

The Florida Law Practice



For Florida Lawyers – By Florida Lawyers

A JOURNAL OF THE SOLO AND SMALL FIRM SECTION

MESSAGE FROM THE CHAIR

by Christopher C. Johnson
Present Chair of the SSF Section

The Solo & Small Firm Section has started 2023 as it left off in 2022 – growing. The Executive Council has added three new members to its ranks and they have hit the ground running working to increase the Section’s value to its members. Our annual Solo & Small Firm Conference was held on February 24 and was a great success. Much thanks to Committee Chair Camara Williams for putting together a great program. If you missed it, the program is available as an after-market CLE. Make sure to check it out!

Our Section’s involvement with the Florida Bar Board of Governors will continue forward as President-Elect Scott Westheimer has pledged to keep an appointed seat for one of our members. The section has truly benefitted from having the opinion of its membership heard through this appointment that was orchestrated by President Gary Lesser and we appreciate President-Elect Westheimer’s support moving into the next Bar year.

As this Bar year comes to a close, we are continuing forward with our large



CHRISTOPHER C. JOHNSON,
SOLO & SMALL FIRM SECTION CHAIR

slate of CLE programming, including our annual Florida Law Update that will be presented at Annual Convention. Please also be on the lookout for our Wednesday Wisdom CLEs, which are free to Section members.

Lastly, if you are interested in becoming more involved in the Section, please reach out to the Section’s Leadership and find out ways in which you can be a value-add to the Section and your fellow Bar members.

It has been an honor serving as the Chair of this Section this past year. Being involved in the Section provides you with an opportunity to work with amazing individuals in a wide array of practice areas throughout the state, all with a common goal of helping each other be the best practitioners that they can be. I am inspired by the direction that the Section is moving and am confident in the leadership of the Section in the years to come.

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TOP 5 TIPS TO HELP ATTORNEYS TURN CONSULTATIONS INTO CLIENTS

by Kerry Kathleen Heaps

Public Speaker, Entrepreneur, PR Professional

As a solo attorney, you've got a lot on your plate, serving your current clients, running your office, keeping up with CLE and of course, the task of marketing your firm and retaining new clients. Not everyone feels comfortable selling their services, not to mention the process of overcoming whatever objections come up and ultimately closing the deal. Below are the top 5 tips I use to help attorneys streamline their sales process and close more deals.

Have a system in place to generate leads. Systems are crucial in business, especially in the sales process. It all starts with a potential lead. Whether it's someone who calls in, emails your office, or fills out a lead form from your website, treat leads as you would cash, with care and attention. Your system doesn't need to be a fancy sales funnel or cost a lot of money to work, in fact, the more simplistic it is, the better the end result. I recommend putting call in and email leads in Excel, this way you can use color coding to see who needs follow up first. For example, I use orange for potential clients that I am following up with this week, yellow for those that aren't ready right now but agreed to a call back in 90 days, and green for those that become a client. Print out the lead forms from your website and make notes on the form, this way, everything is together. I recommend keeping it in a bright colored file folder, so it's easy to find on your desk. Make notes of when you call and email the prospect; it's not unusual for some (based on their needs) to finally have a conversation with you after the 6th or 7th attempt at contacting them. Use what system works for you, if you don't feel comfortable with it, you won't use it and consistency is key.



KERRY KATHLEEN HEAPS

Create a script for phone, email, and text messages. This might feel a bit awkward at first, but keep in mind having ideas of what you can say (or your staff could say if they are corresponding for you) will keep the process streamlined and efficient. Some attorneys rely too heavily on automated systems. If there's a glitch in your system, leads will fall through the cracks and could go unanswered. So make sure you have some human involvement in the process.

Follow up is crucial. Make sure you've got a plan for follow up, the best practice here is to set up the next

step with your prospect. For example, if you are a business law attorney and you've got a prospect that isn't ready to move forward yet, you could use the following verbiage. "I understand you are not ready to decide right now. Would it be okay if I followed up with you in 90 days to see how things are progressing?" By asking permission and setting up the next step, they can tell you if they prefer you following up sooner, and they know that you will be touching bases in the time period you both agree on. You can schedule these on your calendar or keep everything in your prospecting file.

Conduct a secret shopper experiment. If you have office staff that helps you with your sales process, and you are finding that you're not closing as much business as you'd like, it may be time for a secret shopper. Your staff may be wonderful at all of their other tasks, but marketing may not be their strong point, or it may be that the automated side of things isn't working properly. Either way, this is a

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

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UPCOMING CLE

All one-credit CLEs are 12–1 PM. One-credit live InReach webinars are \$50 for Solo & Small Firm Section members and \$95 for non-section members. Wednesday Wisdom Zoom webinars are free for section members unless otherwise noted. Updates and registration information are available at fsolosmallfirm.org/calendar.

July 2023

18—Ethics News for Florida Lawyers

Live InReach webinar by [Timothy P. Chinaris](#), law professor, legal ethics lawyer and former Florida Bar Ethics Director. Moderator: [Michelle Adams Gumula](#), Hoyt & Bryan, LLC. Course number 7674 and 1 CLE, 1 Ethics credit approved. [REGISTER](#)

26—A.I. & Legal Research: How Solo & Small Firm Practitioners Use New Technology Tools to Benefit Their Practices

Free Wednesday Wisdom Zoom CLE for Solo & Small Firm Section members* by [Mark Doble](#), CEI at Alexsei. Moderator: [Judge Jennifer Kuyrkendall Griffin](#), Third Judicial Circuit. Course number and 1 CLE, 1 Technology credit pending approval. *Registration will be approved when section membership is confirmed. [REGISTER](#)

August 2023

16—Attorneys as Medical Marijuana Patients: Considerations for Your Health & Wellness and Legal Practice

Live InReach webinar by [Amanda Barton](#), Mr. Cannabis Law, and [Dr. Michelle Weiner](#), Director of Integrative Pain Management at Spine and Wellness Centers of America. Moderator: TBD. Course number and 1 CLE, 1 Mental Health & Wellness credit pending approval.

