 years old and ever growing stronger.

In June 2011 we were invited to attend the Missouri Bar's Solo and Small Firm Conference at Lake of the Ozarks. The Missouri Bar's Solo and Small Firm Section has the best attended conference in the whole United States. Our delegation came back with tons of ideas on how to make our Florida Solo and Small Firm Conference better for Florida lawyers. Our Solo and Small Firm Conference is set for the midyear meeting of The Florida Bar at the Buena Vista Palace Hotel and Spa on September 21-22, 2012.

The GPSSF's seven hour, Florida Law Update CLE, presented at the June 2011 Bar Convention was the best attended seminar. We also presented the L. Michael Roffino Pro Bono Award to Jacksonville Area Legal Aid and awarded the Tradition of Excellence to our very own past chair, Margaret Rose "Peggy" Hoyt.

In September your Executive Council traveled to Tallahassee and was guests of the staff at The Florida Bar Headquarters. We met many of the personnel who help so much in keeping the section programs and publications running smoothly. After the tour of The Bar we held our quarterly meeting there as well.

Your section is dedicated to keeping our members and all solo and small firm lawyers attuned to developments in technology. Peggy

Hoyt, with an excellent faculty, presented the 6.5 credit, Technology for the Extraordinary Lawyer CLE, at the midyear meeting of The Bar at the Hilton Walt Disney World Resort; it was a big hit with all attendees.

October saw our ever popular Annual Ethics Update CLE that included five hours of ethics credit provided at the Tampa Airport with Eugene Shuey as the CLE program chair. It is a great help to our members to keep up with all the changes from the Supreme Court and the Board of Governors.

The fall quarterly Executive Council meeting was held in St. Augustine on November 4, 2011. Board member and Treasurer, Teresa Morgan, was excused from attending because she was running in the New York Marathon. She completed the course, and we are very proud of her and her accomplishment.

Also in November, University of Florida Professor Michael Olexa, the chair of our Agriculture Law Committee, presented the five credit, Florida Agriculture Law Update CLE, in Gainesville at the Florida Farm Bureau and had peanuts for all in attendance. The next day the Gators beat Furman in the Swamp.

The winter meeting of the Executive Council was held at the Buena Vista Palace Hotel and Spa on January 27, 2012. We had a busy agenda, but were able to make the time to thank last year's Chair, Kirk Kirkconnell, for his service to our section. We do appreciate all the work Kirk has done for the GPSSF and the whole Florida Bar.

The Long Range Planning meeting was held outside of Florida, but not too far, it was in Atlanta. Chair-elect, Linda Calvert Hanson, conducted the council meeting on March 16 and 17, with a lot of very good ideas on how we can continue to serve our members, and make the section a real resource for the General Practice, Solo and Small Firm lawyers.

On May 19, 2012, we will begin our 9.5 credit, Joint Comparative Law CLE: The London Symposium, co-hosted by other sections of the Florida Bar, the Bar Council (Barristers) and the Law Society (Solicitors). We will have a day and one half of meetings and lunches at the esteemed Middle Temple. The Middle Temple Church played a big role in the Da Vinci Code, and the Master of the Church will lecture and debunk that book. Tours of London's historic lawyer's quarters as well as courts including the Old Bailey, the Royal Courts of Justice and the new United Kingdom Supreme Court will be followed by two joint receptions with our English counterparts. Side trips are being planned for London and the English countryside. And, for those interested, an add-on trip to Paris via the Channel Tunnel is available.

We must give a very special thanks to Ricky Libbert, Section Program Administrator, for all the hard work she does for your section.



Left, Faculty Members of U.F. College of Law with GPSSF Section Chair, Frank Maloney and Ernest Sellers, GPSSF Executive Council Member who visited law school for the GPSSF Law School Program.

LOMAS Resources for Trust Accounts

Is it possible to practice law in the State of Florida without establishing a Trust Account? Yes, but it is quite rare, which means that the vast majority of lawyers must be fully aware of the rules governing trust accounts and develop good accounting records and procedures. LOMAS has the information you need to get you started or update your current management practices regarding trust accounts. For example:

- A 1 hour CLE course, “Maintaining a TRUSTworthy Trust Account” is available for free in an online or podcast version or as a CD/DVD for \$50.
- LOMAS provides free Microsoft Excel templates to use for trust accounting compliance with The Florida Bar Rules. There are three workbooks. All three are required for compliant trust accounting procedures, and each has its own built-in instructions on usage. Additionally, there is a PDF document providing instructions about where and how to save these templates when downloading them to your computer so they are available year after year. Note that these forms are applicable to firms with fewer than 25 trust transactions per month.
- The forms needed to open an IOTA (Interest on Trust Accounts) account are on the LOMAS Trust Accounting web page, as well as a link to The Florida Bar Foundation website, where even more information is available about IOTAs.
- Instructions for completing the annual Trust Accounting compliance notice to the Bar are provided.

