



# Fundamental Law Office Management: The Stuff After Law School

Jedidiah I. Bressman, Attorney at Bressman Law

# About Jedidiah Bressman

- Married to Michelle Bressman
- Father to a 7-month-old daughter, Zipporah.
- OHSAA Wrestling Referee
- Former Radio DJ for 97.3 WMEE in Fort Wayne, Indiana.
- Graduate of The Ohio State University Moritz College of Law.
- Former AAG at the Ohio Attorney General's Office
- Former Judicial Staff Attorney on the 10<sup>th</sup> District Court of Appeals
- Attorney at Bressman Law specializing in Personal Injury and BWC court appeals.



# Agenda



- Office Space/Location
  - Where, why, and how?
- Essentials
  - Business Basics.
- Generating Business
  - Marketing.
- Pitfalls to Avoid
  - Time Management
  - Ethics

A blurred photograph of a modern office desk. In the foreground, a silver laptop is open, with a smartphone lying to its left. Behind the laptop, there is a stack of books or papers. The background is out of focus, showing a white wall and a small potted plant. The overall aesthetic is clean and professional.

# Office Space

Where, why, and how?

# Location, Location, Location!

When picking office space, you need to pick where you want to practice law. But, because your license is for the State of Ohio, you can pick anywhere, so how do you decide?

## Big City vs. Suburbs

- Depending on where you are planning on practicing, you need to consider the following:
  - Where do my ideal clients live?
  - What courthouses will I spend the most time at?
  - Is the area I am trying to practice saturated with lawyers?
    - I.e. If there are 50 lawyers practicing your area of law in Columbus, but only 5 in Westerville.
- Should I even have an office space?
  - YES! But more for marketing reasons than anything else.
  - Also, do you really want clients showing up to your house?

## Budget

- Can I find affordable office space in my area? The below figures are of currently available property for rent:
  - In Columbus, you can expect anywhere from \$14.00/sf/yr to \$21.50/sf/yr for a 2,000 SF property. (loopnet.com)
    - \$2,333.33 to \$3,583.33
  - In Westerville, you can expect \$10.50 sf/yr to \$14.95 sf/yr for a 2,000 SF property. (loopnet.com)
    - \$1,750 to \$2,491.66
- Should I rent or buy?
- We will talk more about Budgeting in the Essentials section.

# Other Considerations for your Office Space



**Office Sharing**

**Parking**


**Office Persona**

**Office Support**

**Access to Resources**

**Office Equipment/Technology**

**Conference Rooms**

- 
- Avoid Office-Sharing if you can. (More about this during the Marketing portion).
  - Clients hate paying for parking.
  - Will your clients feel like they are at a law office?
  - Office support does come with office sharing (depending on where you are office sharing)
  - What technology will you need to get up and running?
    - Computer
    - Webcam
    - Printer/Fax
    - Telephone
    - Scanner
  - Conference Rooms are not necessary, but valuable if available.



# Business Essentials

The stuff law schools fail to teach you.

# Professional Liability Insurance

**NOT REQUIRED...BUT:** Ohio Rule of Professional Conduct 1.4: A lawyer shall inform a client at the time of the client's engagement of the lawyer or at any time subsequent to the engagement if the lawyer does not maintain professional liability insurance in the amounts of at least one hundred thousand dollars per occurrence and three hundred thousand dollars in the aggregate or if the lawyer's professional liability insurance is terminated.

## Companies to Buy Liability Insurance

- L Squared Insurance Agency
- OSBA
- CBA
- Full-list of carriers  
here: [https://www.americanbar.org/groups/lawyers\\_professional\\_liability/resources/lpl-insurance-directory/carriers/](https://www.americanbar.org/groups/lawyers_professional_liability/resources/lpl-insurance-directory/carriers/)
- SHOP AROUND EVERY YEAR

## Budget

- Be mindful that this should be a priority in your budget every year.
- Failing to carry malpractice insurance can lead to serious ramifications.



# Business Credit Cards/Lending

Business Credit Cards are just like personal credit cards. They have their uses, but make sure you use them for business expenses.

