



**KANSAS BAR
ASSOCIATION**

CHAPTER 12

Organizing Your Law Practice

The legal profession is busy and demanding – especially for overworked attorneys. It can be very easy to become overwhelmed with all of the competing projects and responsibilities. Each January is National Organization Month, but it’s always timely to think about what it will take to develop an organized workspace.

A. More Work, Less Space

Working in the field of law requires the management of an enormous amount of information, a skill seldom addressed in law school. We’re tuned in, online, hooked up, and essentially accessible 24 hours a day— and challenges with information overload only promise to increase. However, unlike other professions, lawyers cannot simply choose one method of communication or information storage over all others because the law is practiced in all forms due to tradition and necessity. As a result, records must be kept in print, electronically, and in various forms of the two.

During last decade, the amount of space we have to work with has decreased. In many workplaces, offices are smaller, cubicles are the norm, and, like other professions, the legal profession lacks the stability it used to enjoy. So, not only is there more information to manage, but there’s less space in which to do it, and because of job movement, that information is passed on in various forms of disarray from one person to the next. How does one prioritize with all of these competing interests and maintain a workspace that inspires confidence from clients and colleagues?

Sadly, many of us are dropping the ball. On a regular basis, attorneys are sanctioned for many misdeeds that can be traced back to disorganization. Often, the sanctions are for actions that are inexcusable, but not malicious. Rather they are examples of how bad things can get when one is disorganized. Examples include commingling of funds, failure to produce records to opposing counsel, failure to file in a timely manner, being inaccessible to clients, and seeming ill prepared to represent clients during hearings to their (and our) detriment. Just the thought of all of the responsibilities we need to handle can be overwhelming. How does one do so and remain organized?

Many attorneys rely on their assistants or colleagues. But nothing replaces the confidence of knowing where things are and having a comfortable command of one’s surroundings. Not only is it essential for you as the attorney, it also helps colleagues, assistants, and, most importantly, clients. Even though they come to you under stress from their problems, they do notice the order (or disorder) of your office— and they make judgments about your competency from what they see.

B. Setting the Right Tone

No one expects to see a space that is entirely clutter-free, but most people feel more comfortable in an office that offers a clean chair, small space to lean or set down personal items, and surroundings that demonstrate control over one's workload. When a client comes to you for help, he or she wants to feel like you can handle it. How can they be expected to trust you with life-impacting decisions when you don't appear to have control of your own affairs? That may sound harsh, but perceptions matter— especially in the legal profession.

A well-organized space provides a sense of control and order, and there's nothing like coming into your offices at home and work and having a good idea of the whereabouts of everything you need so that all you have to do is focus on the job at hand. It feels good when colleagues and clients come into your office and seem impressed by how nice it looks. It feels great when you don't have to shove items aside to offer someone a seat in your office. These are the feelings that will keep you working to ensure your space remains organized.

Setting the right tone also increases clients' confidence that they're working with attorneys with whom they can relate and who know what they're doing. A lawyer's reputation is a valuable asset, if not the most valuable. Your workspace is part of your reputation. In fact, it often makes the first impression. Securing the confidence of your clients is much easier to do when you're not explaining away a messy office. In contrast to misconceptions, some clients may not be impressed that you are "too busy" to clean your workspace; in fact, some may assume that you are either disorganized or too busy to handle their case and take their business elsewhere.

C. Office Layouts

Much like the canvas of a painting, the layout of your office is the foundation of your workspace. It concerns the size, format, and boundaries within which you must work to create a concept that inspires your own personal comfort and confidence. It also refers to furniture placement and how that can impact your space. The following tips can be used to develop or fine-tune a comfortable and professional office space.

- Determine which pieces of furniture are the most useful. Do they serve as functional pieces, or merely as storage for items that you have not seen in months or years?
- Consider a layout that enables you to view the entry into your workspace while seated at your desk.
- Maximize storage options by using furniture with open and closed storage features, and consider options for vertical storage, such as bookshelves or an armoire.
- Spend at least one hour each week weeding and sorting materials, and spend five minutes each day straightening your desk before you leave. It may not seem like you are accomplishing much at first, but you will begin to see progress quickly if you keep at it.
- Consult with decision-makers in your firm or company before making any drastic changes.