To find this information, login to The Florida Bar website, click on Law Office Management Assistance Service (LOMAS) under Member Services. Then scroll to the bottom of the LOMAS web page and click on “Trust Accounting”. Or, click [here](#).

FREE CLE Courses from The Florida Bar

While the U.S. economy may be slowly recovering, is the bottom line for your practice? Even if it is, obtaining CLEs for free is always welcome, especially if they can be used towards meeting the Ethics CLE requirements. And, if you are just starting a practice, many of these free courses should be at the top of your “to do” list.

To obtain more details about the courses listed below, visit the CLE page of The Florida Bar website, scroll down to “Online Courses” and click on “Catalog of Courses” or go directly to <http://tfb.inreachce.com/>. Most courses are available as an online seminar or as a downloadable audio (podcast) so you can take the course at any hour of any day!

- ABC’s of Starting and Managing Your Law Practice (2.5 CLE)
- Building Business in a Down Economy (2.5 CLE)
- Building the Small Firm Marketing Program: From Planning to Ethical, Effective Action (2.5 CLE, which can be used towards Ethics)
- Florida’s JNC Composition: The Past, Present and Future (2.5 CLE)
- Foreclosure Litigation in Florida (4.5 CLE, 1 of which can be used towards Ethics)
- Law Firm Financial Management for the Non-Financial Professional (2 CLE)
- Lawyer as Employer (3 CLE, 2 of which can be used towards Ethics)
- Maintaining a TRUSTworthy Trust Account (1 CLE, which can be used towards Ethics)
- Managing Business Risk in the Law Firm (2 CLE, 0.5 which can be used towards Ethics)
- New Rule 2.420 Seminar (2 CLE)
- Professional Liability Insurance: Everything You Need to Ask (2 CLE, 2 which can be used towards Ethics)
- Technology Planning for the New Law Practice (2 CLE)
- The Americans with Disabilities Act: How to protect your deaf, hard of hearing or deaf/blind client (and yourself) (0.5 CLE, which can be used towards Ethics)
- The Florida Bar Discipline System (1 CLE, which can be used towards Ethics)



JOIN THE FLORIDA BAR’S

LAWYER REFERRAL SERVICE!

Every year, The Florida Bar Lawyer Referral Staff makes thousands of referrals to people seeking legal assistance. Lawyer Referral Service attorneys annually collect millions of dollars in fees from Lawyer Referral Service clients.

The Florida Bar Lawyer Referral Service:

- Provides statewide advertising
- Provides a toll-free telephone number
- Matches attorneys with prospective clients
- Screens clients by geographical area and legal problem
- Allows the attorney to negotiate fees
- Provides a good source for new clients

**CONTACT THE
FLORIDA BAR
TODAY FOR MORE
INFORMATION.**

The Florida Bar Lawyer Referral Service, 651 E. Jefferson Street, Tallahassee, FL 32399-2300, phone: 850/561-5810 or 800/342-8060, ext. 5810. Or download an application from The Florida Bar’s web site at www.FloridaBar.org.

Annual Law Office Check-Up

(Your Firm's Annual Physical)

The Practice Management Advisors at The Florida Bar's LOMAS Department believe the maxim "an ounce of prevention is worth a pound of cure" applies to most areas of life. It is usually easier and less expensive to avoid mistakes than to correct them after they have occurred.

In a law office, as in life, often the time needed to review systems and procedures that insure quality legal services are being delivered to clients just never seems to be available. There is always one more telephone call to make, one more client to talk to, one more motion to review, one more question to research, and one more bill to pay. Just like the appointment for a dental check-up, it is easy to put off non-critical activity until next month.

This [Check-Up](#) has been organized for just this purpose. We will spend the next few hours going through a checklist. This checklist is designed to take the pulse of your law firm and help you to identify areas that need a little preventive medicine.