23—When “Powering Through” is No Longer an Option

Free Wednesday Wisdom Zoom CLE for Solo & Small Firm Section members* by [Don Blackwell](#), Bowman & Brooke, LLP, and [Rebecca Bandy](#), Director, Henry Latimer Center for Professionalism at The Florida Bar. Moderator: [Judge Jennifer Kuyrkendall Griffin](#), Third Judicial Circuit. Course number and 1 CLE, 1 Mental Health & Wellness credit pending approval. *Registration will be approved when section membership is confirmed. [REGISTER](#)

September 2023

19—DUI Tips: What to Know Before You Are Pulled Over

Live InReach webinar by [Justin Petredis](#), Law Office of Justin Petredis, P.A. Moderator: [Paige Greenlee](#), Greenlee Law, PLLC. Course number and 1 CLE pending approval. Registration opens soon.

27—How to Minimize the Impact of a Bankruptcy on Your State Court Judgment

Free Wednesday Wisdom Zoom CLE for Solo & Small Firm Section members* by [Megan Murray](#), Underwood Murray, P.A. Moderator: [Judge Jennifer Kuyrkendall Griffin](#), Third Judicial Circuit. Course number and 1 CLE pending approval. *Registration will be approved when section membership is confirmed. [REGISTER](#)

Interested in presenting a CLE program? Please email Solo & Small Firm Section CLE Committee Co-Chairs [Paige Greenlee](#) and [Stephanie Cagnet Myron](#). Learn more at [FLSoloSmallFirm/CLE](https://FSoloSmallFirm/CLE).

UPCOMING CLE, CONTINUED

October 2023

17—**Avoiding Ethical Pitfalls & Disciplinary Actions**

Live InReach webinar by [Sia Baker-Barnes](#), Searcy Denney Scarola Barnhart & Shipley. Moderator: [Rebekah S. Taylor](#), Solo & Small Firm Section YLD Liaison, Snedaker Law. Course number and 1 CLE, 1 Ethics credit pending approval. Registration opens soon.

25—**Farm Labor Law Issues**

Free Wednesday Wisdom Zoom CLE for Solo & Small Firm Section members* by [Michael Prendergast](#), Ford Harrison. Moderator: [Judge Jennifer Kuyrkendall Griffin](#), Third Judicial Circuit. Course number and 1 CLE pending approval.

*Registration will be approved when section membership is confirmed. Registration opens soon.

27—**Virtual Annual Ethics & Professionalism Update**

8 AM–12:55 PM; Course number and 5 credits pending approval.

Program Chairs [Michelle Garcia Gilbert](#) and [Bill Curphey](#). Speakers and topics to be announced soon.

November 2023

14—**Employment Law Issues for Smaller Firms & Solos**

Live InReach webinar by [Christopher Johnson](#), Ford Harrison. Moderator: TBD. Course number and 1 CLE pending approval. Registration opens soon.

15—**Ways to Thankfully Enjoy a Less Stressful Holiday Season**

Speakers: TBD. Moderator: [Judge Jennifer Kuyrkendall Griffin](#),

Third Judicial Circuit. Free Wednesday Wisdom Zoom CLE for Solo & Small Firm Section members.* Course number and 1 CLE, 1 Mental Health & Wellness credit pending approval.

*Registration will be approved when section membership is confirmed. [REGISTER](#)

December 2023

12—**A.I. & Ethics: What Lawyers Really Need to Know**

Live InReach webinar by [Jonathan Grabb](#), The Florida Bar Director of Ethics & Advertising. Moderator: TBD. Course number and 1 CLE, 1 Ethics and 1 Technology credit pending approval. Registration opens soon.

Four Ways to Find Solo & Small Firm Section-Sponsored CLE Courses

1. Visit our [calendar](#) to register for upcoming monthly live GoToWebinars and free Wednesday Wisdom Zoom webinars.
 2. Join our section's members-only [Facebook group](#) to access a video library of previously recorded Wednesday Wisdom Zoom webinars.
 3. Purchase previously recorded section CLE through The Florida Bar, available 24/7 as [on-demand seminars and podcasts](#).
 4. Purchase previously recorded section CLE through The Florida Bar in [CD or DVD format](#).
-

I AM SOLO

by Stephanie Cagnet Myron, Esq.
Cagnet Myron Law, Palm Beach County

- **What do you like best about being a solo or small firm?**

My favorite part of being a small firm practitioner is being able to control my own calendar and cases. I determine the cases that I want to take on, and I am able to set boundaries to allow for me to have true work-life balance.

