

Practice Management Self-Assessment

Name: _____

Date: _____

The first goal of Practice Management is to develop a better understanding of your practice in order to provide you with the most useful information. We're interested in the resources you have at your disposal, the strengths of your current practice and where you see room for improvement.

Please do your best to complete this Self-Assessment fully. View it as a way to identify areas where your practice is exposed to risk in order for you to reduce those risks.

Feel free to add comments or additional pages of explanation.

Wherever possible, answer all of the questions from your personal perspective, even if you are required to follow firm-wide practice management systems over which you have no control.

If you have any questions, please contact the Staff Lawyer that has been assigned your file.

Self-assessment ratings explained

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| 1 | None or still working on implementation. |
| 2 | Yes but not fully functional. |
| 3 | Fully functional, consistently used. |
| 4 | Fully functional, consistently used, and regularly assessed for effectiveness and improvements. |
| 5 | Does not apply |

The information provided in this form will be used by the Law Society of Alberta for one or more purposes contemplated by the *Legal Profession Act*, the Rules of the Law Society, the Code of Conduct, or a resolution of the Benchers and will be accessible to all departments of the Law Society, including the Alberta Lawyers Insurance Association. The information may be used or disclosed by the Law Society of Alberta, now or in the future, for regulatory purposes, including Law Society of Alberta investigations and proceedings. We may contact you to obtain additional information, or to obtain clarification on the information you provided. Should you have any questions about this, please contact the Privacy Officer at 403-229-4700.

| Goal | Tools & Systems | Self-Rating | | | | |
|------------------------|--|-------------|---|---|---|---|
| Competence & expertise | Acceptable practice areas identified in writing? | 1 | 2 | 3 | 4 | 5 |
| | Do you have contact information for lawyers outside of your practice areas to refer clients to? | 1 | 2 | 3 | 4 | 5 |
| | Up-to-date precedent collection? | 1 | 2 | 3 | 4 | 5 |
| | Appropriate resources for legal research (subscriptions to loose leaf services, current texts, training in Internet-based research)? | 1 | 2 | 3 | 4 | 5 |
| | Access to a mentor (formal or informal) for guidance about office management, file strategy, personal issues? | 1 | 2 | 3 | 4 | 5 |
| | CPD (continuing professional development) declaration completed annually? | 1 | 2 | 3 | 4 | 5 |
| | Regularly attend Continuing Legal Education programs? | 1 | 2 | 3 | 4 | 5 |
| | Networking through professional or Bar associations? | 1 | 2 | 3 | 4 | 5 |
| | Each lawyer in firm holds unrestricted practice certificate or strictly complying with practice restrictions imposed by Law Society? | 1 | 2 | 3 | 4 | 5 |

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|---------------------------------|--|---|---|---|---|---|
| Office and personnel management | Do you have a written Office Procedures Manual dealing with: | | | | | |
| | a. Holidays? | 1 | 2 | 3 | 4 | 5 |
| | b. Working hours? | 1 | 2 | 3 | 4 | 5 |
| | c. Distribution of work? | 1 | 2 | 3 | 4 | 5 |
| | d. Overtime? | 1 | 2 | 3 | 4 | 5 |
| | e. Workplace harassment? | 1 | 2 | 3 | 4 | 5 |
| | f. Emergency planning (flood, fire, theft, etc.)? | 1 | 2 | 3 | 4 | 5 |
| | g. Walk ins/Cold calls | 1 | 2 | 3 | 4 | 5 |

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|---------------------|---|---|---|---|---|---|
| | All professional and support personnel are aware of relevant obligations and compliance standards and records kept of outcomes and actions taken (<i>Legal Profession Act</i> , Rules of the Law Society of Alberta, Code of Conduct, other statutory/taxation obligations)? | 1 | 2 | 3 | 4 | 5 |
| | Lawyers in firm regularly meet with each other and staff to review performance of the practice? | 1 | 2 | 3 | 4 | 5 |
| | Articling students: | | | | | |
| | a. Structured mentoring program? | 1 | 2 | 3 | 4 | 5 |
| | b. System for follow up and review of work assigned/delegated? | 1 | 2 | 3 | 4 | 5 |
| | Legal Assistants/Paralegals: | | | | | |
| | a. System for follow up and review of work assigned/delegated? | 1 | 2 | 3 | 4 | 5 |
| | b. Staff are clear about boundaries of their roles, responsibilities and authority. Staff capable of doing the work delegated to them? | 1 | 2 | 3 | 4 | 5 |
| | c. Regular discussions about workloads, supervision, file organization and communication with clients? | 1 | 2 | 3 | 4 | 5 |
| | Job descriptions and employment contracts on file for all staff? | 1 | 2 | 3 | 4 | 5 |
| | Training program to ensure proper training for all staff? | 1 | 2 | 3 | 4 | 5 |
| | Performance reviews carried out at least once per year for all associates and staff? | 1 | 2 | 3 | 4 | 5 |
| | Arrangements in place to cover vacations/absences for you and key staff? | 1 | 2 | 3 | 4 | 5 |
| Business management | Do you have a written partnership or office sharing agreement? | 1 | 2 | 3 | 4 | 5 |
| | Annual budget for firm's operations? | 1 | 2 | 3 | 4 | 5 |
| | Written business development and marketing plans? | 1 | 2 | 3 | 4 | 5 |