- Locate images of office layouts and furniture styles you like to guide you as you make changes to tailor your space to your needs and organizational type. Remember, it is possible to have a space that has a style that you like that also effectively meshes with the way you live and work among your things.

D. Home Office Storage Ideas

Often when decorating a workspace, storage is an afterthought. Ironically, this is especially true at home, where attractive storage can have a much greater impact than it would in your workspace in the office.

Unlike your workspace on the job, your home office can be tailored to your personal needs and tastes with greater precision than any other environment. It's called *your home office* for a reason, and in that order of importance – it belongs to you, it is located in your home, and it is a place you have designated for work and productivity. An increasing number of attorneys either work at home to supplement time spent in the office, or are doing so as solo practitioners. Others may telecommute. This space may also be visited by clients, vendors, and colleagues. Law students, many of whom work in part-time jobs while in school, typically set up shop at home to study for classes and prepare for final exams. With the demands on our time continuing to increase, maintaining a home office often mirrors the importance of our primary workspace. After all, there are only 24 hours in a day, and if you need to get additional work done, at least at home you can do so in your favorite old pajamas.

Storage for your home office need not be expensive to buy or cumbersome to maintain. An added benefit for selecting storage for your home office is the wealth of creative options that are available. In a home office, storage and accessories offer much more flexibility than you have in your workspace at the office. Incorporating functional and creative storage and accessories is one of the least costly ways to personalize your home office – and keep it professional. You may already have the resources you need around the house.

For example, ideas for open storage may include bookshelves, armoires, spice and bakers' racks, and baskets made of wicker, wood, plastic, or cloth. Bins made of metal, plastic, or cloth offer open storage on top, but closed storage on the sides – which can be useful for concealing groupings of items, and can transform storage into something that is both functional and decorative. Faux or real leather boxes are another attractive alternative to brown moving boxes. Look beyond office supply stores for ideas. Containers can be found in home and garden centers, sporting goods stores, and craft shops. Decorative trunks and antique luggage are great options for archiving papers and files. You may also prefer to use file cabinets, but they are typically large, bulky, and can limit the space available for storage options with more personality and pizzazz. Of course, many home offices can effectively include a combination of standard file cabinets and other storage to make the space your own and keep it professional and functional.

Smaller storage options for the surface of your desktop can also be added to suit your style and personal tastes. Household items not originally intended for office use can offer refreshing alternatives to the usual desk sets found in office supply stores. A creamer can hold pens, and a sugar bowl can hold paperclips and other small items that typically float around in a desk drawer. A cigar box could be used to hold chargers for cell phones and other electronic gadgets. Those who may want to add a touch of nostalgia may choose to use a vintage metal lunchbox to store a stapler, tape dispenser, and other tools so that they are instantly transformed from dull necessities to a charming conversation piece. All kinds of

small containers can be reused in creative ways. With a little imagination, storage can be economical, functional to use, and a pleasure to look at.

E. Keeping Finances Simple

On a given day, attorneys have a variety of financial obligations that are both business and personal in nature. But, unlike other fields, sometimes it can be especially challenging to separate the two and keep them that way. Some expenses are obviously related to one's practice, such as operating costs, filing fees, and memberships in professional organizations, such as the state and local bar associations. However, with client development becoming an increasingly expected part of a lawyer's daily – or at least regular – activities, it is not as easy to separate business from pleasure. The costs associated with attending events, taking prospective clients to lunch and dinner, and traveling for social occasions that could lead to new business are all expenses that might qualify as legitimate business expenses. Additionally, more daily mundane expenses, such as dry cleaning, gas, or a cup of coffee on the way to work, also need to be monitored so that you know how much you're spending and where. And with the use of credit and bank cards instead of cash, receipts tend to accumulate at rates that often surpass the ability to make a record of them before they pile out of control.

Commingling of funds continues to be one of the most common reasons that lawyers are reprimanded and disbarred. It essentially involves the wrongful use of money that should be solely associated with clients for an attorney's personal benefit. Although there are lawyers out there who commit this offense due to either a lack of integrity or an abundance of financial desperation or greed, there are others who fall into this trap due to a lack of organization.