- **Please explain how you came to this type of practice and why.**

Early in my career I served as a criminal prosecutor, and I encountered a few stalking cases shortly after the law was implemented here in Florida. I saw this as an opportunity to be proactive and put a stop to harassment before it escalated into physical violence. After my time as a prosecutor, I worked for larger firms handling civil litigation cases, and then for the Legal Aid Society of Palm Beach County handling all of the stalking and cyberstalking injunctions. I saw the need for assistance in these cases and the importance of educating law enforcement and the public on the ability to take legal action against ongoing harassment. I now empower victims of stalking, cyberstalking, revenge porn, and sexual violence through injunctions, in the criminal process and in related civil claims as well. I see the immediate positive impact that occurs once a person feels heard and receives the protection they seek.

- **What do you like least?**

The main negative consequence of being a solo practitioner or part of a



STEPHANIE CAGNET MYRON

small firm is the isolating impact it can have compared to the social environment of a larger firm. To counteract this, I have remained active in bar associations, the legal community, and my local community. I now have a large network of people I can contact with any questions. I also chair several committees and have found that provides for greater fulfillment through active involvement while having a positive impact.

- **Would you say that solo or small firm practice is a “people” practice?**

To be an effective solo or small firm practitioner, you need to be able to have empathy and communicate effectively with people. People are your only source of business. If you are not able to communicate effectively then you will not be successful in bringing in business or making the connections required to effectively run a business.

- **Do you like people/are you a people person?**

I thrive in a social environment interacting with others. I appreciate the opportunity to guide people through some of their most traumatic experiences. I deal with highly personal information and the way that I react to my clients has an extreme impact on their lives. In some cases, I may be the first person they are trusting with deeply private information. When I explain to someone the type of cases I handle, people typically respond with a personal story or a situation regarding a loved one who has been impacted. It is important to respond with empathy and compassion.

- **Do you prefer working alone or with others, like a paralegal or with co-counsel?**

Due to the highly personal information that my clients share, it is important to me that they feel they can speak with me directly and trust that I am the only person who will have access to that information.

- **What person/people most influenced your becoming a solo or small firm attorney? Either positive or negative?**

During my first term as a Governor on the Florida Bar Board of Governors, Young Lawyers Division, we created a website dedicated to helping people start their own law firm. This provided me with the tools and resources to

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HOW A MODERN CPA FIRM CAN HELP YOU

Joy Lutz, CPA
Aligned CPA

As an attorney, you understand the complexities of legal work and the importance of staying up-to-date with changes in legislation and regulations. However, you may not be aware of the benefits of partnering with a modern CPA firm that specializes in supporting law firms. In this article, we will discuss the reasons why law firms need a modern CPA to help them reach their goals faster.

The most significant difference when working with a modern CPA firm is you get more proactive advice. Traditional CPA firms are reactive. They focus on activities that have already taken place, such as tax preparation. A modern CPA will help you look forward. They look at how you can increase your cash flow, hit your revenue targets, benchmark against other firms, understand what your financial statements actually mean, and save money by implementing tax planning. Who doesn't want that?

We've found that many of our new clients had no idea that a CPA firm could do these things. They've always hired in-house or had a consulting relationship with an advisor other than their CPA.

With an outsourced CPA, you get the best of both worlds: staff comes with a strong tax background and a strong CFO background. This means they can help you be more profitable and save more money by paying less taxes. Here's how a more modern CPA firm can help you.

Meaningful Advisory

Are you looking for a way to take your firm to the next level? Do you struggle to understand your finances and to



JOY LUTZ

plan for the future? Look no further than an outsourced Chief Financial Officer (CFO) from a modern CPA firm.

An outsourced CFO provides the same benefits as an in-house CFO but at a fraction of the cost. They can help you understand your financial situation and forecast potential challenges, enabling you to develop solutions to mitigate risk. With an outsourced CFO, you can receive expert financial advice and guidance without the expense of a full-time employee.

Whether you're a small firm or the CEO of a large firm, a CFO can provide you with the financial insight and strategic planning necessary to succeed. They can help you create and execute a plan that aligns with your firm goals, giving you a competitive edge in the marketplace.

An outsourced CFO can help you make informed decisions, avoid financial pitfalls, and drive growth and profitability. We find that most law firms don't even know these services exist, or that even a small firm can benefit from advisory solutions.

What do we consider meaningful advisory? These are services such as

defining your firm goals, tracking metrics and KPIs, creating and monitoring a budget, benchmarking against other law firms, and other valuable services that help you achieve success. Ultimately, advisory gives you a financial partner and resource to take you further without having the cost and headache of managing in-house staff.

One of the top problems we help law firm owners work through is cash planning. Our clients want to know if they have enough cash to hire, to buy a new office, or to take a distribution. With proper planning, you won't have to wonder when you can take that next step. It will already be planned out!

High-Level Tax Planning

Have you ever wondered if you are over paying in income taxes?

Without proper tax planning, you probably are. That's why it's essential to partner with a CPA firm specializing in high-level tax planning for law firms.

High-level tax planning services go beyond simple compliance. A proactive CPA will help you identify and implement tax-saving strategies, and provide ongoing support and advice to ensure that you're always making the most of every tax opportunity. The goal of tax planning is to make sure your tax plan is in alignment with your resources and supports your unique circumstances and goals.

With help, you can rest assured that your tax planning is in the hands of experienced professionals who have your best interests at heart. We'll help you stay compliant with all applicable tax laws and regulations while also

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NEED CLE CREDIT? THE SOLO & SMALL FIRM SECTION CAN PROVIDE IT 24/7 ON DEMAND!

Online seminars and downloadable audio are available through [Florida Bar InReach](#). Many CLEs are offered in CD/DVD format, too; click [here](#) for the Solo & Small Firm Section's catalog.



