WSBA

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Law Office Management Assistance Program

Self-Audit Checklist

This completed form will describe your office administrative practices and offer a fresh look at your firm's current functions. Consider asking your staff and other lawyers to complete a copy of this Checklist. A number of the responses may vary from yours. That is not unusual. This exercise should foster a better mutual understanding of what goes on in your office and enhance your practice.

Name of Firm ____

Name of person completing this audit? ____________________________________

Firm Elevator Pitch:

Firm Mission Statement:

Lawyer Names	Practice Area(s)

Staff Names	Job Title

1. Client Relations is the most important aspect of a law office. Everything that happens in a law firm has a direct or indirect effect on the client.

CLIENT RELATIONS	
1.1 Do you discuss communication with clients such as:	
a) Conflicts of interest?	
b) Confidentiality?	
c) Use of email/telephone/text?	
d) How clients will be kept informed?	
e) Possible emergencies and how to handle them?	
1.2. Do you inform staff of client communication preferences?	
1.3. Do you introduce clients to staff?	
1.4. Do you discuss fees and billing procedures in the *first* meeting with the client?	
1.5. Do you provide clients with a written Agreement of Representation that includes:	
a) Identification of client and lawyer?	
b) A detailed scope of representation?	
c) Clear terms for attorney fees and costs?	
d) A statement that no specific result is guaranteed?	
e) Expectations of lawyer to client and client to lawyer?	
f) Acknowledgement?	
1.6. Do you have written communication procedures?	
1.7. Do you or your staff return clients phone calls and/or emails within 24 to 48 hours?	
1.8. Do you maintain an Active Case File List?	
1.9. Do you send follow-up letters documenting any conversation where important decisions were reached?	
1.10. Do you complete the work in a timely fashion?	
1.11. Do you copy clients with your work product and correspondence?	
1.12. Do you follow up with clients when their case is inactive?	
1.13. Do you send a closing letter at the end of each matter telling the client:	
a) The representation is complete?	
b) What additional actions the client must take?	
c) The firm's file retention policy?	
d) Thank you and request for referrals and feedback?	

Notes

2. Clients depend on you to safeguard the information they provide. Trust is very difficult to reestablish once it has been broken so it is important that you take steps to ensure that every member of the firm does all they can to safeguard client information.

CONFIDENTIALITY	
2.1. Do you offer training and materials to staff to assist them in understanding, spotting, and helping the firm avoid confidentiality breaches?	
2.2. Have you discussed confidentiality with landlords, other tenants, interns, volunteers, and employees, including family members who work for or assist you?	
2.3. Do those you discussed confidentiality with have a signed confidentiality acknowledgment?	
2.4. Do you ensure client files and confidential materials are never left unsecured in common areas?	
2.5. When conferring in person with clients do you avoid taking calls or otherwise talking with other clients so as to protect client identities?	
2.6. Is the office locked every night?	
2.7. Is email marked “Confidential Privileged Communication”?	
2.8. Are fax machines, copiers and mail located where non-firm persons will not be able to see confidential materials?	
2.9. Do you use passwords to protect client confidences on all applicable devices and services?	

Notes

3. Establish and maintain a comprehensive conflict of interest system. All staff should be trained to use the system. Conflict checks should be done prior to the discussion of any new matter with a client or potential client.

CONFLICTS OF INTEREST	
3.1. Do you maintain a continuously updated client list or database of current and former clients?	
3.2. Do you offer training and materials to staff that assist them in understanding, spotting, and helping the firm avoid conflicts of interest situations?	
3.3. Do you include names and addresses of corporate client officers and directors?	
3.4. Do you have screening procedures in place that screen a conflicting lawyer from the inception of a case?	
3.5. Do you properly identify and maintain information regarding all adverse parties?	
3.6. Do you request and record information regarding former or other names of clients and adverse parties (e.g. maiden, marital, alias, d/b/a, f/k/a, a/k/a, etc.)?	
3.7. Do you check your conflicts of interest list or database before accepting a new client or matter?	
3.8. Do you have written a policy and procedure for when a conflict arises?	
a) Does it address declining representation?	
b) Does it address **potential** conflicts of interest?	
c) Does it address conflicts that arise after representation starts and what will happen next?	
3.9. Do you explain your conflicts of interest procedure to clients in writing?	

