



SMALL LAW FIRM  
LUNCHEON

Fee Dispute Arbitration Process  
and How to Encourage Client  
Payment

Thursday, April 17, 2008  
12:30 p.m. - 2:00 p.m.

*Your Client Refuses To Pay, Now What? New York State's attorney-client fee dispute resolution program requires that clients have the option to arbitrate many attorney-client fee disputes. This program will explore what is involved in fee dispute arbitration, how to pursue your case, and ways to encourage client payment.*

Moderator:

**MARK A. JOSEPHSON, CPA,  
CFP, CFE**  
Murray & Josephson,  
CPAs, LLC

Speaker:

**MARTIN L. FEINBERG**  
Former Chair, Joint Committee on  
Fee Disputes and Conciliation.

**Registration by April 14 is necessary. The fee, which includes lunch, is \$25 for members; \$35 for non-members. Please register online at: [www.nycbar.org](http://www.nycbar.org).**

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## A NOTE FROM THE SLFC DIRECTOR...

**A pessimist sees the difficulty in every opportunity;  
an optimist sees the opportunity in every difficulty.**

**-Winston Churchill**

### HELPING YOUR PRACTICE SURVIVE AND PROSPER IN AN ECONOMIC DOWNTURN.

Dear Solo and Small Firm Practitioners,

Amid the ominous headlines of national newspapers describing the dire state of our economy, many solo and small firm lawyers worry about their continued ability to make a living. While attorneys who work for large firms fear layoffs, solos and small law firm owners begin to wonder whether clients will continue to walk through the doors of their offices as money gets tight. Now may be the time to significantly decrease overhead, re-evaluate practice areas and explore other ways to recession-proof our small law firms. With that in mind, I offer a brief checklist to help you ponder the challenges and opportunities presented by today's economic climate.

#### **1. Market more, but cheaply.**

**a.** Create and write your own blog. Post substantive comments on other blogs in your practice area. Doing so will help improve your reputation and give you an internet presence at a nominal cost.

**b.** Present a free seminar to potential or existing clients on some aspect of your practice, which would help those experiencing an economic downturn. You may help clients learn how to preserve their assets or protect themselves from foreclosures and bankruptcy, while highlighting how your firm is the ideal entity to be holding their hand during these difficult times.

#### **2. Consider diversifying your practice areas.**

**a.** Although the usual rule of thumb is that it's better to specialize, if your area of expertise is something like residential or commercial real estate, you may find yourself struggling financially in a slowing real estate market. Consider expanding into a related area which is still in demand despite economic turmoil, such as real estate litigation or foreclosures, or joining forces with a partner who will help recession-proof your practice.

**b.** Cautiously consider contingency fee practice, such as personal injury, which often thrives in hard times as more people need money and decide to pursue viable personal injury cases, which they otherwise would have let go. Contingency practice may bring in more clients but could also force you to advance significant expenses without providing a steady cash flow needed for your business.

**NYC BAR EVENTS OF INTEREST**

**The Wisdom of Mandatory Retirement or Decompression of Senior Attorneys/ The Pro Bono Alternative**

*April 14, 2008 6:00 p.m.*

**2008 Professional Development Workshop Series  
1.5 CLE FREE TO MEMBERS  
In the Conference Room and the Courtroom: Communication Skills in Legal Practice**

*April 17, 2008 Breakfast/Registration 8:00 a.m. - 8:30 a.m.; Workshop 8:30 a.m. - 10:00 a.m.*

**SMALL LAW FIRM LUNCHEON  
Fee Dispute Arbitration Process and How to Encourage Client Payment**

*April 17, 2008 12:30p.m. - 2:00 p.m.*

**Career Opportunities in Small Law Firms: A Panel Discussion for Law Students**

*April 24, 2008 6:30p.m. - 8:00 p.m.*

**CLE PROGRAMS OF INTEREST**

**A PRACTICAL GUIDE TO LLCs & LLPs**

*April 2, 2008 9:00 a.m. -1:00 p.m.*

**ETHICS, DISCIPLINE & REAL WORLD OBLIGATIONS IN LAW FIRM PRACTICE**

*April 17, 2008 6:00 p.m. -9:00 p.m.*

**TIPS FOR TRIAL LAWYERS WHO WANT TO USE TECHNOLOGY TO ORGANIZE & PRESENT CASES**

*April 30, 2008 6:00 -9:00 p.m.*

c. While general litigation, criminal law, family law and some other areas catering to basic individual needs are often recession-proof, beware of individual clients being unable to pay your fees. If you charge hourly, insist on substantial retainers upfront. Continue to be selective and avoid taking on bad cases out of fear that any business is better than no business.

