

**WESTERN STATE COLLEGE OF LAW**  
**SYLLABUS & READING ASSIGNMENTS – VERSION 1.0**

**COURSE:** LAW PRACTICE MANAGEMENT & TECHNOLOGY  
**SECTION:** 429-A  
**SEMESTER:** FALL 2015  
**TIME:** M 6:30 to 9:45 P.M.  
**PROFESSORS:** PEDERSEN & DILLINGER

- I. **REQUIRED BOOKS.** The required books must be brought to all classes. You are expected to have read any relevant Rule of Professional Conduct or Business & Professions Code related to the material.

Jay G. Foonberg, How to Start and Build a Law Practice (5th ed. ABA Press 2004).

State Bar of California, The California Guide to Opening and Managing a Law Office (2008).

Richard Susskind, Tomorrow's Lawyers: An Introduction to Your Future

II. **OPTIONAL TEXT**

State Bar of California, The California Guide to Opening and Managing a Law Office (2008). This book is listed in both the required and optional categories because you are not required to purchase the book, but required readings will be assigned from it. There will be an adequate number of copies on reserve in the library for students to use.

- III. **COURSE OBJECTIVES & GOALS.** Law Practice Management is a one-semester, three-unit course. It is an overview of the issues and concerns a person must take into consideration when he or she becomes a practicing attorney with a special emphasis on the decision to open his or her own law practice. It is not limited to the nuts and bolts of running a law *office*. Rather, the course material – readings and exercises – are intended to provide the student with an understanding of what is required to start and maintain a law practice that will provide not only a living wage but also a satisfying life. It is hoped that by the end of the course, each student will be able to decide whether this is a road he or she wants to travel.

Specific goals of the course include the following:

\*You should be able to better understand the factors you need to assess to determine if going into the law business is right for you.

- \*You will be equipped to know what you should consider in deciding on a practice area, rather than let that decision be imposed on you by circumstance.
- \*You should have a basic structured understanding of what you need to do in the planning stages of opening your own firm.
- \*You should have some checklists and a basic understanding of the physical, technological and procedural infrastructure you need to create to efficiently operate a law office.
- \*You should come away with an understanding of the options available to you as to how you can carry out your law business, be it out of your home with a virtual office, in independent space or shared space, and whether it be as a solo, partner or shareholder or member of an entity.
- \*You will come away from this class with an idea of the future direction of the practice of law, including innovative new methods of delivering legal services to the client.
- \*After this class you will have a pretty good idea of how to prepare critical office processes and procedures, such as redundant calendaring systems, effective conflict checking procedures, mail processing and filing procedures, trust and general account procedures and more.
- \*You will be better equipped you to set and modify your fees and costs schedules, and to capture your time and get paid for it.
- \*You will have the tools to make efficient and productive use of your time by learning important time-management lessons.
- \*You will understand the concept that you need to stay emotionally and physically healthy while you engage in your business in the practice of law.
- \*You will receive some solid advice and prepare you to become a developer of business – a rainmaker if you will.
- \*We intend to equip you to be able to select business that will be profitable and worth your time and effort while avoiding clients and matters that will drain your resources and your emotions.
- \*We intend for you to go away from this class with several helpful resources and ready-to-use documents you will use immediately upon the start-up of your new practice.
- \*We hope you will walk away from this class with a deeper understanding that ethics and professional responsibility is not just a law school class and test you have to take to become a lawyer, but an important daily part of the business of practicing law.

- IV. **CLASSROOM PARTICIPATION.** Legal education is a cooperative venture. You must be prepared to participate in each class. ***If you “pass” or if you are demonstrably unprepared, you will lose 0.1 grade points (out of 4.0) on your final grade.***<sup>1</sup>
- V. **CLASS ATTENDANCE.** Attendance and participation are required for all classes.<sup>2</sup> Being on time for class is a simple courtesy to your fellow students and your professor. Coming late to class counts as a class absence. Leaving early or leaving for a prolonged period of time during class without prior permission, also counts as a class absence. Because of the cooperative nature of many of the assignments students may have no more than one (1) class absence (out of the 14 class periods we meet). **Further, because of the nature of this class, you are required to notify the professors and the other members of your firm in writing at least 24 hours before you take an absence.** Students who accumulate more than the permitted number of absences will be administratively dismissed from the class. You -- and you alone -- are responsible for keeping track of your attendance; you will **not** receive a warning that you have reached the allowed number of absences.
- VI. **EXAMINATIONS AND GRADING.** There will not be any examinations in this course. Your grade will be calculated as follows: Business Plan Grade: 50%; Coursework Grade: 50%.