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| <p>File management policies</p> | <p>Does your firm have written policies dealing with:</p> <ul style="list-style-type: none"> a. Confidentiality? b. Conflicts of interest? <ul style="list-style-type: none"> 1. Maintain and use an organized conflict system? 2. Always check for conflicts before getting confidential information? 3. Do you act for the vendor /purchaser/lender in the same transaction? 4. Do you act for both parties in matrimonial/family disputes? 5. Maintain a record of searches done to identify potential conflicts c. Safeguarding claim information? d. Computer and email security? e. Privacy/<i>Personal Information Protection Act</i> (PIPA)? | <table border="0"> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> </tr> </table> | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 |
| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>File recall and limitation dates:</p> <ul style="list-style-type: none"> a. Critical dates are recorded, monitored and complied with (manual or computer-based)? b. System (manual or computer-based) accessible to relevant staff, especially for critical dates in matters? c. Periodic review of files? d. Up-to-date file/matter listing all files and clients? e. Maintain backup record of key dates? | <table border="0"> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> </tr> </table> | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | File Opening Procedure: | | | | | |
| | a. Use a file opening checklist or intake form to set up your physical/electronic files? | 1 | 2 | 3 | 4 | 5 |
| | b. Client identification and verification – standardized procedure for collecting client data and ID? | 1 | 2 | 3 | 4 | 5 |
| | c. Cross-reference files (when acting for a client in a number of matters) and linking files (where more than one file is relevant to client's case)? | 1 | 2 | 3 | 4 | 5 |
| | Contents/location of documents: | | | | | |
| | a. Hard copy of client file contains all letters, records of telephone calls, statements and meeting notes? | 1 | 2 | 3 | 4 | 5 |
| | b. Procedure for scanning & saving all documents into electronic file? | 1 | 2 | 3 | 4 | 5 |
| | c. Electronic or hard copy of file contains complete record of all aspects of transaction or matter? | 1 | 2 | 3 | 4 | 5 |
| | d. Email program contains separate folder for each client file? | 1 | 2 | 3 | 4 | 5 |
| | Use checklists in the conduct of the file? | 1 | 2 | 3 | 4 | 5 |
| | Mail handling – Appropriate mail opening & distribution processes, including email access when you are away? | 1 | 2 | 3 | 4 | 5 |
| | Documented procedure for locating files, tracing documents, correspondence and similar items relating to any open or closed matter? | 1 | 2 | 3 | 4 | 5 |

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| Client service & communication | Retainer agreements always used? | 1 | 2 | 3 | 4 | 5 |
| | Discuss fees and billing practices with client before accepting new retainer? | 1 | 2 | 3 | 4 | 5 |