Professionalism

5723—Professionalism Update for Lawyers: Ways to Avoid the Disciplinary Process. F. Scott Westheimer. 1 CLE; all of which may be applied towards Professionalism.

6247—Annual Ethics & Professionalism Update: Navigating the Future: The Expertise for Changing Times. John Maceluch and Stephane Cagnet Myron. 5 CLE; 3 of which may be applied towards Ethics; 2 of which may be applied towards Professionalism; 1 Technology CLE.

6596—Time Management Strategies & Life Hacks for the Productive, Professional Lawyer. Melanie Griffin. 1 CLE; all of which may be applied towards Professionalism.



Ethics

7221—Ethical Concerns When Representing Crime Victims: Emerging Issues Involving Technology & Cyberstalking. Stephanie Cagnet Myron. 1 CLE, all of which may be applied toward Ethics; 1 Technology CLE.

7231—How to Avoid a Fee Dispute & Happily Get Paid (joint program with the ADR Section of The Florida Bar). Mari Frank. 1 CLE, all of which may be applied towards Ethics. Available soon for purchase.

5705—Ethical Trust Accounting: Would You Fear A Bar Audit? Keys to Establish, Manage & Maintain a Compliant Trust Account. CPA Debra Davis, Esq. 1 CLE; all of which may be applied towards Ethics.

5714—Hot Topics in Florida Legal Ethics. Tim Chinaris. 1 CLE; all of which may be applied towards Ethics.

6247—Annual Ethics & Professionalism Update: Navigating the Future: The Expertise for Changing Times. John Maceluch and Stephane Cagnet Myron. 5 CLE; 3 of which may be applied towards Ethics; 2 of which may be applied towards Professionalism; 1 Technology CLE.

6595—How the Ethical Lawyer Can Avoid Technology Traps. Tim Chinaris. 1 CLE; all of which may be applied towards Ethics; 1 Technology CLE.

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Mental Illness Awareness

6245—50 Lessons for Happy Lawyers: Boost wellness, Build resilience. Yes, you can. Nora Bergman. 1 CLE; 1 Mental Illness Awareness.

6118—Compassionate Wellness: Because Mere Civility is No Longer Enough. Don Blackwell. 1 CLE; 1 Mental Illness Awareness.



Technology

7234—Bona Fide Technology Barriers: Principles for the Layered Protection of Your Practice. G.C. Murray II, Esq. and Robert Blackwell. 1 CLE; 1 Technology CLE.

5673—Microsoft Word: Pro Tips to Save you Time & Energy. Judge Jennifer Kuyrkendall Griffin. 1 CLE; 1 Technology CLE.

5713—Cyber Stalking, Revenge Porn & Victim's Rights: What All Lawyers Need to Know. Stephanie Cagnet Myron. 1 CLE; 1 Technology CLE.

6246—Practice without Borders: Using Technology to Efficiently Run your Practice from Anywhere. Liz McCausland. 1 CLE; 1 Technology CLE.

6338—Tech Options for a More Efficient Practice. Marck Joseph. 1 CLE; 1 Technology CLE.

6598—Digital IP: Helping Clients Protect, Defend & Recover Intellectual Property Rights Online, In Social Media & E-Commerce Platforms. Luca Hickman. 1 CLE; 1 Technology CLE.



General CLE Credit

7397—Florida's New Tort Reform: The Impact on Attorneys & Potential Litigants. Michal Meiler. 1 CLE; 1 Civil Trial certification credit.

7324—Arbitrator/Mediator Perspectives - How to Best Prepare your Clients for Mediations, Conciliations, Conferences & Arbitrations. Renee Thompson and Adam Myron. 1 CLE.

7221—Ethical Concerns When Representing Crime Victims: Emerging Issues Involving Technology & Cyberstalking. Stephanie Cagnet Myron. 1 CLE, all of which may be applied towards Ethics; 1 Technology CLE.

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Multi-Credit Programs (pricing indicated)

7395—Florida Law Update 2023. Live (in person) at The Boca Raton (register through [Annual Florida Bar Convention](#)) and [live video webcast](#) with 90-day, on-demand access. This course will cover the latest updates in Business Litigation; City, County, & Local Government; Criminal Appellate; Criminal Trial; Elder Law; Labor and Employment; Marital & Family Law; Wills, Trusts, & Estates.

- Live (in person) registration through the Annual Florida Bar Convention (select the \$350 [All Access Pass](#) to attend Florida Law Update 2023 at The Boca Raton: [REGISTER](#))
- Live video webcast with 90-day, on-demand access (Solo & Small Firm Section members \$295; non-members \$340): [REGISTER](#)

6247—Annual Ethics & Professionalism Update: Navigating the Future: The Expertise for Changing Times. Maintain Heading: Ethical Impacts of Recent Lawyer Advertising Decisions, Opinions, and Rule Changes, Jonathan Grabb. Secure Your Mooring: Effective Strategies to Boost Technology and Maintain Security, John Stewart. Stay Aboveboard: Compliance Requirements Resulting From Recent Rule Changes and Ethics Opinions, Tim Chinaris. Retain Your Bearing: Ethical and Professional Obligations of Practicing Virtually and in the Courtroom. Moderator: John Maceluch; panelists: Judge Jessica Goodwin Costello, Judge Keith Meyer, Judge William Dyer. Follow Your Compass: Professionalism and Civility in Trying Times and Difficult Situations, Elizabeth Hunter. 5 CLE; 3 of which may be applied towards Ethics; 2 of which may be applied towards Professionalism; 1 Technology CLE. \$250.