## Business Credit Cards

- Is there an annual fee?
- What is the rewards rate?
- Does the card offer special rewards for your most expensive items?
- What is the intro rate?
- What are the points good for?
- Business credit cards are great at putting all of your expenses in one place.
- The points can help alleviate some of the pain of starting your own business. I.e. using the points to go on a vacation.
- You can also use the points to get cashback to help alleviate some of the cash needed to start up a business.

## Lending

- When starting up a new business, it is important to have adequate funds to do so.
  - But you do not want to have to use all of your own funds to do so.
- Shop around!
  - Many banks and credit unions offer different rates and terms.
  - Utilizing this can help lower costs for your business.
- Be realistic as to the amount you are requesting.

# Systems

An essential aspect of a new law firm are the systems that you have in place.



## Legal Systems

- Docket Management System
  - Clio, CloudLex, Filevine, etc.
- Document Management System
  - Could be the same as above or you could choose to have an internal harddrive.
- Consider whether you should have multiple backups for your client's files.
- Internal systems for daily operation of the business.
  - Who handles discovery?
  - Who handles client calls?

## Business Systems

- Accounting System
  - TurboTax, AccountEdge, etc.
- Computer/Printer/Scanner/Fax
- Website
- Email
- Billing Software (depending on practice)

# Budget

When starting a law office, it is important to have a budget in place. This will help you build the law firm you want without overspending.

<b>PI Revenue</b>	<b>General Expenses</b>	Security Expense	<b>PI Salaries, Taxes</b>
Total Referral Revenue	Office Supplies Expense	CLE	PI Payroll Taxes
Workers Comp Revenue	Copier Expense	Fitness, Office	Attorneys
Reimbursed Client Advanced Expenses	Lease Expense	Rent	Paralegals
Co-Counsel	Computer Expense	Car Expenses	Secretary
Other Fees	Memberships/Dues/Subscriptions	Travel Expenses	1099 Employees
	Prof. Liability Insurance	Gasoline Expenses	Total Expenses
	Office Insurance Expense	Meal Expense	Total PI Expenses
	City of Dublin Tax	Clothing Expense	
<b>Total Revenue</b>	Commercial Activity Tax	Entertainment Expense	PI Profits
	Maintenance & Repairs	Website/Newsletter/Pamphlets	
	Postage and Delivery	Marketing	<b>Total Law Firm Profits</b>
	Accounting Fees	Telephone	
	Professional Promotion	Utilities	
	Legal Publications		
	LexisNexis	General Expenses	
		<b>Total Overhead</b>	



# Generating Business

The stuff law schools fail to teach you. Part 2.

# True or False: If I am a Good Lawyer the Cases Will Come....

TRUE AND FALSE: Ever seen an advertisement for a law firm? How do you know they are a good lawyer or not?

## You need to understand marketing to get business.

- Website
  - Most of your potential new clients who are not referred to you will find you online.
  - Having a professional website helps those potential new clients find you.
- Online Marketing
  - Google/Bing/Yelp/Youtube and a whole lot more are involved in helping potential new clients find you.
  - Understanding how this works will be the difference in you getting cases vs. Your colleagues getting the cases.
- Social Media
  - Mostly for brand development.

## Budget

- A lot of this you can do for FREE!
  - You can start your own Youtube page and answer Frequently Asked Questions.
    - I use my computer webcam or my phone to record most of the videos.
- Look at WordPress to start your own website!
- Social Media is a great way to get the word out.



Ohio Injury Attorney Answers: I have gone to the ER, what should I do now?

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# Different Types of Marketing

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Call (614) 877-6303  
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TELL US ABOUT YOUR CASE (OPTIONAL)

[Get Help Now](#)

With over 60 years of combined courtroom experience, Bressman Law advocates for Ohioans who have been injured and another party is at fault. We fight to get you the compensation you deserve so you can focus on what's important: healing and recovery.

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5.0 [★★★★★](#) 210 Google reviews

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# Networking

Networking is a great way to get cases.