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|--|--|---|---|---|---|---|
| | Are the following normally included in a written retainer agreement? | | | | | |
| | a. Nature and scope of the matter? | 1 | 2 | 3 | 4 | 5 |
| | b. Any obligations to be fulfilled by the client? | 1 | 2 | 3 | 4 | 5 |
| | c. Timetable or expected course of the representation? | 1 | 2 | 3 | 4 | 5 |
| | d. Method and frequency of communication | 1 | 2 | 3 | 4 | 5 |
| | e. Fee/cash retainer arrangements? | 1 | 2 | 3 | 4 | 5 |
| | f. How you or client may terminate the retainer? | 1 | 2 | 3 | 4 | 5 |
| | g. Use of agents for routine appearances? | 1 | 2 | 3 | 4 | 5 |
| | h. Responsibility for disbursements? | 1 | 2 | 3 | 4 | 5 |
| | i. Solicitor client privilege? | 1 | 2 | 3 | 4 | 5 |
| | j. Clients' assumption of the risks associated with use of email and texting and permission to communicate with them in this manner? | 1 | 2 | 3 | 4 | 5 |
| | k. Solicitors' lien & documents to be transferred or retained upon termination of retainer? | 1 | 2 | 3 | 4 | 5 |
| | Detailed notes of all calls and meetings with clients and opposing counsel? | 1 | 2 | 3 | 4 | 5 |
| | Detailed notes of all calls and consultations that do not lead to a retainer – the 'no retainer' letter? | 1 | 2 | 3 | 4 | 5 |
| | Likely timeframe and cost described to each client in writing? | 1 | 2 | 3 | 4 | 5 |
| | Client is informed at each stage of matter? | 1 | 2 | 3 | 4 | 5 |
| | Client feedback actively solicited? | 1 | 2 | 3 | 4 | 5 |
| | Always send clients copies of proceedings and important correspondence? | 1 | 2 | 3 | 4 | 5 |

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|--|--|---|---|---|---|---|
| | Written confirmation to clients about all settlement offers made or received? | 1 | 2 | 3 | 4 | 5 |
| | All comments and complaints from clients are dealt with promptly and, where possible, by someone other than person complained about? | 1 | 2 | 3 | 4 | 5 |

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| Termination of retainer | Timely preparation of final invoice when retainer ends? | 1 | 2 | 3 | 4 | 5 |
| | Acceptable processes for release of documents to clients when retainer ends? | 1 | 2 | 3 | 4 | 5 |
| | File closing/transfer procedure, including appropriate letters on file, executed releases where needed, provision of final account? | 1 | 2 | 3 | 4 | 5 |
| | Closing/destruction of files: | | | | | |
| | a. Closed files organized, with record of closing dates and scheduled destruction for each file? | 1 | 2 | 3 | 4 | 5 |
| | b. When closed files are stored externally, is there a record of that arrangement? | 1 | 2 | 3 | 4 | 5 |

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| Financial management | Consistent approach to preparing accounts (timing, format, calculation of fees)? | 1 | 2 | 3 | 4 | 5 |
| | Organized timekeeping system (manual or electronic)? | 1 | 2 | 3 | 4 | 5 |
| | Suitable accounting software with appropriate access and procedures to handle and record general and trust funds? | 1 | 2 | 3 | 4 | 5 |
| | Client is regularly billed (monthly or following each significant step)? | 1 | 2 | 3 | 4 | 5 |
| | System to keep track of overdue accounts receivable? | 1 | 2 | 3 | 4 | 5 |
| | In the last three years, have any of your accounts been taxed/assessed? | 1 | 2 | 3 | 4 | 5 |
| | Law Society accounting rules fully complied with? | 1 | 2 | 3 | 4 | 5 |

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| | Accounting records are accurate, current & regularly monitored? | 1 | 2 | 3 | 4 | 5 |
| | Training received in use of approved accounting software? | 1 | 2 | 3 | 4 | 5 |
| | Bookkeeper employed to maintain accounting records as required by the Law Society accounting rules? | 1 | 2 | 3 | 4 | 5 |
| | Ability to prepare/generate basic financial reports in response to information needs? | 1 | 2 | 3 | 4 | 5 |

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| Time management | Standardized method used to set timelines and work steps? | 1 | 2 | 3 | 4 | 5 |
| | Able to say “no” to clients and other lawyers? | 1 | 2 | 3 | 4 | 5 |
| | Able to have that “difficult” conversation with clients and to deal with difficult clients? | 1 | 2 | 3 | 4 | 5 |

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| Technology | Office computers are new and fast enough to run current software? | 1 | 2 | 3 | 4 | 5 |
| | Office computers networked to a common server? | 1 | 2 | 3 | 4 | 5 |
| | Automatic backup system for computerized information? | 1 | 2 | 3 | 4 | 5 |
| | Is computer backup located offsite? | 1 | 2 | 3 | 4 | 5 |
| | Have appropriate software for substantive areas of your practice? | 1 | 2 | 3 | 4 | 5 |
| | Have appropriate software to make effective use of mobile devices? | 1 | 2 | 3 | 4 | 5 |
| | Cloud Computing checklist? | 1 | 2 | 3 | 4 | 5 |
| | All mobile devices (laptops, iPads, smartphones etc.) password-protected? | 1 | 2 | 3 | 4 | 5 |