6826—2023 Solo & Small Firm Conference: Automate & Levitate: Tactics for Small Firm Business Owners. Automating your Practice, Conti Moore and Nikie Lomax. Simplify On Boarding and Collections, Marko Skarica. From Lawyering to Leading: Knowing the Numbers That Matter Most, Leticia DeSuze. Funding your Law Firm - How to get Financing, Scott Leitner. Website Best Practices and Educating Different Customer Groups, Robin Cardella. 4 CLE; 2 Technology CLE. \$245.

June 22 7:55 AM–4:25 PM

Live at the Annual Florida Bar Convention & Live Webcast

2023 FLORIDA LAW UPDATE

8 Key Areas of Law 8 CLE Credits

Even Very Good Lawyers Get Sued.



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- ✓ Declared first-ever dividend to qualifying members in Spring 2022*
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- ✓ Law practice tips, tools, and risk alerts
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- ✓ Lawyer Well-Being Resource Center – tools to help you find health, happiness, and work-life alignment

OUR POLICY FEATURES

- ✓ Supplemental Claims Expense Coverage
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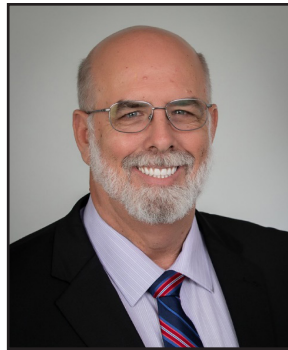
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Harold D. McFarland
Florida Private Investigator

While the term “forensic accounting” almost immediately brings to mind the phrase “follow the money”, it can be much more than that depending on the needs of the situation. Forensic accounting generally starts with determining the sources and uses of all incoming and outgoing money flows. Once this has been determined, then the real analysis can begin.

All areas of law have their own unique needs for forensic accounting: criminal defense, civil contracts, trustee fidelity, valuation, equitable distribution, and equity calculations are just a few areas where it is commonly used. However, the need for forensic accounting may not be apparent at first. For example, in a divorce, if estimated tax payments have been made, then how should those



HAROLD D. MCFARLAND

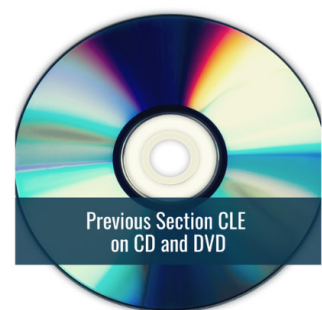
payments be allocated in an equitable way? This can be complicated if one spouse owns a sole proprietorship or funds flow through from a partnership or S-Corporation but the estimated tax payments were made from marital asset funds.

Forensic accounting can be used to determine what happened, and what the value of a partner/shareholder’s interest in a partnership or S-Corporation in the event of a breakup or sale. What went in or came out, what personal expenses were paid out of the business, and what were the contributions of assets? Given the scenario, these situations can rapidly become complex, leading to the need for a forensic accountant.

And, as always, forensic accounting is used extensively in embezzlement and other criminal and civil investigations. A couple of case studies might illustrate the value of accounting forensics that goes well beyond just following the money.

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CLE for Solos & Small Firms



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TOP LESSONS LEGAL PROFESSIONALS HAVE LEARNED IN 15 YEARS

Kate Rattray
Writer, Former Lawyer

In business years, 15 years can feel like a lifetime—especially since only 25% of new businesses make it to 15 years or more.

Those that succeed do so with a tremendous amount of effort and support. These customers have had incredible experiences and learned important lessons throughout their legal careers, and we wanted to celebrate that. We shared some of the most powerful insights, trends, and tips during the [Solo and Small Firm Virtual Summit](#) this past February 24th, 2023. In the meantime, we asked legal professionals to share the most valuable lesson they've learned over the past 15 years. Here's what they had to say:

Trust your instincts

Loraine DiSalvo, Morgan & DiSalvo, P.C.

"If a client balks at your fee or at your retainer, they won't pay you anyhow, and it's best to let them walk out the door without hiring you."

Kirsten Hume Scrimshaw, ALLY Workplace Law

"The longer I practice, the more my advice turns on my assessment of the parties' personalities and motivations. Sure, the law is still important, but people often don't act rationally, and identifying common patterns helps me find solutions for my clients."

Choose your battles wisely

Inti Martínez-Alemán, Ceiba Fôrte Law Firm, Reisman Award Winner, Excellence in Client Service

"Know which battles to fight and which ones to let go of. A good lawyer doesn't have to fight every single battle to prove that they're a formidable



KATE RATTRAY

advocate. A discerning lawyer understands which issues matter most to protect a client's interests. Don't lose sleep over things that appear critically important but, at the end of the day, are trivial."

Know your role in each situation

Bobbie Wallace, LaMont Law

"About 10 years ago, I was working on a case with a very difficult client. While working on responding to a discovery request, I groused to a co-worker about what bad karma I must have projected into the universe that now I had to deal with the client's idiosyncrasies and what was I supposed to do with this? Her simple response has stuck with me to this day: "Maybe you're not the student in this lesson. Maybe you're the teacher." Her words totally changed my attitude about the way to handle difficult people and have made an immense difference in my life, both personally and professionally."

Be intentional

Michelle Limbaugh, The Limbaugh Law Firm

1. Do the right thing because it is the right thing to do.

2. "Just because you can" does not mean that you should.

