SELF-AUDIT CHECKLIST

THE PURPOSE OF THIS SELF-AUDIT IS TO HELP CLARIFY AREAS OF YOUR PRACTICE WHICH DO NOT COMPLY WITH BEST PRACTICES. PLEASE TAKE A FEW MOMENTS TO REVIEW ALL OF THE QUESTIONS AND MAKE NOTE OF ANY AREAS THAT YOU WOULD LIKE TO DISCUSS MORE THOROUGHLY. THE LAST PAGE ALLOWS SPACE FOR YOUR NOTES AND CLARIFICATIONS.

AGAIN, WE RECOMMEND THAT YOU DISCUSS ANSWERS WITH ALL EMPLOYEES IN THE OFFICE TO ENSURE THAT YOUR ACTUAL OFFICE PROCEDURES ARE DOCUMENTED.

CLIENT RELATIONS

Your client relationships are the most important aspect of law office management. Examine your client relations efforts by asking the following questions:

	YES	***NO***	***N/A***
During the initial client meeting, do we establish communication guidelines and are we asking the clients how they want to be kept informed?			
Do we communicate the client's preferences to the team members and put a notation in the client file? In other words, if this client requires weekly updates, immediate telephone notification of all changes and written confirmation of appointments, make sure that the communication preferences are respected.			
Do we introduce all team members to the client at the onset of representation?			
Do we always discuss fees and billing procedures in the first meeting with the client to avoid surprises?			
Do we provide our clients with a written Agreement of Representation and/or fee agreement that include:			
a) details regarding the scope of our representation?			
b) clear details regarding fees and anticipated expenses?			
c) reminders that no specific result has been promised?			
d) obligations of the client to the matter			
Do we have established telephone policies and procedures and do we explain to all firm employees the critical importance of handling all calls with professional courtesy?			
Do we return clients' phone calls and email within 24 hours?			
Do we perform all the work we told the client we would?			
	YES	NO	N/A

Do we use a master list of open matters with status of each?			
Do we send follow-up letters after a meeting or a telephone conversation in which new decisions have been reached?			
Do we complete the work in a timely fashion?			
Do we follow up with clients at least every six weeks even when their cases are inactive?			
Do we send a letter at the end of each matter telling the client our representation is complete and thanking them for the opportunity to serve them?			
Do we thank clients for any referrals they may have sent to us?			
Do we ask the client for feed-back as the matter moves along?			

CONFIDENTIALITY

	Yes	***No***	***N/A***
Do all new employees sign a confidentiality form acknowledging they have discussed confidentiality with you, read the relevant Rules of Professional Conduct, and will not breach the confidentiality of any client during and after their association with the firm?			
Do we make sure no client files or other confidential materials are ever left in the reception area?			
While conferring in person with clients do we avoid taking calls or otherwise talking with other clients so as to protect client identities and confidentialities?			
Are the fax machines and copiers located away from areas where non-firm persons may be able to see confidential materials?			

If we are in an office sharing arrangement, have we discussed confidentiality with the landlord, other tenants and any employees who may be privy to confidential information (e.g. receptionist, word processor, etc.)?			

CONFLICTS OF INTEREST

Many law firms rely on the staffs' collective memories to do their conflict of interest checking. This method rarely works accurately over any period of time. Every case handled cannot be so memorable that you will never forget every person involved. You should maintain a written conflict of interest system and keep it up to date. All staff members should be trained to use the system and conflict checks should be done prior to the discussion of any new matter with a client or potential client.

	YES	NO	N/A
Do we maintain and update a master contact list of current clients, former clients, parties, employees and other individuals with cross references to files to facilitate researching possible conflicts of interest?			
Do we get a signed waiver from the client if representation is requested after a potential conflict has been discussed?			
Do we request information regarding other names (i.e. maiden, marital, etc.) that potential clients and adverse parties may have used in the past?			
Do we properly identify and record information regarding the adverse party?			
Do we check our master list for conflicts of interest before accepting a new client or matter?			

DOCKET/CALENDARING

Missing a filing deadline or court appearance can be extremely damaging to a client as well as causing embarrassment and a potential malpractice claim for you. Each firm member should maintain an individual calendar in addition to a master calendar for the entire firm. Answer the following questions to determine how well you are doing in this area:

	YES	***NO***	***N/A***
Do we keep individual calendars, i.e. attorney and secretary/paralegal?			
Does your calendar include (as applicable):			
a) statutes of limitations?			
b) all court appearances?			
c) client and other appointments?			
d) all administrative hearings?			
e) real estate closing dates?			
f) all litigation deadlines?			
g) all self-imposed, discretionary deadlines (i.e., promises made to others, promises made to you and work deadlines you have set for yourself)?			
Do we maintain a master calendar?			
Do we have always update and maintain each calendar in case of scheduling changes?			
Do we use reminders or tickler slips to draw the attorney's attention to an upcoming deadline?			
If the calendar is maintained on the computer, do we frequently print out a copy to use in case of power failures or other computer problems?			

RECORDS MANAGEMENT

The client file represents a record of the work you have performed for the client. It also represents one of the most frequently overlooked tasks in the office. Maintaining the files in an orderly manner that allows for efficient access to client information will save time and money and promote your professional image.