The best way to avoid combining funds into a jumbled and confusing financial mess is to keep them simple – and separate. Initially, it may feel cumbersome to maintain separate accounts, but it is ultimately the simplest way to keep your finances clear and separate. To take this approach a step further, I recommend having three accounts, each at a different bank. That way, your personal account is at one bank, your account for firm-related expenses is in an account at a second bank, and all client-related monies are reserved for a third. Regardless of whether you're practicing at a large firm or are a solo practitioner, this approach will save you time in pouring over bank statements to cross-reference expenses because they will automatically be classified by the three banks. To avoid confusion, client development expenses would be paid through the "firm" account, and the "client" account would then be reserved for any revenue from clients; many firms already have such accounts, which are typically trust accounts, but I am instead referring to individual attorneys.

Even if you're working for a firm or another entity, keeping your expenses separate is an effective and definitive way to demonstrate at a moment's notice that you know and care very deeply about where your expenses belong, and it shows that you are making an intentionally public effort to ensure that your financial records are above reproach. To save space, you could maintain all three accounts online and keep statements in a folder on your hard drive. Many banks will also send an annual report with a breakdown of your expenses by category, as will credit card companies. This is especially true of business accounts. As a back-up, it would also be wise to save your statements onto a disc or CD and store this information in your desk. If you have a personal e-mail account and feel comfortable storing sensitive records there, you could forward copies there, too, as a second back-up.

F. Considering Organizational Styles

Many guides offer valuable tips and tools for creative functional spaces, but they fail to address how different people have different ways of looking at their things. I believe we all have a particular organizational style that impacts how we view our things, live with them, and keep them organized—or disorganized. What works for some does not work for others. For example, some people need open storage, while others need closed storage. Some would benefit from eliminating their subscriptions to periodicals, while others can keep them maintained and under control. These are just a few examples of how our particular organizational style influences our surroundings and can be used to our benefit in developing and maintaining an organized workspace.

G. How Are Lawyers Different?

Lawyers tend to wrestle with challenges privately. As the “go to” people for the problems others face, many tend to keep their own dilemmas to themselves because they are accustomed to having the answers for others. This process of feeling required to have all the answers begins in law school. We all remember the terrible shame that resulted from being called on in class when we were unprepared and the huge sense of embarrassment we felt when we did not know the answer to the question posed. We spent hours reading and preparing for classes so that we would not be caught unaware again. Although a lack of organization is not the same as a case we might study, it is an example of a problem that requires exploration and answers. For some of us, it may perhaps cause even greater frustration because we assume it should be easier to master this than the law because we incorrectly think it only involves cleaning. However, it’s not that simple.

H. Potential Obstacles

Are there potential obstacles or rules that may exist that could impact the decisions you make to alter your space? Is there any furniture affixed to the floors that cannot be moved? Are there built-in bookshelves or cabinets that you must work around? Where are the jacks for your computer and telephone? If you’re working in an office, does every wall have a plug? If you’re working in a cubicle, can anything be moved? How tall are the walls? Are you permitted to hang anything on the walls in your office or cubicle? What is the policy for bringing in items from home? Do you have an office decorating budget? What is the general feel of the décor in common areas, and how much can you realistically stray from that without a few words of opposition from the powers that be?

I. Organization is a Process

Like the law, organization is a topic with many layers and nuances, and it impacts us all a little differently. We know what it looks like, but it takes time, honesty, and effort to achieve. Similarly, lawyers know how to define the law and what an effective law entails, but they also realize that these same laws took a lot of time and effort to get on the books, and they will continue to be reevaluated and fine-tuned over time. Like good organizational skills, the creation and practice of law are a process. When combined, law and organization together make better lawyers, happier clients, and result in fewer complaints of malpractice or other violations of the Code of Professional Responsibility.

Organization has visual and conceptual elements, and it is not enough to simply “know where everything is.” There are many people who use this notion as an excuse for not doing what it takes to develop a system that looks as great as it supposedly works. The perceptions

of clients and colleagues matter. It is not enough to *be* organized. You must also *appear to be* organized to receive the most benefits from this process. Good organization matters because it helps you get your work done more efficiently in a space that makes you feel more at peace and in control, which directly impacts your performance, client satisfaction, and reputation as a legal professional.