

The DE-LAP ZONE: **Great Expectations vs. Realistic Expectations:**  
**THE TRADITIONAL END OF YEAR SELF AUDIT**

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As a practicing attorney, what better time than now to reflect on the past year, both professionally and personally, as to where you have been, where you are presently, and where you plan to be in 2015. In fact, this has become an annual tradition for the DE-LAP readers take the time for an end of year self-audit?

After all lawyers are referred to as great problem-solvers. It is important, however, for the lawyer to realize that even when they are highly successful in treating a client's dilemma, it is often difficult for them to address their own concerns, goals, plans, wellness and stamina. In fact, I refer to this as the shoemaker syndrome; recalling the tale growing up of the shoemaker who had time to fix everyone else's shoes but his/her own. The day-to-day pressures and deadlines of practicing law, coupled with the ongoing responsibilities of life itself, often do, cause a lack of time for lawyers to take time for themselves.

Albeit, we know that being a lawyer is a tough gig. Subsequently, it is imperative that we pencil ourselves and take the time to realize that success in our life, takes: foresight, patience, courage, excellent legal skills, plus personal wellness and stamina. Equally important, it takes planning, implementation, and management to realize the benefits of success.

So, sit down now and ask yourself these master questions:

Professionally:

- \* Do I have realistic short-term, as well as, long-term plans for my law office- and or career?
- \*Do I have a written budget and accounting practices in place for the coming year?
- \* Am I in compliance with The Professional Rules of Conduct; my CLE'S?
- \*Do I monitor the types of cases that are most and least profitable? Is my billing up-to-date?
- \*Do I have an updated checklist for Lawyers Planning to Protect Client's Interest in the even of you death, disability, impairment, or incapacity? If not, I should take the time to go to [www.de-lap.org](http://www.de-lap.org) and click on Law Office Management and Transition.

**Short-Term and Long Term Planning For Your Professional Life:**

A lawyer, like other business people, should write a business plan that includes, but is not limited to short-term and long terms goals. This written plan allows for focus on what you need to do today, next week and next month in order to position yourself so you and your business are traveling in the right direction and don't end up somewhere else. Similarly, a lawyer needs to have a personal wellness plan.

Then, once you the written plan, you should implement it. Implementation is action and action converts your business and personal visions. Call this implementation "action or baby " steps. Equally as important is management. Through both business and personal management, you build the foundation and framework that unifies purpose and meaning, while maintaining balance in your personal life. Bottom-line, it allows you to be aware of great expectations vs. realistic expectations.

Business:

All firms, small or large, new or old, need a written budget especially in today's rocky economic climate. This budget should be implemented and reviewed regularly. Ideally, you should work with an accountant familiar with law firms of your size. Your budget should include all fixed expenses for the coming year on a month-to-month basis. This allows you to keep an eye on spending, billing, etc. Similarly, you should work with a financial advisor or accountant. If you are a solo or small firm lawyer, your financial advisor or accountant should be someone who works with solo and small firm lawyers.

### **Monitor Your Cases:**

Monitor the types of cases that are most and least profitable. Stop doing work that is not profitable (This does not include your Pro Bono work.) It does include, however, those cases that take a lot of your time and the clients either do not pay, will not pay, or the case is just a bow-wow. Many hard-working, honest lawyers find that their expectations about getting paid are not shared by their clients. The result is stress, frustration and problematic cash flow. Therefore, weed them out.

### **Checklist for Lawyers Planning To Protect Client's Interest in Event of Death, Disability, Impairment, or Incapacity:**

Remember, life events happen. Most individuals (lawyers included) will deal with loss, trauma, and change at some point in their lives. It is part of being human. Although for many lawyers, it is a frequent trait to ignore unpleasant thoughts such as disaster, unexpected illness, misfortunate or even death. By ignoring these events, we fail to prepare for the day the unexpected illness, disaster, or even death may prevent us from executing our responsibilities as lawyers: the law office, the clients, the existing deadlines and the staff. Therefore, fill out and updated a checklist for Lawyers Planning to protect Clients' Interest in the event of your death, disability, impairment and incapacity. And, have an updated checklist for closing your office (Go to [www.de-lap.org](http://www.de-lap.org) and click on the Law Office Management - transition page for boilerplate forms.)

## Other Habits To Consider During Your Self-Audit:

### **The Golden Rules** **Or How Not To Be A Difficult Attorney**

1. Behave yourself
2. Answer the phone
3. Return your phone calls
4. Keep your hands off your clients' money
5. Tell the truth
6. Admit ignorance
7. Be honorable
8. Show civility
9. Defend the honor of your fellow attorneys
10. Be gracious and thoughtful
11. Value the time of your fellow attorneys
12. Give straight answers
13. Think first
14. Define your goals: Remember you are first a professional, then a businessman. If you seek riches become a businessman then hire an attorney.
15. Tell your clients how to behave – if they can't, they don't deserve you as their attorney
16. Solve problems – don't become one
17. Have ideals you believe in
18. Don't do anything that you wouldn't be proud to tell your mother about!
19. If you need help; get it.
20. If you need someone to talk to make that CONFIDENTIAL call to the Delaware Lawyers Assistance Program (DE-LAP)

(In Part from The 20 Golden Rules/Florida Lawyer's Assistance Program)

### **Personally:**

Fortunately, most lawyers are passionate about being a lawyer. Unfortunately, some lawyers may not devote enough time to their personal well being. For that reason, it is not too late to review some simple personal procedures that can contribute to time, money and the establishment of habits that can enhance you and your professional life.

Do I feel that I work too many hours? If so, design a blueprint for change that will allow you to add more balance to your life and learn to implement it. Ask yourself during this audit: Do I have a personal wellness plan to maintain my stamina and fitness?

If not, I will focus on attending one or all of the classes offered by DE-LAP/DSBA on mind/body fitness and designing a blueprint for change. (Go to [www.de-lap.org](http://www.de-lap.org) and click on Wellness.

### **Habits and Behavior: Tips From The Happy Attorney**

Take time to eat right.  
Take time to sleep.  
Take time to play  
Take time to pray  
Take time to love  
Take time to give  
Take time to laugh

Similarly, no matter what, prioritize your personal wellness - if there are changes you should (or want to) make - take small (baby) realistic steps in achieving those changes.

Remember to that many of us love being a legal professional. Generally, the profession has met our great expectations upon entering law school. Most lawyers take great pleasure and pride in their work. However, it is the planning, implementation, management and annual self-audit that may be the difference between success and failure.

For more information on the topics discussed above and for free check-lists call: The Delaware Lawyers Assistance Program (DE-LAP) or e-mail [cwaldhauser@de-lap.org](mailto:cwaldhauser@de-lap.org) or go to [www.de-lap.org](http://www.de-lap.org). Remember too, if you, or someone you know, is having problems that are affecting your/their ability to practice law of quality of life, call DE-LAP (OR (302) 777-0124.