Business plan grade will be earned in the following activities: Timely submission of each benchmark work, completeness of business plan, organization of thought, clarity of plan, effort put into building of plan. [Note: Grade will be assessed only to the final product, but a failure to have a minimally acceptable product at the milestones can result in a reduction of the overall grade]

Coursework grade will be earned in the following activities: Time Sheets; Journals; Technology Needs Follow-up research and reporting; Elevator Speech; Intake Application; Intake conflict memo; Intake Rejection Letter; Engagement Letter; Conflict Acknowledgement and Waiver; Intake Interactive Exercise; Engagement Letter Meeting Interactive Exercise;

---

<sup>1</sup> The time allocations for topics being covered may have been over- or under-estimated. Therefore, you may be responsible for material we cover during two succeeding class periods. It is *your responsibility* to keep track of how far we have gone each week & be prepared for material that you may have read a week before. See *XIV. Course Schedule*.

<sup>2</sup> Each student, however, may be excused for *any* reason from *participating* in an *attended* class *once* during the semester by requesting an excuse from me prior to commencement of class that day. If you request an

Insurance Application, and Termination of Engagement Letter, as well as any other assignments in the class.

All coursework assignments will be graded on a 4.0 scale with one-tenth increments (i.e., 4.0, 3.9, 3.8 etc.). Average score of all submissions will constitute coursework grade.

Note that many of the assignments are recurring, i.e., you will be given an opportunity to revise your submissions during the course of the semester. Your grade, however, will also be based on the drafts you submit to us during the course of the semester. Each draft will comprise a component of your grade so you must put in the effort during the course of the semester and not expect that a last-minute surge will overcome a lack of effort throughout the semester.

VII. **FORMAT OF ASSIGNMENTS.** Unless otherwise specified in this syllabus or in the assignment, all assignments are to be submitted on 8-1/2 x 11 inch paper, with one inch margins all around. Use **Arial 12 point** font. Page limits, if any, will be provided in the assignments themselves. Line-spacing requirements will be included with each assignment. Journals, however, must be double-spaced. **Put your name, not your student or exam numbers, on all assignments.**

VIII. **SUBMISSION OF ASSIGNMENTS, INCLUDING JOURNALS & TIME SHEETS.** All assignments, including journals and time sheets, must be submitted electronically by e-mail to both Professor Pedersen and Professor Dillinger at the following e-mail addresses:

**Professor Pedersen:** npedersen@pedersenlaw.com

**Professor Dillinger:** carolyn@dillingerlawfirm.com

IX. **DUE DATES FOR ASSIGNMENTS.** Unless otherwise specified in this syllabus or in the assignment, assignments must be submitted **by 11:59 p.m. of the day on which they are due.**

X. **LATE ASSIGNMENTS.** Late assignments will be assessed a 0.1 reduction in grade point on your final grade for each day the assignment is late, up to a total of 2 full grade points. For example, if you fail to submit your business plan by the due date, but turn it in one day late, your final grade of 3.3 would be reduced to 3.2.

- XI. **JOURNALS**. Your journal is a very important part of the course and will be a large component of your final grade. Guidelines on keeping a journal will be provided to you on the first day of class.
- XII. **OFFICE HOURS**. As adjunct professors, Professor Pedersen and Professor Dillinger do not maintain an office on campus. However, they will make themselves available after class each night for one hour to meet with students either in the classroom, if it is open, or in a location to be determined. They will also make themselves available for meetings at Professor Pedersen's law office in Irvine, and Professor Dillinger's law office in Laguna Hills, dependent on their work schedules. Finally, they will make themselves available for telephone conversations with students. To schedule a meeting or call please send an email to the email address provided above at least 24 hours prior to the requested meeting or call.
- XIII. **RECORDING CLASSES**: If you want to record a class, you must ask for permission *in person in the classroom* before each class you wish to tape. As a condition to recording a class, you must agree to making the recording available to every member of the class.
- XIV. **CLIO LAW PRACTICE MANAGEMENT SOFTWARE PLATFORM**: Many aspects of this course will be administered through and require the student to sign into the "LPMT Firm" version of the Clio Law Practice Management Software program. Assignment memos will be placed on that platform, and several assignments will be performed there as well. Instruction will be provided on the first night of class about how to access this program. There will be no charge to students for use of this program, which is provided at no charge by Clio.
- XV. **JUMPSTART GENIUS SOFTWARE**: This semester our class is taking part in a pilot program for a new software. Each student will be provided with a login for the JumpStart Genius website and, for no separate fee, will have his or her own software login for the duration of the semester. The primary purpose for using JumpStart Genius software is so that important content can be covered efficiently by the software outside of classroom time. This allows for the professors to use classroom time to include practical exercises that give the students hands-on experience. Certain modules of the software will be assigned to the students by the professors. Students will be required to take the module's diagnostic assessment prior to completing each module, and will take a corresponding diagnostic assessment after completing the module. The software will provide each student with a Certificate of

