ECL BOOT CAMP

TUESDAY OCTOBER 17, 2017 (8:00 TO 4:45)

1. **Welcome and Coffee with Joe, Ryan, Ruth, Stormy (8:00 – 8:30)**

   a. ECL participants discuss their experiences

2. **ECL Overview (Ruth and Stormy) (8:30 to 9:00)**

   a. What is ECL

   - Not a law firm
   - Role of the director
   - Responsibilities of the participants
   - Participants and client confidentiality

   b. Boot Camp – goals and objectives

   c. On-going training

   d. Weekly ECL participant/director meetings

   e. LREP Helpline

   f. State Bar General Referral Program

3. **Selecting a Corporate Structure for your Law Firm – (Erin Wideman Replay of Spring CLE) (9:00 to 11:00)**

   a. Which Model and why (description of business types; advantages and disadvantages; does it make sense to start with a sole proprietorship and take time to decide what works for you; include ethical considerations - if any)

   - Sole Proprietorship
   - Professional Corporation (PC)
   - Limited Liability Corporation (LLC)

   b. Incorporating Your Business

   - Law firm name
   - Documents needed to incorporate, if any
   - Federal Tax ID
   - State Tax ID
   - Taxation of your legal entity

FIFTEEN MINUTE BREAK

c. Registering Your business

- Business license
- City license
- Required filing with Secretary of State and IRS
- Registration certificates
- Business contact information (e-mail, telephone number, address)

4. Taxes **(Sara Traub Spring CLE Replay) (11:00 to 12:00)**

a. Gross receipts tax – what they are and how to keep on top of them

b. Income tax, corporate and personal, and how the two fit together

LUNCH WITH MEMBERS OF STEERING COMMITTEE (12:00 to 1:00) (Judge Julie Vargas)

5. Office Accounting for the Start-Up Law Firm (David Powell) (1:15 to 3:15)

a. The importance of accounting software and how to select a program that works for your law firm.

b. Charts of account.

c. Financial Statements, what they are and how to read them to avoid calamity.

d. Creating a budget and managing finances.

e. Working with a bookkeeper, when and why this may be important to your law firm's success.

FIFTEEN MINUTE BREAK (3:15 TO 3:30)

6. Professional Liability Insurance (Maureen Sanders) (3:30 to 4:30)

a. Malpractice insurance

b. Type of policy

c. How to read a policy

d. Necessary coverage

7. Managing Student Loans (Stormy) (4:30 – 4:45)

WEDNESDAY OCTOBER 18, 2017 (8:15 TO 4:30)

1. **Planning Your Practice (8:15 -10:30)**

   a. Overview (**Ruth and Stormy**) **(8:15 – 8:45)**

      - The importance of starting slow
      - Develop a five-year plan
      - Learning and using technology

   b. Evaluating your interests and your strengths and weaknesses (**Veronica Dorato**) **(8:45 – 9:30)**

      - Litigation vs. transactional practice or mix of both
      - Developing a short list and keeping to it
      - Learning the market – does your short list make sense
      - Contract work – how to develop

   c. Pro bono training and contracts with a legal services organization **(Stormy, Ruth and legal services provider, maybe Maria or Marina from DDPC, Aja from Legal Aid, Joe and/or Gini Silva for Advocacy Inc.) (9:30 – 10:15)**

      - LREP Helpline
      - DDPC Office of the Guardian
      - Advocacy, Inc.
      - Pegasus
      - Legal Aid of NM

   d. Dangers of practicing door law **(Stormy, Joe and Ryan) (10:15 to 10:30)**

FIFTEEN MINUTE BREAK 10:30 – 10:45

2. **Marketing (10:45 – noon)**

   a. Building a clientele through networking with the private bar **(Cristy Carbon-Gaul)**

   b. Associations involved with your target areas (Estate Planning Counsel, Guardianship Association, Alzheimer's Association, Trial Lawyers Association, Defense Lawyers Association, business incubators, chambers of commerce, Rotary Club, school boards, non-profit boards) (**Ruth**)

   c. State bar sections (**Breanna**)

d. Voluntary bar associations (Albuquerque, Hispanic, African American, Indian, Women's Bar Associations, local bar associations in rural communities) (someone from the Committee on Diversity) **(Breanna)**

e. Social media, user friendly websites and search engine optimization **(Kelly from PBWS)**

LUNCH WITH SPEAKERS FROM THE MORNING SESSION (NOON TO 1:15)

a. Balancing your law practice and your lifestyle **(Panel discussion with morning speakers, Joe and Ryan, and group)**

- Family
- Community involvement
- Exercise

FIFTEEN MINUTE BREAK (1:15 TO 1:30)