Whether you view the practice of law as a "profession" or a "business," it is at the core a professional service business. Competitive pressure has everyone looking for efficient business processes that can be successfully applied to law firms to produce profitable, growing practices. Business terminology, such as marketing, return on investment, and strategic planning, has crept into law office management literature. Technology is speeding up processes and with it clients' demands for faster response time. What once used to take days now must be done in hours.

Although many lawyers wholeheartedly embrace the "law firms as a service industry" culture, there are still The Florida Bar Rules and ethical guidelines to consider. The most important reason to manage your law practice in accordance with Bar rules and ethical standards is the true "cost" of a grievance or malprac-

tice claim. These costs are enumerated as:

1. Emotional cost of an attack on one's intelligence, integrity, and/or character. Even frivolous claims cause anger, stress and takes valuable time to defend.
2. Financial cost of defending against a grievance. The financial cost includes both money and time. The time involved in even responding to grievances that are ultimately dismissed can be costly. The financial cost of resolving a well-founded grievance that can result in suspension, or worse, disbarment.
3. Office morale suffers when malpractice or grievance "cloud" hangs over everyone's head. Low morale is generally linked to low productivity.
4. Reputation and "goodwill" suffers. A lawyer's reputation is key to attracting new clients and retaining existing clients, particularly in small town/rural locations.

While it is possible some lawyers never make mistakes, clients who have been treated with respect, feel they received valuable services from their lawyer, and feel they can openly communicate with their lawyer, usually allow mistakes to be corrected without filing a malpractice suit or a grievance with the Bar.

The preamble to The Florida Bar's Guidelines for Professional Conduct states:

The effective administration of justice requires the interaction of many professionals and disciplines, but none is more critical than the role of the lawyer. In fulfilling that role, a lawyer performs many tasks, few of which are easy, most of which are exacting. In the final analysis, a lawyer's duty is always to the client. But in striving to fulfill that duty, a lawyer must be ever conscious of his or her broader duty to the judicial

system that serves both attorney and client. To the judiciary, a lawyer owes candor, diligence and utmost respect. To the administration of justice, a lawyer unquestionably owes the fundamental duties of personal dignity and professional integrity. Coupled with those duties, however, is a lawyer's duty of courtesy and cooperation with fellow professionals for the efficient administration of our system of justice and the respect of the public it serves.

Therefore, it may be better to look at the Rules Regulating the Florida Bar both as an obligation assumed in exchange for the privilege of practicing law and, a legitimate guide for conducting business.

Law office management can be thought of as the infrastructure that allows a law firm to deliver legal services to its clients. The soundness of the infrastructure will determine the efficiency of delivery and the quality of services. There is no one size fits all system for law office procedures. The type of practice, size, and clients will determine what procedures work best. The goal of any office system should be to assist the lawyer in serving the client and helping the lawyer to meet his or her professional responsibility.

To emphasize the connection between good ethical practices and good business, the questions in the attached ([http://www.floridabar.org/DIVPGM/LOMASForms.nsf/0/23854f08c90d6da3852577270054b3ce/\\$FILE/Handout%20-%20Annual%20Law%20Office%20Check-Up.pdf](http://www.floridabar.org/DIVPGM/LOMASForms.nsf/0/23854f08c90d6da3852577270054b3ce/$FILE/Handout%20-%20Annual%20Law%20Office%20Check-Up.pdf)) have been grouped by either business process function (e.g. records management) or an important ethical consideration when managing ones' practice (e.g. Confidentiality). Try to answer them as honestly as possible with the goal of identifying those areas in your firm that may need improvement.

110 Administrative Forms Available for FREE from The Florida Bar

If you are just starting a practice or would like to determine if there is a better form than what you are using now for a particular situation, then check out the forms published by The Florida Bar's Law Office Management Assistance Service (LOMAS). They are available on line for FREE at the links shown below or can be purchased on a CD for \$50.

Categories of forms include:

- ⇒ [Client Communications Forms and Letters](#)
- ⇒ [Client Fee Agreements and Letters of Representation](#)
- ⇒ [Client Intake Forms](#)
- ⇒ [Financial Forms](#)
- ⇒ [Internal Firm Operation Forms and Info](#)
- ⇒ [Law Office Law Firm Entity Documents](#)
- ⇒ [Lawyer Changing Firms](#)
- ⇒ [Marketing Forms](#)
- ⇒ [Personnel Forms - Associate Attorney](#)
- ⇒ [Personnel Forms - General Staff](#)

Mark your calendar

The Florida Law Update will be held June 21, 2012 during The Florida Bar Annual Convention at the Gaylord Palms Resort and Convention Center in Orlando. Check the Annual Convention Brochure or The Florida Bar website for registration information.