3. Do not make decisions based on fear.

4. Be intentional.

5. Remember that a crisis is self-defined.

Never stop learning

Mazyar M. Hedayat, M. Hedayat & Associates, P.C.

"I began this journey with preconceptions about the profession and practitioners. I was wrong. Turns out, being an effective lawyer is not about logic so much as experience. So, the more seasoned I become, the better I am at my job. The law, and the practice, is always evolving. Evolve with it, or be left behind"

Stay open to new opportunities

Jordan Couch, Palace Law

"I've learned to travel through life like a leaf on the wind. Ten years ago I was preparing to graduate high school. I was going to go to college, then some east coast law school, and work for a big firm in DC doing mergers and acquisitions. Only one of those things ended up being true (I went to the planned college) and I couldn't be happier or in a better position professionally or personally. At times over the last 10 years I tried hard to focus on my plan, [but] it always failed. But when I opened myself up, wonderful opportunities came to me. Now, my law school was in a state I had tried hard to avoid, my firm is small, I'm on the

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TOP 5 TIPS TO HELP ATTORNEYS TURN CONSULTATIONS INTO CLIENTS

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problem you will need to correct. Having someone conduct a secret shopper experiment is a great way to find out what is lacking in your process. You can have a colleague or friend do this if you can't invest in a professional organization conducting it for you. Have them pretend they are shopping around for an attorney that practices your type of law and have them make notes on what was asked, if they fill out a form on your website and they are getting a "404 Error" message, have them screen shot the message so that technology glitch can be fixed by your IT consultant. Also, make

sure they give you feedback on the follow up emails and calls they receive afterwards, as this is where most sales are lost.

Ask for feedback from current clients. This is fairly easy to conduct, you can create a Google form or Wufoo survey form they can fill out to give you feedback on what the sign up process was like for them, and if they see any areas that could use some improvement. Keep your surveys under 10 questions total and make them multiple choice questions. I recommend having the tenth question an opportunity for them to write in feedback. The more simplistic you make it, the more participation you will get.

An Entrepreneur of 18 years, Kerry is the Owner of [Kerry's Studio](#), an online

*professional women's clothing boutique and represents the **J. Hilburn** men's custom clothing line. She works with professionals to help them determine their best colors and how to utilize color to influence outcomes in their business.*

She is a sought-after Speaker on topics such as [Bodies Don't Lie-Body Language Basics](#), [The Color of Persuasion](#), [The Network Game - Making Networking "Work" for Your Business](#), and [Closing in Slow Motion - The Fortune is in the Follow-up](#). She is the Author of the [Create your own Media series for Podcasting, Publishing and Publicity](#). Kerry is a featured writer for [SheOwnsIt](#) and regularly writes for various other publications, she has been featured on over 300 media outlets. See, <https://kerryheapspeaker.wildapricot.org/>



New to the Section? Welcome!

We are glad you're part of the Solo & Small Firm Section and hope that you'll get involved. The section's [website](#) contains a wealth of information including a [CLE page](#) for easy access to programs that benefit solos and small firms. We encourage you to join one of the section's [committees](#):

- Continuing Legal Education
- Marketing & Public Relations
- Outreach & Expansion
- Publications
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Other ways to participate include:

- Writing an article for the LINK newsletter
- Sharing the section's social media posts
- Volunteering to make a CLE presentation

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I AM SOLO

from page 5

feel confident in making the decision to start my own practice. I then saw several fellow governors make the decision to start their own firm and was able to reach out to them for advice. When I announced that I opened my law firm, I received a gift in the mail from a past YLD President, Melanie Griffin. She created a coffee cup with my name, the name of my firm, and the word "Owner" on one side. On the other side she wrote "She believed she could, so she did." I still use this cup when I have a tough day, a tough case, or am dealing with a difficult opposing counsel. In tough times, when you know others believe in you, it helps you continue to believe in yourself.

Ms. Myron is the founder of Cagnet Myron Law. Her firm has handled more stalking and cyberstalking cases than any other private firm in the nation and has empowered hundreds of victims. She is a premiere victims' rights attorney with experience fighting for the justice that stalking, sexual cyber harassment, and sexual assault victims deserve. Cagnet Myron Law has a solid foundation based upon active involvement with the Florida Bar and the local community in Palm Beach County. Attorney Stephanie Cagnet Myron has served as the Director of the Palm Beach County Anti-Stalking Collaborative. She has served over seven years as an elected representative from Palm Beach County on the Florida Bar Board of Governors, Young Lawyers Division. She has been elected to the executive board for the Florida Association

for Women Lawyers (FAWL), where she has served as the Young Lawyers Representative, and as the National Association of Women Lawyers (NAWL) representative for FAWL. Stephanie is an active member of the Palm Beach County Bar Association and the Palm Beach County Chapter of FAWL. Stephanie currently serves on the Executive Counsel for the Solo and Small Firm Section of the Florida Bar. She also serves on the Florida Bar Pro Bono Legal Services Committee. She currently serves her local community as a member of the Parks and Recreation Advisory Board and has served on the Canvassing Board for the Village of Wellington. This broad range of legal experience and community involvement provides a unique platform for effective client representation.



Harold D. McFarland

Florida Private Investigator

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Certified Fraud Examiner

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CONTACT

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HOW A MODERN CPA FIRM CAN HELP YOU

from page 7

maximizing your savings and minimizing your tax liabilities.

