Risk Management 2019

Albany | Buffalo | Long Island | NYC | Rochester | Syracuse | Westchester

Program Agenda

8:30 a.m. Registration

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

9:10 a.m. – 10:00 a.m. Competency in Areas of Practice and Insurance

Considerations

• Cyber attacks on law firms

 Referrals & associations with attorneys proficient in area of representation

Dangers in office sharing and implied partnerships

• Graphs/Charts – problematic areas of practice

 Develop a docket control procedure for appointments and reminders

• File retention

Purchasing the appropriate coverage

• The insurance application

• Claims made coverage and coverage for prior acts

• The importance of proper and timely notice

Extended reporting periods/retirement

(1.0 MCLE Credit in Ethics)

10:00 a.m. - 10:10 a.m. Break

10:10 a.m. – 11:00 a.m. Recognizing and Handling Conflicts of Interest Proper New

Matter/Client Intake

Maintenance of conflict procedures

Lateral hires

Identifying the client

Conflicts between attorney and client

• Simultaneous representation of clients with adverse interests

• Transactions between lawyer and client

Conflict between present and former client

• Representing business organizations

(1.0 MCLE Credit in Ethics)

11:00 a.m. - 11:10 a.m. Break

11:10 a.m. – 12:00 p.m. Effective Client Relations and Resolving Attorney-Client Disputes

- Choosing the client carefully
- Client's expectations
- Informative and truthful communications
- Statement of Client's Rights and Responsibilities
- Importance of the clear, unambiguous written letter of engagement
- Standardization of engagement, non-engagement & disengagement letters
- Informed consent
- Preserving the secrets and confidences of a client
- Limiting liability to a client
- How to avoid suits for fees Fee Arbitration Rules
- Escrow requirements
- Importance of documenting a file
- Resolving attorney-client disputes Mediation of Attorney-Client Disputes
- Proper withdrawal from employment

(1.0 MCLE Credit in Ethics)

12:00 p.m. – 12:50 p.m. Relations with Others, Including Partners and Nonclients

- Integrity in dealing with non-clients Standards of Civility
- Intra-firm relationships and dealing with partners
- Supervisory responsibilities of law firms and attorneys
- Scope of supervisory responsibility of lawyers
- Ethical issues facing newly admitted attorneys
- Stress management and Lawyers' Assistance Programs
- The "innocent" partner
- Lawyer advertising and marketing

(1.0 MCLE Credit in Ethics)

12:50 p.m. – 1:00 p.m. Questions and Answers

1:00 p.m. Adjournment

4.0 MCLE; 4.0 Ethics Credits