Starting a Solo Practice in New York 2017

NYSBA CLE LPM Program

Friday, May 19, 2017
9:00 a.m. – 5:00 p.m.

Executive Conference Center
1601 Broadway at 48th Street | NYC

7.5 MCLE Credits
4.0 Areas of Professional Practice | 3.5 Ethics

Interactive Video Conference Formats are approved for MCLE Credit for all attorneys, including newly admitted.
www.nysba.org/StartingAPractice2017

Sponsored by the Committee on Continuing Legal Education and the Law Practice Management Committee of the New York State Bar Association
This program is offered for educational purposes. The views and opinions of the faculty expressed during this program are those of the presenters and authors of the materials. Further, the statements made by the faculty during this program do not constitute legal advice.
Program Description

Are you considering opening your own firm? Are you a recent law school graduate just starting out? Are you considering leaving your place of employment and starting your own practice?

Starting up a solo or small firm has its own unique financial, technical and practical concerns, but beginning a practice also has its own set of rewards, fulfillment and accomplishments. To maximize your chances for success, you must have a plan.

This program provides an overview of what it takes to own your own practice. From choosing a business entity to choosing office space and attracting new clients, get practical and useful tips for starting a practice in New York. Focusing on solo practice, program topics include: setting up bank accounts; general accounting information; tax concerns; setting up IOLA accounts; client retainer agreements and intake forms; collecting payments; leaving your old firm; handling referral business; the ethical issues of using the Internet to market your practice; social media considerations; increasing your list of contacts; and much more.

Live Tweet with us using #NYSBASubject
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8:30 a.m.  Registration

9:00 a.m. - 9:10 a.m.  Welcome and Introduction

9:10 a.m. – 10:00 a.m.  Creating Your “Launch Plan”
- Your Business Plan (Yes, You Need One)
- What Type of Law Will You Practice?
- Home Office or Rented Space?
- Should You Form a Professional Corporation or LLC?
- What Equipment and Technology Do You Need?
- What are the Five Things Every Solo Law Practice Must Have to Be Successful?

Speakers:  Gary B. Fiebert, Esq. | Smock Law Firm Consultants
Clifford R. Ennico, Esq. | Law Office of Clifford R. Ennico
(1.0 Areas of Professional Practice)

10:00 a.m. – 10:50 a.m.  Managing Your (Cyber) Practice
- Maximizing Efficiency: Hardware/Software/Cloud
- Cybersecurity: Preventing and Mitigating Risk
- Operational Issues: Data Management
- Emergency Preparedness

Speakers:  Marc M. Natale | Balestriere Fariello
Jillian L. McNeil, Esq. | Balestriere Fariello
(1.0 Areas of Professional Practice)

10:50 a.m. – 11:00 a.m.  Break

11:00 a.m. – 11:50 a.m.  Get the Clients and Cases You Want | How to Build a Sophisticated Litigation Practice Outside the Big Firm
- Finding Clients
- Exploiting Your Small Size to Get the Clients and Cases You Want
- Practice and Time Management: Do It Right or Die
- Coordinating With Co-Counsel to Build Your Practice
- Special Pitfalls of Litigation to Avoid

Speaker:  Jillian L. McNeil, Esq. | Balestriere Fariello
(1.0 Areas of Professional Practice)

11:50 p.m. –12:15 p.m.  Lunch Buffet

12:15 p.m. – 1:05 p.m.  Maximize Your Marketing | Turn Basic Business Cards, Letterhead and Websites Into Marketing Statements
- Define Your Target Niche
- Craft Marketing Messages That Speak to That Audience
- Turn Basics – Business Card, Letterhead – Into Marketing Statements
- Incorporate Web Resources From the Beginning
- Select Comfortable Marketing Activities
- Use Social Media Resources Effectively and Ethically
- Attorney Advertising and the New York Rules of Professional Conduct

Speakers:  Carol Schiro Greenwald, Ph.D. | CSG MarketingPartners
Clifford R. Ennico, Esq. | Law Offices of Clifford R. Ennico
(0.5 Ethics)
1:05 p.m. – 1:10 p.m.  Break

1:10 p.m. – 2:00 p.m.  Risk Management | Client Intake, Letters of Engagement, Retainers, and IOLA | Best Practices for Lawyers

Speakers: Marian C. Rice, Esq. | L’Abbate Balkan Colavita & Contini, LLP
Lana James-Moore | USI Affinity

(1.0 Ethics)

2:00 p.m. – 2:50 p.m.  Understanding Your Malpractice Insurance Policy | Making Sure You Have the Right Amount and the Right Coverage

• Applying Your Coverage: How to Fill Out the Application Form
• Defining Your “Practice Areas” the Right Way
• Do You Need “Prior Acts” Coverage?
• How Much Coverage Do You Need?
• What Do You Do When Someone Threatens to Sue You?

Speakers: Marian C. Rice, Esq. | L’Abbate Balkan Colavita & Contini, LLP
Lana James-Moore | USI Affinity

(1.0 Ethics)

2:50 p.m. – 3:00 p.m.  Break

3:00 p.m. – 3:50 p.m.  Human Resources (HR) Issues for the Solo or Small Law Practice

• What Types of Staff Members Should You Hire?
• When Is the Best Time to Hire?
• How Can You Create a Competitive Competition Structure You Can Afford?
• What Types of Incentive Programs Can You Put Into Place?
• How Will You Manage Your Team?
• Partner, Employee or Contractor – Which Is Best?
• What Legal and Tax Responsibilities Do You Have as an Employer?
• How Will You Deal with the Affordable Care Act?

Speakers: David DePietto | NexFirm LLC
Chintan V. Panchal, Esq. | RPCK Rastegar Panchal

(1.0 Areas of Professional Practice)

3:50 p.m. – 4:40 p.m.  Cutting-Edge Ethical Considerations for the Solo Practitioner

• What Exactly Is the “Practice of Law” and When Is It “Unauthorized”?
• When Clients Cross State Lines: Doing Legal Work in Jurisdictions Other Than New York
• Current Ethics Opinions You Should Know
• “Reader, Advisor, Barista, Attorney at Law”: Combining a Law Practice with Other Sources of Income
• Can You “Crowdfund” a Law Practice?

Speakers: Clifford R. Ennico, Esq. | Law Offices of Clifford R. Ennico
Carol Schiro Greenwald, Ph.D. | CSG MarketingPartners

(1.0 Ethics)

4:40 p.m. – 5:00 p.m.  Question and Answer Panel Discussion
Critical Issues for Solo Practitioners in New York
Course Materials for this program are available at:

www.nysba.org/StartingAPractice2017Materials

Supplemental Outlines will be posted post-program
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