Trust Accounting

As an attorney, you understand the importance of maintaining accurate trust account records. Any mishandling of those funds can result in severe consequences, including ethics violations and even disbarment. A monthly review of trust accounts can help ensure that you are compliant with regulations and that your clients' funds are protected.

This is a major benefit of working with a CPA firm that understands trust accounting. Their staff understands how trust accounting works and prepares the three-way reconciliation reports so you have peace of mind that you are meeting your requirements.

Unfortunately, some law firms do not have a handle on their trust accounts. Many times they delegate this responsibility to a receptionist, or someone in their office, who does not truly understand the ins and outs of trust accounting. And by the time they

come to a CPA, they're losing sleep because they know there are issues but they can't pinpoint the problem.

Don't give this responsibility to someone unqualified.

Proper accounting of your operating funds should also be a priority. An advisory CPA can help you with cash flow management, which is essential for any business, especially law firms. Tracking your cash flow is critical for managing your expenses and making informed decisions about operations, especially if you are looking to grow your firm. By reviewing your financial statements monthly with an advisor, you can identify potential cash flow issues and take steps to mitigate them.

The key here is "reviewing them with an advisor". We know you didn't go to school for accounting so we want to help you understand what your financial situation is, learn what financial information you need to keep your finger on, and how to improve your firm's financial picture without feeling the shame of not knowing.

The right CPA should be willing to help you understand and educate you on these matters.

Other Benefits

Not only can a modern CPA firm help you make more informed decisions, save money on taxes, and keep your trust accounting accurate, they can also work with you in a tech-forward environment.

Technology allows modern CPA firms to work with clients all over the US. This includes online client trainings and instructions, video communication, and secure-cloud access to your data.

Joy Lutz, CPA, CTP is a Florida based CPA firm owner that provides a range of services, including monthly accounting, tax planning, and CFO advisory. With a passion for helping solo and small law firm owners grow their ideal practice, Joy's expertise and client-centric approach have earned her accolades such as Top 40 Under 40 CPA's in the US. Her firm is committed to working with law firm owners who want to understand their financial picture, strive for quality, and are eager to grow their business. By providing unique value and support, Joy and her team help their clients achieve their goals and build successful practices.

Contact Joy today to schedule a Discovery Consultation: joy@alignedcpa.com, 386-752-4005.



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FOLLOW THE MONEY

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In one case, while analyzing bank statements we found multiple other accounts where to which money was being transferred or from which money was being received. These accounts had not been disclosed during divorce proceedings. Some of these accounts were found to belong to other companies or belong to trusts in which one of the spouses had a financial or ownership interest. We also found that money was being diverted from the marital bank account to a company owned by a relative of the spouse.

In one of our more interesting cases, we found that a business had recently become a vendor. Bills were submitted and payments made to the P.O. Box that the company had specified. But as it turned out, the person who had supposedly started the other company, had no knowledge that the company even existed. He had not created the

company. It was a case of identity theft. An employee had created the company and owned the P.O. Box and was submitting the sham company invoices for payment, as well as writing the checks to pay the invoices.

During another of our cases, which involved an office manager of a local company who had recently retired, the new office manager noticed that there had been checks written to a homeowner's association in another state. That state was the same one where the retired office manager had recently moved. Looking closer, the company found that there were payments for builders, repairs, and other companies in that same area. The owners confirmed that these were not company expenses. One of the owners went through the books and calculated the amount that appeared to have been embezzled and it totaled into the high six figures.

After hiring us, we looked through the accounts, transactions and the analysis that had been prepared. We confirmed

that the old office manager had written checks directly to vendors providing services for her in the other state. This is a simplistic form of embezzlement and is easy to track. But we also noted there were also payments to one of their regular vendors that seemed to be out of line with prior patterns of revenue and expense.

Looking a little deeper, we found that an abbreviated form of a vendor name was used on checks to that vendor. For example, if the vendor was Phil's Car Parts, Inc., the check was written to PCP, Inc. While this is often done on hand-written checks, it is unusual in an accounting system that generates checks. So, we looked at several of the invoices over several month and found some with irregularities. While the invoices all looked the same, the formatting of the date and some other items varied. These appeared to be QuickBooks generated invoices, but sometimes the date had the last two digits of the year and other times it had the full four digits.



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A computer-generated invoice would not vary like that. So, some of the invoices had been faked and submitted as genuine.

As suspected, when we looked at the back of a couple of checks we found that they had been deposited into two different bank accounts at different banks. But it made no sense for the old office manager to be so foolish in writing checks directly to the companies for personal expenses and at the same time to have created a different complex embezzlement scheme.

We surmised that there had to be two different embezzlers. We looked online at businesses that might have been formed by one of this company's owners and found a company that had the same initials. In this example with the legitimate vendor Phil's Car Parts, Inc., the other company would have been something like Panda Custom Plumbing, Inc. So, this other company could have deposited a check written

to PCP, Inc. and that is exactly what had happened. This other embezzler, which turned out to be one of the partners, provided invoices for Phil's Car Parts, Inc., wrote the check to PCP, Inc., recorded it as paying the Phil's Car Parts, Inc. invoice, and deposited it into Panda Custom Plumbing account. A complete accounting record exposed minor formatting differences in the invoices.

In this case, we were able to take it one step further to confirm the embezzlement by the partner because he had submitted the falsified Phil's Car Parts, Inc. invoices in electronic format as a pdf file. But he did not realize that the invoice file contained metadata listing his name as the author.