**3. Reduce Your Overhead.**

Go through your list of monthly expenses. Do you need to reduce your staff to bare essentials and sublet some of your available space? Should you ask your IT consultant to create a Letterhead Macro, to help save on costs of your pricey beautiful stationery? Can you outsource some functions, like switching a receptionist to an answering service?

**4. Nurture Your Existing Clients and Referral Sources.**

Go out of your way to retain existing clients. "Strive not to be a success, but rather to be of value". (Albert Einstein) Keep in regular contact with your clients and referral sources. Show them that you care, and that your service is unique. Send birthday emails and thank you notes, and check in with them periodically even after their cases have been completed. Look for ways in which you can help them and their businesses. Accommodate their reasonable requests for an extended payment plan.

It is difficult to foretell the effects of a recession on solos and small firms. Some economic analysts think that mass layoffs may send more lawyers into solo practice, increasing competition. Others predict that a recession would actually benefit us, as money conscious clients turn to small firms whose fees are more affordable than those they have previously paid to larger law firms. In the meantime, I am optimistic that with careful planning we will be able to weather the storm and continue to thrive.

With Best Regards,

- Alla Roytberg, Esq.

**BENEFITS FOR SOLOS AND SMALL FIRMS**

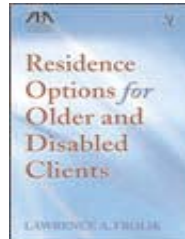
***A BRIEF LIST OF LIBRARY RESOURCES FOR SOLOS AND SMALL FIRMS***

- *Westlaw and Lexis available in Library free to members;*
- *Remote and Library electronic access to law reviews and/or journals Via HeinOnline;*
- *Numerous print treatises and forms also in CD format;*
- *Library server-based access to Matthew Bender treatises/forms and McKinney's Forms;*
- *Remote access to limited Westlaw forms;*
- *Copy service fax and e-mail (PDF) requests;*

For Further Information - Click here <http://www.nycbar.org/Library>

To reach the reference desk call (212) 382-6666

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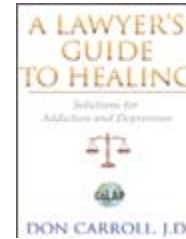


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Please note, that this price does not include shipping/handling and taxes, charged by ABA. To Order books please email [aroytberg@nycbar.org](mailto:aroytberg@nycbar.org)

### SMALL LAW FIRM FACILITIES A UNIQUE FREE BENEFIT TO MEMBERS

#### Attorney Work Space

Mon-Thur 9:00 a.m. - 8:30 p.m.  
Fri 9:00 a.m. - 6:30 p.m.  
Sat 10:00 a.m. - 3:30 p.m.

#### Conference Room

Mon-Thur 9:00 a.m. - 8:30 p.m.  
Fri 9:00 a.m. - 6:30 p.m.  
Sat 10:00 a.m. - 3:30 p.m.

**NOTE:** Attorney Work Space is available on a walk-in basis, except during the hours of 12:00 p.m. and 2:00 p.m. Between 12:00 p.m. and 2:00 p.m. it must be reserved as a conference room. The Conference room can be reserved for 2 hour intervals daily except during the hours of 12:00 p.m. and 2:00 p.m. If you wish to reserve a conference room between 12:00 p.m. and 2:00 p.m. the Attorney Work Space currently serves as a secondary conference room during those times. To make a reservation contact the reference desk of the Library at (212) 382-6666 or email [rnrvis@nycbar.org](mailto:rnrvis@nycbar.org).

### **SAVE THE DATE!**

**May 22, 2008 12:30p.m. - 2:00p.m.**

**SMALL LAW FIRM  
LUNCHEON  
THE NECESSITIES OF  
OPENING YOUR OWN  
PRACTICE**



### **Live webinar event - Proof, Protection, & Peace of Mind for your Important E-Mail...Before It's Too Late...**

**Wednesday, April 2nd 2008, 3pm ET (30 minutes)**

**Free to City Bar Members**

This webinar will guide you through best-practice methods to deliver important business correspondence electronically. Focusing on examples from their own legal practices, our panel of legal experts will discuss how they are electronically sending documents with verifiable proof of delivery, all with a simple click of the mouse. Participants will walk away with tips & tools that they can put to work immediately for their clients as well as their own law firms.

Sign-up Includes:

FREE E-Mail Management Toolkit for keeping your in-box under control:

1. FREE handbook, "Top Tips for E-Mail Management" (\$12.95 value).
2. FREE 30-day starter-pack of 100 Registered E-mail units (\$59 value).

Register today! City Bar Members use Code NYCBAR to waive the admission fee: <http://www.rpost.com/webinar/2008/04/02>

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