[https://www.amazon.com/No-Nonsense-Philosophy-mumbo-jumbo-Practical-Networking/dp/Bo88N2DLBQ/ref=sr\\_1\\_1?keywords=Jedidiah+Bressman&qid=1670794020&sr=8-1](https://www.amazon.com/No-Nonsense-Philosophy-mumbo-jumbo-Practical-Networking/dp/Bo88N2DLBQ/ref=sr_1_1?keywords=Jedidiah+Bressman&qid=1670794020&sr=8-1)

## Traditional Referral Networks

- Lawyers (We will talk more about other considerations with Lawyer referrals in the Pitfalls portion).
- Doctors
- Repair Shops
- Bail Bondsman
- Lawyer-to-Lawyer networking groups
- CBA
- OSBA

## Non-Traditional Referral Networks

- Insurance Agents
- Out-of-State lawyers
- Small Business Associations
- SCORE, <https://www.score.org/>



# Pitfalls to Avoid

The stuff law schools fail to teach you. Part 3.



# Time Efficiency

With so much to do, you may find yourself running out of time. Managing your time is just as important as managing your cases, your budget, and your law firm.

## Client Contact and Attorney Contact

- If you take every inbound call, you will get nothing done.
  - HINT: Schedule times in your schedule to return client and attorney calls. Make these times work for YOU.
- Celebrate your own wins.
  - Sometimes you have cases that you think are great wins but your client is less than pleased. Make sure to congratulate yourself on your own wins.
- You could work an 18-hour day...but should you?
  - Most of the time, the work will be there tomorrow. You need to know when to quit and come back to it.
  - The Theory of Diminishing Returns.

## Engaging the "Ideal Client"

- In the Personal Injury world, we think about our Ideal Client in multiple ways:
  - Types of Injuries
  - Insurance Coverage
  - Etc.
- But, the #1 aspect of our ideal client is trust.
  - Does the client trust me to get the job done?
- If the client trusts me, the client is less likely to:
  - Call every week.
  - Question every decision.

# Running afoul of the Ethics Rules

You passed the MPRE. You passed the section of Legal Ethics on the bar. Now you must actually follow the rules. But what does that really mean?

## Rule 7.1: Communications Concerning a Lawyer's Services

- A lawyer shall not make or use a false, misleading, or nonverifiable communication about the lawyer or the lawyer's services. A communication is false or misleading if it contains a material misrepresentation of fact or law or omits a fact necessary to make the statement considered as a whole not materially misleading.



# Running afoul of the Ethics Rules



## Rule 7.2: Advertising and Recommendation of Professional Employment

- (a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded, or electronic communication, including public media.
- (b) A lawyer shall not give anything of value to a person for recommending the lawyer's services except that a lawyer may pay any of the following:
  - (1) the reasonable costs of advertisements or communications permitted by this rule;
  - (2) the usual charges of a legal service plan;
  - (3) the usual charges for a nonprofit or lawyer referral service that complies with Rule XVI of the Supreme Court Rules for the Government of the Bar of Ohio;
  - (4) for a law practice in accordance with Rule 1.17.

- (c) Any communication made pursuant to this rule shall include the name and office address of at least one lawyer or law firm responsible for its content.
- (d) A lawyer shall not seek employment in connection with a matter in which the lawyer or law firm does not intend to participate actively in the representation, but that the lawyer or law firm intends to refer to other counsel. This provision shall not apply to organizations listed in Rules 7.2(b)(2) or (3) or if the advertisement is in furtherance of a transaction permitted by Rule 1.17.

# Running afoul of the Ethics Rules



## Rule 7.3: Solicitation of Clients

- (a) A lawyer shall not by in-person, live telephone, or real-time electronic contact solicit professional employment when a significant motive for the lawyer's doing so is the lawyer's pecuniary gain, unless either of the following applies:
  - (1) the person contacted is a lawyer;
  - (2) the person contacted has a family, close personal, or prior professional relationship with the lawyer.
- (b) A lawyer shall not solicit professional employment by written, recorded, or electronic communication or by in-person, telephone, or real-time electronic contact even when not otherwise prohibited by division (a), if any of the following applies:
  - (1) the person being solicited has made known to the lawyer a desire not to be solicited by the lawyer;
  - (2) the solicitation involves coercion, duress, or harassment;
  - (3) the lawyer knows or reasonably should know that the person to whom the communication is addressed is a minor or an incompetent or that the person's physical, emotional, or mental state makes it unlikely that the person could exercise reasonable judgment in employing a lawyer.