Notes

4. Missing a filing deadline or court appearance is damaging to a client as well as causing embarrassment and a potential malpractice claim. Each firm member should maintain an individual calendar in addition to a master calendar for the entire firm.

DOCKET/CALENDARING	
4.1. Do you keep individual calendars for each employee?	
4.2. Do lawyers in the firm have a dual calendar system?	
4.3. Does your calendar include (as applicable):	
a) statutes of limitations?	
b) discovery and filing deadlines?	
c) administrative hearings?	
d) court appearances?	
e) appointments?	
f) practice area specific deadlines and dates?	
g) self-imposed or discretionary deadlines?	
4.4. Do you maintain a master (firm wide) calendar?	
4.5. Do you calendar blocks of time to work on projects?	
4.6. Do you calendar blocks of time to work on your business?	
4.7. Do you have a tickler system for deadlines that works for you?	
4.8. Are you able to access your calendar remotely?	
4.9. Are key staff able to access your calendar when needed?	

Notes

5. Whether it is electronic or paper, organized case files are the bedrock of a successful law office.

RECORDS MANAGEMENT	
5.1. Do you have standardized naming conventions for your electronic files (e.g. last name_subject or file#_subject)?	
5.2. Are your files organized and easily searchable?	
5.3. Are your paper files easy to navigate?	
5.4. Do documents get filed in case files in a timely manner?	
5.5. Do you store files in a safe location free from unauthorized access and potential damage (e.g. water or rodents)?	
5.6. Do you have a backup system that includes three points of backup on a daily basis?	
5.7. Does each file contain a checklist detailing steps and obligations for that file?	
5.8. Do you have a written documents retention policy that addresses:	
a) How to cull and close a file?	
b) Returning originals to clients?	
c) Practice area specific destruction dates?	

Notes

6. It is critical to your success that your staff is well trained and motivated to provide excellent service to clients. Express to staff that the client's interests are always affected by the work done by the entire office.

STAFF MANAGEMENT	
6.1. Do you have a written:	
a) Policies and procedures manual?	
b) Job descriptions for each support staff position?	
c) Termination procedures?	
d) Provisions for overtime, sick leave, and medical insurance?	
6.2. Do you inform employees of the ethical requirements of working in a law office environment and clearly communicate their limits and boundaries as support staff personnel?	
6.3. Do you require employees to read the Rules of Professional Conduct that are applicable to their positions?	
6.4. Do you offer your staff continuing education opportunities?	
6.5. Do you clearly communicate expectations of performance to all employees?	
6.6. Do you encourage and invite feedback from your employees?	
6.7. Do you properly supervise and review their work?	
6.8. Do you lead by example?	
6.9. Do you express appreciation to employees for work well done?	
6.10. Do you make sure any error or correction is shared privately in a timely and constructive manner?	
6.11. Do you have regular meetings with employees?	
6.12. Do you conduct regular performance appraisals (at a minimum, annually)?	
6.13. Do you train and assist staff in de-escalation of upset parties?	
6.14. Do you maintain a personnel file for each staff person?	
6.15. Do you conduct appropriate background checks before hiring key staff?	
6.16. Do you have written provisions for overtime, vacation, sick leave, and medical insurance?	

Notes

7. Timekeeping, billing, budgeting, and financial recordkeeping/reporting should be coordinated to produce an efficient accounting and recordkeeping system.