Completion after proper completion of each module. The student will provide such Certificate of Completion to the professors, along with the diagnostic assessments to show that the module has been properly completed.

**DISABILITY SERVICES STATEMENT:** Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Second Floor Students Services Suite. Dean Espinoza's phone number and email address are: (714) 459-1117; [despinoza@wsulaw.edu](mailto:despinoza@wsulaw.edu). When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Associate Dean of Students Charles Sheppard at [csheppard@wsulaw.edu](mailto:csheppard@wsulaw.edu) or (714) 459-1152. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

XVI. **Course Schedule.**

Week	Date	Topic	Goals of the Class	Reading	Notes/Assignments
1	8/17/2015	<p>Introduction to professors, class goals, class syllabus, and other administrative discussion</p> <p>Lecture: Time Sheets – the Lifeblood of Most Practices</p> <p>Discussion of on-going time recording and journaling assignments</p> <p>Discussion of business plan assignment</p> <p>Discussion of Clio software use</p> <p>Panel Discussion: Attorneys who have been there and done that will respond to your questions about their decision to open their own firms</p>	<ul style="list-style-type: none"> <li>• Getting to know each other</li> <li>• Understanding of course goals/objectives</li> <li>• Understanding of syllabus</li> <li>• Handing out and discussion of assignments</li> </ul> <p>Panel discussion will allow students to interact with attorneys in the community to discuss the critical decision of starting their own practice including all of their fears, practical challenges and success stories.</p>	Foonberg xxiii-xxviii, 3-42	<p><b>Student Information Questionnaire and Self-Assessment Survey</b> will be handed out in class and must be filled out and returned by email no later than 11:59 p.m. on 8-23-15)</p> <p><b>Time Recordation and Reporting Assignment</b> will be handed out in class. First time invoice submissions due no later than midnight 8-31-15</p> <p><b>Journaling Assignment</b> will be handed out in class. Journal submissions due no later than 11:59 p.m. on each Friday of the semester.</p> <p><b>Business Plan Assignment</b> will be handed out in class. First submissions due no later than 11:59 p.m. on 8-31-15</p> <p><b>Clio Sign Up Assignment</b> will be handed out in class. Assignment to be completed before start of next class.</p> <p><b>Working for Yourself or Others Interactive Discussion Assignment</b> memo will be handed out in class. Assignment must be complete before next class.</p> <p>Every student must prepare at least <b><u>one question</u></b> he or she wants answered by the panel. Be prepared to introduce yourself to our attorney members of the panel before you ask your questions.</p>