Forensic accounting starts with following the money, but it is the interpretation of the data and noticing irregularities that forms the basis for determining what occurred.

Harold McFarland is an expert in Accounting, Financial, Computer, Internet and Electronic Communications Forensics. He has been admitted as an expert in State and Federal courts and has worked on numerous cases from local to international in nature.

He has been a guest speaker for several groups including the international conference for Certified Fraud Examiners, annual conference for the Florida Association of Private Investigators, and the annual conference for Florida Institute of Certified Public Accountants.

He has a Masters degree in Taxation, with a strong focus on economics and statistics. He holds a Certified Public Accountant license as well as Certified Management Accountant certification, and Certified Fraud Examiner certification. His extended education includes coursework from Stanford University, MIT, and Johns Hopkins University.



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TOP LESSONS LEGAL PROFESSIONALS LEARN IN 15 YEARS

from page 14

opposite coast, I'm heavily involved in organizations I love, and my practice area is one I didn't even know existed when I graduated law school. By abandoning my plans, I found my passion and, more importantly, an environment that encourages me to pursue it relentlessly."

Invest in strong systems

Jodi Donato, Donato Law, Reisman Award Winner, Best Growth Story

"On office management, have systems and procedures in place so if an employee quits, someone else can step in and do the job with minimal training."

Lead with kindness

Todd Ver Weire, The Law Office of W. Todd Ver Weire

"Even with the advances in technology and communication, never forget that a small human touch, whether it be an actual call instead of a text, or a handwritten note instead of an email, goes a long way. Also, sometimes it is worth it to just drop in and say hi to the court staff where you appear regularly. While this is admittedly easier in some jurisdictions than others, it never hurts to be friendly and take a genuine

interest in them and their lives."

Use bills to communicate clearly

Jodi Donato, Donato Law, Reisman Award Winner, Best Growth Story

"If you bill by the hour and give the client a break, show the full cost of your work and discount it on the bill so they see that you did four hours of work but only charged them for three."

Prioritize your team

Katie Brennan, Marquez Law

"I have worked in family law for over 10 years. A "jack-of-all-trades" as some might say, I have carved my path as an administrator, technical support, web developer, HR, marketing, office manager, and COO. Throughout this time, I have had the opportunity to work with some of the most talented and wonderful people I have ever met, including colleagues and clients. There have been many life-long lessons learned along the way, but the core of what sticks with me is to stay focused on your people.

I have experienced the cost of turn-over first hand. The toll it takes on the business, your clients, your colleagues, and yourself. It is the responsibility of us as leaders and legal professionals, to prioritize our teams by leading with compassion, open communication, and provide the tools to set everyone up

for success so we are all energized to deliver our best for our clients, our families, and ourselves."

Set yourself up for success

Keith Arrowsmith, Counterculture LLP

"Over the last 15 years, I've learned the importance of having a bedrock of reliable systems, working with classy colleagues, and turning down wonky work that doesn't fit. Those three things give me the time and energy to efficiently work on enjoyable projects for appreciative clients."

Serve the greater good

James Creedon, Creedon PLLC, Reisman Award Winner, Community Champion

"The most important thing I've learned is that lawyers shape the future—we can build a healthy and equitable world in which the law shapes the greater good."

Kate Rattray is a former lawyer and current writer who loves all things legal. She has previously written and edited for academic journals, legal publications, and law firms and is passionate about supporting law firms with processes, content, and more!



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PARALEGAL CORNER

News for Paralegals to Use...

by Priscilla Horn Warren, CP, FRP

Welcome to the Paralegal Corner, where you can find breaking news and other useful items (including website link information) pertaining to our profession.

The Solo and Small Firm Section presented its Annual Solo and Small Firm Conference on February 24, 2023. The topic title was “Levitate and Automate.” This was a virtual seminar, and copies of the presentation are available for purchase. For more information, please go to our website, www.FLSoloSmallFirm.org, or contact our Section Administrator, Ricky Libbert, at telephone number 850-561-5631, or email her at rllibbert@floridabar.org.

REMINDER: The Wednesday Webinar CLE noontime seminars offered by the Solo and Small Firm Section (free to members!) continue to be popular and welcomed by all, for current information on legal issues as well as obtaining CLE credits.

If you are not an affiliate member of the Solo and Small Firm Section, what are you waiting for? Just download the online form today and



PRISCILLA HORN WARREN

send it in. **Affiliate memberships are only \$35 per year. Multiple benefits are available to our members and affiliate members, as detailed in our new website: www.FLSoloSmallFirm.org. Becoming an affiliate member of the SSF Section might be one of the best personal and professional decisions you will make for your paralegal career to flourish and prosper.**

For those of you who wish to learn more about the FRP designation, please log into the Florida Bar website for Florida Registered Paralegals,

at www.floridabar.org, and click on the Florida Registered Paralegal tab.

Memberships are also available with the state chapter of the Paralegal Association of Florida, Inc. (www.pafinc.org). Please note that the SSF Sections' recent Paralegal of the Year award recipient, Sherry Webber, CP, FCP, FRP, has recently been elected president of PAF, Inc. Sherry indicated there are positions available on both the State Executive Committee as well as various committees; if you are interested, please contact her.

Finally, for additional information on NALA, the nationwide paralegal association, and/or requirements for obtaining your national Certified Paralegal designation, kindly visit the NALA website at www.nala.org for membership requirements and continuing education opportunities that are available online.

Please do not hesitate to contact me with any questions or concerns. My direct email is: pris2323@yahoo.com.

