

LPM

LAW PRACTICE MANAGEMENT

LPM eNewsletter

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Solos Matter

By Gary A. Munneke

*Chair, New York State Bar Association
Law Practice Management Committee*

Approximately three-fourths of the lawyers in the New York State Bar Association practice alone, or in firms of ten lawyers or less. The growth of national and international mega-firms has not altered this basic fact of the law practice landscape: the legal profession is a cottage industry. Because legal services are delivered to clients by lawyers in small organizations, these lawyers cannot leverage resources the way that larger firms do. The State Bar, however, is in a position to help solo and small firm practitioners by providing them with support and guidance, so the LPM Committee devotes considerable attention to this important segment of bar membership.

When a member of the Association raised questions in the General Practice Section listserv (which I encourage all solo and small firm lawyers to join by becoming a General Practice Section member – only \$25.00 section member fee) about the effectiveness of NYSBA's efforts, I decided to respond. Now, after getting feedback from a number of readers, I would like to share my thoughts with a larger audience in this e-newsletter:

As Chair of the New York State Bar Association Law Practice Management Committee, [a] recent post [to the General Practice Section Listserve] caught my attention. Because the LPM Committee devotes considerable attention to the needs of solo and small firm lawyers, I wanted to offer a few thoughts.

It seems to me that the New York State Bar Association takes very seriously the plight of solo and small firm practitioners. The leadership of the Association, from President Bernice Leber and the

Executive Committee, to Executive Director Pat Bucklin and her staff, send an unambiguous message to me, as well as other Section and Committee chairs, that we need to focus on the needs of solos and small firms. My Committee, and other groups within the Association take this charge seriously, and we have all spent considerable time this past year building programs, services and benefits for solo and small firm lawyers.

For example, the LPM Committee sponsors both live programs and lunch-time teleconferences on topics aimed primarily at solo and small firm practitioner. We have tried to create a price structure for these programs that is both affordable and competitive. We created an electronic newsletter, which goes out quarterly to all NYSBA members, but which focuses heavily on SSF issues. We have published books and articles for smaller organizations, and warned lawyers about an Internet scam directed to large and small firms alike. We developed pages on the NYSBA Web site (<http://nysba.org/>) devoted exclusively to solos and small firms. This Solo/Small Firm Resource Center, includes free downloads, practice management tools, a special tutorial on using free legal research Another exciting new feature is the Solo/Small firm blog about the real life of Solo/Small firm attorneys called Smallfirmville – is available at <https://email.law.pace.edu/owa/redir.aspx?C=dca7dfc283c14442bc1266aeec87d7e0&URL=http%3a%2f%2fnysbar.com%2fblogs%2fsmallfirmville>. Our agenda for the upcoming year is even more ambitious with plans to develop a state-wide Solo Day.

President Bernice Leber appointed a Special Committee on Solo and Small Firm Practitioners, chaired by former NYSBA President Bob Ostertag, a small firm lawyer from Poughkeepsie. The Committee, which includes a cross-section of leading solo and small firm lawyers from around the State, was charged as follows:

“The Committee will undertake a comprehensive study of specific issues and challenges facing solo practices and small firms, and recommend ways in which bar associations, the Courts, and other entities can assist them in meeting these challenges. The Committee also will recommend new programs, benefits, resources, and services that should be developed in the future, with an eye toward achieving successful law practices and balanced lives for the attorneys working in these firms.”

The Committee has devoted numerous hours to assessing the current situation and needs of solo and small firm lawyers, and has produced a report for the State Bar leadership urging the allocation of more resources to support the work of this important segment of the bar. I sit on the Special Committee, because of my position as Chair of the LPM Committee, which will be help to carry out a number of new initiatives.

With respect to discounts and benefits, it is impossible to create one-size-fits-all programs, but the State Bar is working diligently to offer programs that are viable for solo and small firm practitioners. A staff committee is charged with soliciting, evaluating and negotiating discount and benefit programs, and this committee consistently seeks input from members regarding the types of programs they feel would be most useful to them. Just recently the State Bar conducted a survey and held a focus group for solo and small firm lawyers to learn more about their preferences.

The Association helps solo and small firm lawyers in other ways that are not always visible. For example, in the most recent state budget cycle there was a proposal to generate \$35 million in revenue by increasing several fees and surcharges that would have had a direct impact on litigants and the legal profession. NYSBA President Bernice Leber reached out to state leaders and informed them that the New York State Bar Association strongly opposes such fees or fee increases. The proposed list of fees and surcharges was not included in the final budget legislation. The NYSBA remains alert to -- and voices its strong concern over -- similar ideas and future proposals that would have an adverse impact on lawyers, litigants and the court system

The point of all this is to say that the New York State Bar Association offers a great deal of support to solo and small firm lawyers, and contemplates doing more in the immediate future. We recognize that there is always room to improve, and appreciate comments ..., because they serve as a reminder of what we need to be doing. On a personal note, I invite anyone who has suggestions to continue this conversation by responding directly to you, at gmunneke@law.pace.edu, to e-mail

<https://email.law.pace.edu/owa/redirect.aspx?C=dca7dfc283c14442bc1266aeec87d7e0&URL=mailto%3amembership%40nysba.org>, or to call 518-463-3200 and ask to speak to someone in membership. Thank you for taking the time to hear my thoughts.

Gary Munneke, Chair, Law Practice Management Committee

* Gary Munneke is a Professor of Law at Pace Law School in White Plains, New York, and a member of the American Bar Association Board of Governors. The views expressed in this article do not reflect the views or policy of the American Bar Association, its Board of Governors or House of Delegates.

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This guide is intended as a resource for our members, to help them find technology products and services which may be useful in their firms.

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