3. Client Relations: Intake (Peggy Graham and Stormy) (1:30 to 2:00)

a. Prospective client intake

b. Conflicts and conflict checking

c. Income determination (200%-400% of poverty)

d. Checklist for deciding whether to take the case

e. Declining representation

f. Letter declining representation

4. Client Relations: Accepting Representation (Ruth and Peggy) (2:00 to 2:45)

a. Accepting representation (required ECL insert)

b. Defining scope of representation

c. Determining fees

d. Engagement (Fee) agreement

FIFTEEN MINUTE BREAK (2:45 – 3:00)

5. Client Relations: Limited Scope Representation (Dorene Kuffer) (3:00 to 4:00)

a. Definition of limited scope representation

b. How to unbundle services

c. Explaining limited scope or unbundled services option to client

d. Engagement (fee) agreement

e. Limited entry of appearance

6. Small Business Loan (Kim Blueher, WESST VP of Lending) (4:00 – 4:30)

a. Do you need a small business loan or line of credit

b. How to obtain a small business loan

THURSDAY OCTOBER 19, 2017 (8:45 TO 3:00)

1. Client Relations: Understanding Your Role/Avoiding Malpractice (Bill and Ruth) (8:45 – 10:30)

- **a.** The Self-Audit
- **b.** Confidentiality of client information
- **c.** Diligence in the progress of the case
- **d.** Importance of checklists to keep you on track
- **e.** When in doubt consult
- **f.** Communication - keeping the client informed
  - Setting boundaries: you're a lawyer not a friend
  - Establishing e-mail and telephone policy
  - Encryption of sensitive information
  - Empowering clients to work for you and themselves
- **g.** Handling client documents and property
- **h.** Clients with diminished capacity

FIFTEEN MINUTE BREAK (10:30 – 10:45)

2. Planning for the Unexpected (Maureen and Bill) (10:45 – 11:15)

- **a.** Backup attorneys for emergencies (what if you get sick)
- **b.** Protecting clients in the event of your disability or death (see State Bar succession planning materials on website)

3. Practical Case Management (Ruth and Linda) (11:15 to 12:00)

- **a.** What a case file must contain
- **b.** Electronic vs. physical files (do you need both?)
- **c.** Setting up a hard copy case file – pro and cons
- **d.** Electronic file management (desk scanner)
- **e.** Calendars and dockets – know what your PLI carrier requires
- **f.** The challenge of juggling multiple cases
  - The importance of case checklists

g. Dealing with due dates and hearing dates

h. Blocking time for preparation

i. Keeping cases moving

12:00 TO 1:00 (LUNCH ON YOUR OWN)

4. Attorney Civility and Misconduct (Justice Chavez) (1:00 - 2:00)

a. Assessing merit of case

b. Expediting Litigation

c. Treating opposing parties and counsel fairly

d. Sanctions for misconduct

FIFTEEN MINUTE BREAK (2:00 TO 2:15)

5. Client Relations/Concluding Representation (Ruth) (2:15 – 2:45)

a. Adhering to the scope of the engagement agreement

b. Wrapping up loose ends

c. Closing letter

6. Case/Office Management Software (Joe, Ryan, Ruth) (2:45 – 3:30)

a. Identifying and learning to use case management software (Clio for ECL)

b. Capturing your time – learning to use the time entry feature

c. Billing software if not a part of the case management software

d. Accounting software (QuickBooks or other)

FRIDAY OCTOBER 20, 2017 (8:45 TO 12:30)

1. **Conduct Before The Bench (**Judge Valerie Huling and Judge Debra Ramirez, along with their TCAAs Char Montoya and Maria Guerreo, and Civil Court Clerk Supervisor, Ann Hart**) (8:45 to 10:15)**

    a. Effective communication with judges, judicial staff, bailiff, and Court Clerk personnel, pet peeves of the Clerk's Office

    b. Duty of candor to the Court – candor in written pleadings and verbal communications, why *ex parte* communications cannot be tolerated

    c. Conduct in and out of the courtroom – what integrity means, being on time, obeying time limits set by the Court, behavior towards opposing counsel, judges and Court staff

FIFTEEN MINUTE BREAK (10:15 TO 10:30)

2. **Your Trust Account and Avoiding Disciplinary Action (Bill Slease) (10:30 – 12:30)**

    a. Managing your law firm trust account

    b. The relationship between the trust and operating accounts

    c. The meaning of reconciliation

    d. Paying yourself

PIZZA LUNCH: WRAPPING UP DISCUSSION (Ruth and Stormy) (12:30 to 1:30)

a. American Bar Association – Lawyer Incubators

b. On-line Resources

- Legal Mapmaker resources and checklists – 2016 Baylor University
- Successful Business Planning for the Moderate-Income Client (Colorado Bar Association)
- Open Legal Services Website