The following questions should help you determine the current status of your records management program:

	YES	***NO***	***N/A***
Do we have a standardized filing system for all client files?			
Are all materials filed timely and regularly?			
Do we follow a file retention schedule after a case is completed, i.e. when to close, when to review for destruction, what to return to client, what to keep – and for how long?			
Do we store current records in a secure area and safe from water and vermin damage?			
Do we keep back-up media of electronic records off-site?			
Does each file have a log or diary of all the events of the matter including commitments to you and your commitments to others?			
Do we keep files "moving" without letting them pile up on my desk?			

STAFF MANAGEMENT

A large part of a client's impression of your law firm will come from the actions of your staff. It is critical to your success that your staff is well trained and motivated to provide excellent service to the firm's clients. You and your client's welfare is often placed directly your staff's actions and decisions.

	Yes	*No*	*N/A*
Do we have a current office policy and procedures manual and follow it?			

Do we sufficiently train our employees when first hired as well as when major procedural changes occur, e.g. automation?			
Do we train employees in the ethical requirements of working in a law office?			
Do we ask employees to read the Rules of Professional Conduct, particularly Rule 1.6, Confidentiality?			
Do we offer our staff continuing education opportunities?			
Do we keep staff members informed and give them an opportunity to offer input regarding matters affecting them?			
Do we properly supervise employees by reviewing their work?			
Do we set a good example for our staff by creating, implementing, and monitoring dependable office policies and systems, (i.e., docket/work control, conflicts of interests, good documentation, etc.)			
Do we express appreciation to employees for work well done and make sure any necessary criticism is shared privately, in a timely and constructive manner?			
Do we acknowledge staff members for good client relations?			
Do we encourage and motivate employees to take pride and ownership in their work?			
Do we provide support and assistance for staff members in the handling of disrespectful, rude and otherwise out-of-line clients and others?			
Do we keep our staff informed as to our whereabouts and schedule?			
Do we provide a "safe" office environment? This refers to both the physical space as well as the office culture that allows for the questioning of the work by anyone before it leaves the office without feeling that his/her competence is being challenged.			

FINANCIAL MANAGEMENT

Timekeeping, billing, budgeting and financial recordkeeping and reporting are included under the financial management umbrella. All of these activities should be coordinated to produce an efficient accounting and recordkeeping system. Mastering the elements of financial management should give you a sense of control over the direction your firm.

	YES	*NO*	*N/A*
Do we have documented timekeeping procedures?			
Do we train all timekeepers in proper timekeeping methods?			
Is time recorded at the time the work is performed?			
- If not, when is it recorded?			

BILLING

	YES	*NO*	*N/A*
Are all expense disbursements posted to clients' files on a regular basis?			
Are all internally incurred expenses (postage, long distance, etc.) posted to clients' files regularly?			
Are all payments and credits posted to clients' files regularly?			
Are all entries reviewed for accuracy?			
Are all bills reviewed and approved?			
Are bills sent out on a regularly scheduled basis?			
Are the accounts receivable evaluated and followed up on regularly?			

Are client trust funds kept in a bank account (IOLTA or individual) separate from operating funds in the operating account?			
Are bank accounts reconciled monthly?			
Are IOLTA account(s) subject to "three-way reconciliation" on a monthly basis?			
Are clients provided an accounting of funds upon final disbursement?			

BUDGETING

	YES	***NO***	***N/A***
Do we have a budget?			
Do we compare actual results to the budget on a regular basis?			

Financial Recordkeeping and Reporting:

	YES	***NO***	***N/A***
Do we prepare tax returns timely?			
Do we have cash handling and accounting checks and balances in place, i.e. division of responsibilities?			
Do we generate monthly or other regularly scheduled financial reports?			
Do we share the firm's state of well being with everyone in the firm?			

PROFESSIONAL PRACTICE (STAFF RESPONSES NOT NECESSARY)

These questions relate to several of the details of how the lawyers handle daily events on your matters. Your standards of care should be consistent and timely--that can be difficult with many interruptions.

	YES	***NO***	***N/A***
Do I give legal advice over the phone if I am not familiar with the client?			
Do I have a designated a back-up attorney for my files?			
Do I regularly go to CLEs in my specialty?			
Do I discuss the recommended course of action with clients at a time and place conducive to a good exchange of information and questions?			
Do I document the client's choice of action and so inform the client in writing?			
Do I have a system to follow up on assignments given to others in the office?			
Do I notify clients of the results of motions on their cases and so document the file?			

TECHNOLOGY

Office technology is nothing more that the tools to best serve your clients. The challenge is to have the knowledge to use these tools fully. Indeed, it may soon be that a lawyer's professional competence will include the use of technology to benefit clients.

	Yes	*No*	*N/A*
Do all our lawyers and staff use computers?			
Do we use a networked (if applicable) calendar program?			
Is everyone trained to use fully our software?			
Is the office locked every night to discourage theft?			
Do we use case management software?			

Do we use email with client permission?			
Is our email marked "Confidential Privileged Communication?"			
Do we back up our data at least weekly?			
Do we attempt periodic "restores" of data (to check if it works)?			
Do we train new employees about our computer system?			
Do we use computer virus filters and a firewall?			
Does our voicemail tell callers to limit their message?			
Do we know what software is on our computers?			
Do we need a password to access data?			
Do we have confidentiality agreements for cleaning services, contract staff and computer maintenance vendors who have access to our computer systems?			