FINANCIAL MANAGEMENT	
7.1. Do you use time and billing software? If so, what do you use?	
7.2. Is time recorded contemporaneously?	
7.3. Do you have a schedule of what tasks are billable and non-billable?	
7.4. Are costs posted to client files in a timely manner?	
7.5. Are discounts (write-downs) shown on the bill?	
7.6. Are bills sent out on a regular schedule?	
7.7. Are payments and credits posted to client files in a timely manner?	
7.8. Are the accounts receivable evaluated and client follow-up done?	
7.9. Do you have checks and balances in place for cash handling and other accounting functions?	
7.10 Do you have a written fee schedule?	
7.11. Do you do	
a) Flat fee work?	
b) Contingent?	
c) Hourly?	
7.12. Are credit cards accepted for payment?	
7.13. Are client funds kept in IOLTA (i.e. lawyer trust account)?	
a) Who are the signatories on your trust account?	
b) Do you reconcile it monthly?	
7.14. Do you have an annual gross fee budget? (i.e. a plan for annual firm income)	

Notes

8. Finding a balance between your home life and work life and taking care of yourself is essential to having a sustainable, satisfying practice.

PROFESSIONALISM & SELF CARE	
8.1. Do you conduct conflict checks prior to giving legal advice to potential clients?	
8.2. Do you have confidentiality agreements for cleaning services, contract workers, IT services, and interns?	
8.3. Do you have a designated back-up attorney for:	
a) Vacations?	
b) Emergencies?	
c) Disability?	
d) Death?	
8.4. Do you regularly seek out continuing legal education relevant to your practice and professional development?	
8.5. Do you use the WSBA Ethics Line (206-727-8284)?	
8.6. Do you clearly communicate the recommended course of action with your clients?	
8.7. Do you document your clients' choice of action in writing, particularly when it is adverse to your advice?	
8.8. Do you follow up on assignments given to others?	
8.9. Do you keep your clients informed of the status of their cases?	
8.10. Do you set aside time to:	
a) Work on cases?	
b) Work on the business?	
c) Just think?	
8.11 Is a work-life balance something you feel you achieve more often than not?	
8.12 Do you have a mentor?	
8.13 Do you have a mentee?	

Notes

9. A lawyer's professional competence includes the adequate use of technology such as using passwords, backing up data, and removing metadata from electronically transmitted files.

TECHNOLOGY	
9.1. Do you turn off or log off of all computers at the end of the day?	
9.2. Do you use a networked calendar program? If so, what do you use? ____	
9.3. Do you use practice management software? If so, what do you use? ____	
9.4. Do you use consistent naming conventions for both electronic and paper files?	
9.5. Have all staff been trained on your computer and software programs?	
9.6. Do you use computer virus filters and a firewall? If so, what do you use? ____	
9.7. Do you remove inappropriate metadata before emailing attachments?	
9.8. Do you use a password to access Windows or OS X?	
9.9. Do you have BYOD (bring your own device) policies in place?	
9.10. Do you have policies in place regarding personal use of work computers by staff?	
9.11 Do you have two-part password verification?	
9.12 Do you use a password manager?	
9.13 Do you convert your documents to .pdf before sharing them?	
9.14 What devices do you 'work' on?(e.g. communicate with clients, draft documents &c.)	
9.15 Do you have three points of back-up?	
9.16 Do you review the terms of service for your vendors of electronic services or products?	
9.17 Do you use encryption on:	
a) Your emails?	
b) Your stagnant files?	
c) Your cloud files?	
d) Individual Word documents?	
e) Individual .pdf documents?	

Notes

10. A well-crafted marketing plan is essential to the growth and development of your practice.

MARKETING AND BUSINESS PLANNING	
10.1. Does your firm have a defined response to the question, "What kind of law does your firm practice?"	
10.2. Do all employees have business cards with titles?	
10.3. Do you have a firm website?	
10.4. Is your brand consistent across all of your communications (i.e. letterhead, business cards, website, advertising, etc.)?	
10.5. Does your firm utilize social media platforms? If so, which ones?	
10.6 Do you regularly network with other attorneys?	
10.7. Do you regularly network with professionals who relate to your practice area?	
10.8. Do you stay in contact with former clients?	
10.9. Do you ask new clients how they found you?	
10.10 Have you identified a mission for your firm?	
10.11 Do you have a vision for the future of your firm?	

Notes