

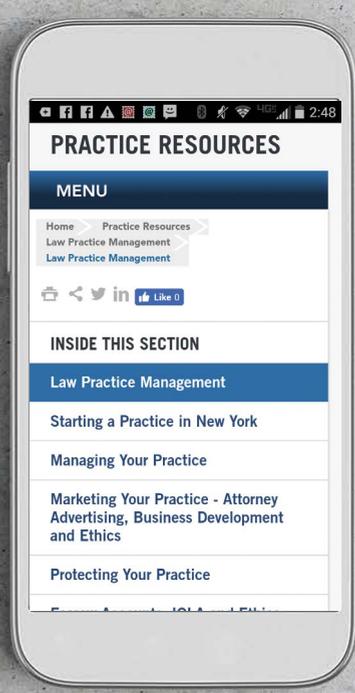
# LAW PRACTICE MANAGEMENT

## The Law: It's your Business

By Marian C. Rice

**MARIAN C. RICE**, current Chair of NYSBA's Law Practice Management Committee and past President of the Nassau County Bar Association, is the chair of the Attorney Liability Practice Group at the Garden City law firm of L'Abbate, Balkan, Colavita & Contini, LLP and has focused her practice on representing attorneys in professional liability matters for more than 35 years.

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I'm not sure everyone is aware yet – but there is a new sheriff in town! In February, Pamela McDevitt joined (or should I say re-joined) the New York State Bar Association – this time in the role of Executive Director. It is a joy to have Pam back with us. She brings with her years of experience as the American Bar Association Law Practice Division Director. This background, combined with her prior stint with NYSBA Law Practice Management (LPM), makes her a serious cheerleader for the role Law Practice Management plays in the life of every attorney and every law firm. Did I say cheerleader? Make that whirling dervish – Pam's enthusiasm and never-ending ideas for articles, projects, webcasts and member benefits have jumpstarted LPM and its role at NYSBA and in the *NYSBA Journal*.

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For the past few years, the September issue of the *Journal* has been devoted to articles focusing on the many facets of law practice management: technology, human resources, marketing, finance, ethics, risk management, project management, cyber security (and liability) . . . the list does not end. The *Journal* is committed to helping lawyers keep pace with the demands of the rapidly changing legal landscape. Going forward, each issue of the *Journal* will devote a collection of articles to the various aspects of law practice management.

**Lawyers have to master not just the law, but a spectrum of challenges never faced by attorneys in the past.**

It's hard to imagine Atticus Finch, Frank Galvin, or Perry Mason ever filing a motion paper via the internet. It's harder still to envision them poring over a potential marketing plan for their practice or deciding which office accounting software to buy. And it's not because they are fictional lawyers who practiced in a Hollywood studio rather than a courtroom. It's because they projected an image of a lawyer who zealously, even obsessively, served his clients, and justice, above all else. There was no time for the more mundane duties of practicing law. If those tasks mattered at all, they were left to minor characters back at the office. What wouldn't you give today for a Della Street in your life, capably handling all of the administrative tasks – and appearing in court delivering the pivotal document exactly when needed?

That image doesn't work today. Today's real life lawyers have to be zealous advocates, of course. But they have to be more than that. They realize that if they are to succeed they have to master not just the law, but a whole spectrum of challenges never faced by attorneys in the past. Today a lawyer not only has to know how to e-file, but also how to send documents to the cloud, and how to protect against security breaches. They have to know how to market themselves in an era of intense competition. They have to know how they can serve their clients while all the time remaining within ethical boundaries. These are not mundane tasks to delegate to support staff. They are tasks for any lawyer to master, young and old, in all settings from solo practice to large firms.

The articles in this issue reflect the scope of changes and challenges for today's lawyer. For those thinking of starting their own practice and wondering how to deal with the everyday business and marketing challenges, we've got you covered. Running a solo practice is one of the most difficult – yet satisfying – roles an attorney can undertake. The nuts and bolts of running a solo business are explained by Deborah E. Kaminetzky in her article *Thinking of Going Solo? Be Prepared to Practice Law and Run a Business*. Even an excellent lawyer has little to do without clients. Two of the articles in this month's *Journal*

give ideas on how to bump up your marketing skills. Carol Schiro Greenwald outlines how a focus on ethics will enable you to build a practice your clients will love, while Allison C. Shields offers tips on how to get the most out of your LinkedIn profile.

While we spend a great deal of time helping solo and small firms start off their careers on the right path, in this edition of the *Journal*, we also focus on what the future holds for long-practicing attorneys. In their article, *The Changing Face of Succession Planning*, Stephen Gallagher and Leonard E. Sienko Jr. examine issues involving practice succession and “encore careers.” Equally as important – and way too often neglected – is developing a plan for the end of your career. Andrew E. Roth explores qualified retirement plan designs for law firms.

The news is inundated with tales of cyber terrorism directed at attorneys and law firms. Learning the vulnerabilities of your law firm's technology is an integral part of practice and part of your ethical responsibilities. In his article, Erik B. Weinick shows how to protect the privilege of a pre-breach cybersecurity assessment. In furthering one's practice skills, Adam Leitman Bailey and Dov Treiman provide a valuable guide to understanding the laws of interest. And please take time to review the nuggets of wisdom addressed monthly in Vince Syracuse's Attorney Professionalism Forum.

It is not easy to keep on top of these constant changes but NYSBA's LPM Committee is here to help. Our goal is to direct the attention of the many, many talented NYSBA members to resources that will develop their skills in managing the practice of law. The Committee is dedicated to providing resources that enable attorneys to obtain the information needed to manage their practices and get back to the primary goal of representing clients. Through materials located on the NYSBA website, the LPM Committee provides lawyers, law firm managers and legal professionals with information on practice management trends, marketing, client development, legal technology and finance. Whether you're a solo practitioner or a managing partner at a national law firm, you'll find law practice management materials designed to meet your day-to-day practice needs. Checklists, best practices, guidelines, publications and continuing legal education programs provide up-to-date information and practical tips to help you efficiently manage your law practice. Check out our offerings on the NYSBA website and please let us know of any topic you would like to see addressed.

As it was in eras past, so it is today that an attorney who fails to keep abreast of changes in the law cannot serve his or her clients well. But today, as these articles show, the same applies to attorneys who fail to keep on top of sound practice management. In short, the lawyer who fails to keep current is the lawyer who faces early obsolescence. LPM is dedicated to not letting that happen. ■

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