Week	Date	Topic	Goals of the Class	Reading	Notes/Assignments
2	8/24/2015	<p>Debrief of the panel discussion</p> <p>Interactive discussion of decision to work for yourself or others</p> <p>Lecture –practice area selection, and locating your business</p> <p>Lecture - forms of practice</p>	<p>Class Discussion:_Review of panel discussion during the previous class.</p> <p>Interactive discussion of students' thinking and instructor guidance about the critical factors involved in deciding whether to work for others or work for themselves.</p> <p>Practice area selection and locating your business lectures should help students to understanding various ways to practice law, selection of the areas of practice, where to site their business</p> <p>Forms of practice lecture is an introductory discussion on business entities for law firms, including sole proprietorships, corporations, partnerships, and more complex structures.</p>	<p>Foonberg 43-44, 47-48, 61-67, 523-532, 586-587</p> <p>Cal Guide 23-38</p>	<p><b>Technology Needs Discussion Project</b> assigned. This is a group assignment: Groups will be assigned to research either (i) hardware or (ii) software, to determine the needs for their fictional firm, and to create a checklist of hardware and software needs of the firm, respectively. Due at beginning of next class.</p> <p><b>Prioritized Task List Assignment</b> handed out.</p>
3	8/31/2015	<p>Lecture: Housing the Practice, Furnishing and Supplying the Practice</p> <p>Technology Needs of the Practice Interactive Exercise</p> <p>Lecture: Business Development and Marketing – An Introduction</p>	<p>Students learn various alternative ways to house the business and adequately provide the business with furniture and supplies necessary to run the business.</p> <p>Interactive discussion regarding various technology resources available to the practitioner, and the practical implementation of that technology into the practice</p> <p>Students will be introduced to the concept of branding as a fundamental form of marketing and business development</p>	<p>Foonberg 45-46, 68-85, 94-130, 134-143, 489-507</p> <p>Cal Guide 53-83, 241-267, 291-328</p>	<p><b>Technology Needs Follow-up Project</b> assigned. Firms to turn in final project no later than midnight on 9-14-14</p> <p><b>Elevator Speech assignment</b> given. Student should be prepared to give polished elevator speech at beginning of next class.</p> <p>Students submit <b>Time Invoices #1</b> by 11:59 p.m. on 8/31/15.</p> <p>Students submit <b>Business Plan</b> skeleton outline by 11:59 p.m. on 8/31/15.</p>



Week	Date	Topic	Goals of the Class	Reading	Notes/Assignments
4	9/14/2015	Elevator Speeches Interactive Exercise  Lecture: Business Development and Marketing – Becoming a Rainmaker	Students will be introduced to the dynamics of developing legal business, including using their unique personality traits, and to personal relationship marketing, as well as commonly used business development techniques	Foonberg 175-182, 203-219  Cal Guide 447-532	Students should come up with at least one insightful question to ask the panel about some form of business development or marketing that applies to the area of law the student believes they wish to enter.
5	9/21/2015	Panel Discussion: Business Development  Lecture: Intake Practices and Considerations - part one  Identifying Problem Clients  Assign groups for Intake Practicum Exercise	Practicing attorneys will come in to discuss their methods of business development and marketing.  Students will be provided with insight into the process of procuring new clients once a potential client is identified, and methods of making the intake process efficient and effective.  The Identifying Problem Clients lecture is an interactive video presentation intended to allow students to better identify potential problem client situations before they become practice problems.  Class will be broken into groups for next week's Intake Practicum	Foonberg 234-247, 393-405	<b>Intake Practicum Assignment Memos</b> effective.  <b>Time Management Reading Assignment</b> effective.
6	9/28/2015	Lecture: Intake Practices and Considerations - part two  Intake Practicum  Time Management quiz and discussion	Lecture will pick up where part 1 left off in the prior week regarding intake practices  During Intake Practicum, students will engage in a mock intake interview exercise with feedback from the professors following each interview  Quiz and discussion will focus on methods to avoid the loss of valuable time.	Foonberg 220-227, 255-266  Cal Guide 120-157	<b>Intake Application Assignment Memo</b> assigned.  <b>Intake Rejection Letter Assignment Memo</b> assigned.

Week	Date	Topic	Goals of the Class	Reading	Notes/Assignments
7	10/5/2015	<p>Lecture: Engaging the Client</p> <p>Lecture: Office practices, policies and procedures</p> <p>Assign groups for Engagement Letter, Conflict Acknowledgement and Waiver, and Insurance Application assignments</p> <p>Class discussion regarding time recording issues from time invoices</p>	<p>Students will learn about the legal, ethical, and practical aspects of forming the attorney-client relationship, including: terms &amp; conditions of engagement K, forms of fee arrangements, ethics of engaging in A-C relationship (CRPC 3-300, 4-200, etc., practical considerations of engaging in A-C relationship, statutory requirements: B&amp;P 6147, 6148, fee divisions - paying of referral fees, conflicts of interest issues</p> <p>The second part of class will discuss common office practice and procedures, such as filing, mail and other communication management, conflict checking, calendaring and other critical processes</p> <p>Students will receive detailed feedback on time recording issues based on review of invoices turned in prior to this date</p>	<p>Foonberg 147-160, 448-464, 476-488</p> <p>Cal Guide 85-119, 329-368</p> <p>CRPC 2-200, 3-100, 3-300, 3-310, 3-400, 3-410, 4-200, B&amp;P §§ 6147, 6148</p>	<p><b>Engagement Agreement Assignment</b> distributed. One member of each group to submit draft of their Engagement Agreement no later than 11:59 p.m. on 10-12-15.</p> <p><b>Conflict Acknowledgment and Waiver Assignment</b> announced. One member of each group to submit draft of their Conflict Acknowledgment and Waiver due by 11:59 p.m. on 10-12-15.</p> <p><b>Insurance Application Assignment</b> handed out in class. Group assignment due by 11:59 p.m. on 10-19-15.</p>
8	10/12/2015	<p>Lecture: Care and Feeding of Clients</p> <p>Lecture: Changes in the attorney-client relationship</p> <p>Explanation of next week's practicum</p> <p>Instruction and Feedback regarding Business Plan and Journal Assignments</p>	<p>Best practices and ethical obligations of an attorney to his or her client, including communications, managing expectations and ways to improve the client experience</p> <p>Discussion of situations where the client or attorney seek to modify the relationship or to sever it altogether, as well as dealing with the natural end of the relationship</p> <p>The last part of class will provide substantive group feedback on business plan and journal assignments based on work product turned in to date</p>	<p>Foonberg 161-174, 190-202, 228-233, 248-251, 267-332, 465-475, 515-516, 533-575, 588-589, 617-625</p> <p>Cal Guide 533-540</p>	<p><b>Termination of Engagement Letter Assignment</b> assigned. Due by 11:59 p.m. on 10-19-15.</p> <p><b>Engaging the Client Interactive Exercise Assignment Memo</b> assigned.</p>