# Running afoul of the Ethics Rules



## Rule 7.4: Communication of Fields of Practice and Specialization

- (a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law or limits his or her practice to or concentrates in particular fields of law.
- (b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation “Patent Attorney” or a substantially similar designation.
- (c) A lawyer engaged in trademark practice may use the designation “Trademarks,” “Trademark Attorney,” or a substantially similar designation.
- (d) A lawyer engaged in Admiralty practice may use the designation “Admiralty,” “Proctor in Admiralty,” or a substantially similar designation.
- (e) A lawyer shall not state or imply that a lawyer is a specialist in a particular field of law, unless both of the following apply:
  - (1) the lawyer has been certified as a specialist by an organization approved by the Supreme Court Commission on Certification of Attorneys as Specialists;
  - (2) the name of the certifying organization is clearly identified in the communication.

# Running afoul of the Ethics Rules

## Rule 7.5: Firm Names and Letterheads

- (a) A lawyer in private practice shall not practice under a name that is misleading as to the identity of the lawyer or lawyers practicing under the name, or a firm name containing surnames other than those of one or more of the lawyers in the firm, except that the name of a professional corporation or association, legal clinic, limited liability company, or limited liability partnership shall contain symbols indicating the nature of the organization as required by Gov. Bar R. III.
- (b) A law firm with offices in more than one jurisdiction that lists attorneys associated with the firm shall indicate the jurisdictional limitations on those not licensed to practice in Ohio.
- (c) The name of a lawyer holding a public office shall not be used in the name of a law firm, or in communications on its behalf, during any substantial period in which the lawyer is not actively and regularly practicing with the firm.
- (d) Lawyers may state or imply that they practice in a partnership or other organization only when that is the fact.



# Case Studies

Waterman v. Kitrick, 572 N.E.2d 250

Ashtabula Cty. Bar Ass\_n. V. Brown, 151 Ohio St. 3d 63

Dayton Bar Ass\_n. V. Parisi, 131 OHio St.3d 345

- Waterman v. Kitrick – Fee Sharing

[HN5](#)<sup>[↑]</sup> A distinction must be drawn between a contract for a referral fee without performance of any services for the client (a fee-splitting arrangement unrelated to services) and cocounsel agreements. While pure referral contracts are prohibited by [R.C. 4705.08](#) and DR 2-107(A), cocounsel [\*11] agreements specifically are not. The agreement is a "pure referral contract" if it provides that an attorney will receive a fee for merely forwarding a client [\*\*\*10] to another attorney while doing nothing toward handling the case. Such an agreement is violative of [R.C. 4705.08](#) and DR 2-107.

However, [HN6](#)<sup>[↑]</sup> where one attorney performs services for the client and refers the client to another attorney who also performs services on the case, fee splitting would be permitted to the extent allowable under DR 2-107. In other words, provided that the client consents to the arrangement after full disclosure and that the division of fees between the attorneys is "made in proportion to the services performed and responsibility assumed by each," fee splitting is permissible.

- Ashtabula v. Brown – Rule 7.1

[\*\*P13] [\*66] The board found that the firm name depicted on Brown's sign and business card and the reference on the sign to the firm's having been established in 1981 were false or misleading communications that violated [Prof.Cond.R. 7.1](#) and [7.5\(a\)](#). In addition, the board found that Brown's use of Justice O'Neill's name during his term as a justice of this court violated [Prof.Cond.R. 7.5\(c\)](#). The board determined, however, that relator had failed to carry its burden of proof on the new charges alleged in the amended complaint and therefore recommended that we dismiss the alleged violations of [Prof.Cond.R. 8.1\(a\)](#), [8.1\(b\)](#), and [8.4\(c\)](#).

- Dayton v. Parisi. 1.7 Conflicts

protect the client's interests. It does not, however, authorize the attorney to represent third parties in guardianship proceedings against a client or otherwise permit any departure from [Prof.Cond.R. 1.7](#), which generally prohibits attorneys from representing multiple clients who have conflicting interests. Because



# Thank You

Jedidiah I. Bressman 

614-538-1116 

Jedidiah@BressmanLaw.com 

www.BressmanLaw.com 