The Florida Law Practice LINK is prepared and published by The Florida Bar General Practice, Solo & Small Firm Section.

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Statements or expressions of opinion or comments appearing herein are those of the editor and contributors and not of The Florida Bar or the Section.

10 KEYS

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to upgrade your equipment. The cost of this equipment has come down in recent years (although admittedly, the cassette equipment is less expensive) and it is easier to use. We use the Olympus DS-5000 dictaphone and our staff uses equipment (headphones and a foot pedal) similar to the cassette systems. If you are considering a remote office, you may want to talk to practitioners using the Dragon Naturally Speaking system as an alternative to digital dictation. We have tried it several times over the years (believing the “new and improved” Version X would be the one for us), but we have not adapted to it and prefer dictation. We now use the digital dictation equipment at the St. Petersburg office and Sabrina electronically sends her dictation files to the staff in Florida.

- Integrated phone lines. We added two additional lines in New Hampshire through our VoIP provider, Vonage, which are connected to our regular phone system. Florida clients call our St. Petersburg office number and our staff connects the call as if Sabrina was in the office next door. If someone dials Sabrina’s direct line in New Hampshire and she is unavailable, the call automatically bumps to the St. Petersburg office for a message or voicemail. The greater comfort you can provide your clients that the person working remotely is not different than someone working in the office, the better. Having a phone system that functions as if the person were in the main office is one way to achieve that objective.

- Electronic Files. When written correspondence, pleadings, documents, etc. are received for Sabrina’s files, the items are scanned on the same day of receipt and Sabrina is emailed an index of that day’s mailings. Also, between email and the federal court’s ECF system, the volume of paper received only via U.S. Mail is minimal today. Still, on a few occasions we have concluded that it was more efficient to copy large projects such as document productions that are not scanned and mail them to Sabrina (the flat rate U.S. Mail boxes are convenient and cost effective).

- A Physical Presence is Still Important. In addition to adjusting to having a remote attorney, creating new procedures such as mail delivery and investing in the necessary equipment, it is still essential for the remote employee to travel to the main office periodically. We try to have Sabrina at the St. Petersburg office several times a year for about a week even if there is not a case related reason for her to be in St. Petersburg. Of course, we do attempt to schedule important firm and client meetings while Sabrina is in town and she also attends bar functions and marketing lunches and dinners as much as possible.

- New Hampshire Business Development/Involvement. While a majority of Sabrina’s work is still related to our Florida client base, she is also developing a client base in New Hampshire. In addition to the obvious business benefit to the Firm and Sabrina’s professional development, handling New Hampshire cases provides her with the opportunity to have time in court and face to face interaction with opposing counsel, clients, etc. Similarly,

participating in local bar meetings and functions allows Sabrina to market our Firm’s ability to assist clients in both Florida and New Hampshire (Where do you think those snowbirds go when they flock from Florida? New England!). We maintain a “business presence” in New Hampshire using a shared office suites company which provides a business address and conference room space with a receptionist for a nominal monthly fee. Thus, our New Hampshire clients experience the same professional service as our Florida clients when they call our New Hampshire office (our New Hampshire phone number is answered by our St. Petersburg office) or meet with Sabrina in person.

We hope that sharing some of the keys to the success of the addition of our New Hampshire office will encourage others who are considering this arrangement to give it a try. It can be a win-win for both the employer and the remote employee, but it requires communication, creativity and a modest investment in technology and equipment to achieve the same.

Iurillo & Associates, P.A., has offices in St. Petersburg, Florida and Portsmouth, New Hampshire. The Firm is comprised of Camille J. Iurillo, Shareholder, Gina M. Pellegrino, Associate and Sabrina C. Beavens, Associate. The primary areas of practice of Iurillo & Associates, P.A. are Commercial and Bankruptcy Litigation, Debtors’ and Creditors’ Rights, and Foreclosures / Workouts.

Endnotes:

¹ Handy, C. (1995). “Trust and Virtual Organization”, Harvard Business Review, May – June, 40-50, 44.

SAVE THE DATE

The 2012 Annual Solo and Small Firm Conference

September 21 – 22, 2012

The conference will be held in conjunction with The Florida Bar Midyear Meeting, at the Buena Vista Palace Spa and Resort in the Walt Disney World Village.

Don’t miss “The Extraordinary Lawyer: Minding Your Own Business”