Week	Date	Topic	Goals of the Class	Reading	Notes/Assignments
9	10/19/2015	Engaging the Client Interactive Exercise  Lecture: Financial Issues in running a law practice	Exercise will give students an opportunity to explore the depth of the meaning of the terms of their engagement letter in a mock client meeting format  Lecture will explore the various financial issues involved in running a law business including budgeting, accounting, banking and related concepts.	Foonberg: 89-93, 414-435, 440-447, 576-581, 606-612  Cal Guide 159-240	<b>Essential Relationship Assignment Memo</b> assigned.
10	10/26/2015	Lecture: Insuring the Practice  Lecture: Law office security issues  Trust Account and Banking Practicum - part one	First lecture will assist students in understanding the various insurance options available to insure the practice, and will provide a basic primer on the terms and conditions about which they will need to be familiar to be a good consumer of the insurance products  The second part of class will deal with methods to safeguard client confidences and firm confidential information from physical and cyber attack.  Practicum will allow students to experience interactive, hands-on exercises related to trust accounting and banking of checks that come into a law office, with a focus on best practices to avoid trust accounting mistakes	Foonberg 335-370, 508-514  Susskind 1-61	<b>Banking and Trust Accounting Practicum homework assignment.</b>
11	11/2/2015	Trust Account and Banking Practicum - part two  Lecture: The Attorney as Employer	Interactively working through practicum homework with further instruction on proper banking and trust accounting  The rest of this class will deal with the decisions and dynamics of bringing on employees, as well as the duties of the law office employer and management of office employees.	Foonberg 131-133, 436-439, 517-519  Cal Guide 369-446	

Week	Date	Topic	Goals of the Class	Reading	Notes/Assignments
12	11/9/2015	Lecture: The Future Practice of Law  Lecture: Surviving and Thriving in the Practice of Law	In the first part of class students will be introduced to national and international trends in the practice of law, including the use of technology to form altogether new business models  The second lecture discusses the darker side of the practice of law, how to avoid becoming a victim of the consequences of the stress associated with the profession, and how to balance your life and love what you do	Foonberg 371-392, 406-408, 593-605, 613-616	<b>Surviving and Thriving Assignment Memo</b> assigned.
13	11/16/2015	Attorney as Employer - part two  Essential Relationships for the small business law practitioner		No reading assigned	<b>Panel Discussion Question Assignment</b> announced. Each student to formulate at least two questions for the panel discussion next week. In addition, students must prepare a 15-20 second "elevator speech" to introduce themselves to the panelists
14	11/23/2015	Panel Discussion  Lecture: Maintaining Competence	Attorneys with experience in opening and running a practice answer your questions.  Final lecture of the semester will deal with the lifelong pursuit of competence and excellence in the student's desired practice area(s). It will discuss methods of doing so.	Foonberg 641-647  Cal Guide 541-576	<b>Semester End Student Surveys</b> handed out in class, to be turned in on 11/30
	11/30/2015				<b>Final Business Plan, semester end student surveys and final Journal and Time Sheet entries due today</b>