STARTING, GROWING, AND IMPROVING A SMALL FIRM PRACTICE
Managing Your Law Practice CLE
Special Events Program

Jay Foonberg
Attorney, CPA (Inactive)
Telephone: (310) 652-5010
Facsimile: (310) 652-5019
www.Foonberglaw.com

Friday, June 11, 2010
1:30 p.m. – 3:30 p.m.
Jay Foonberg has served in the ABA House of Delegates; he is on the Advisory Council for the ABA Commission on Evaluation of the Rules of Professional Conduct, and he was a founder of the ABA Law Practice Management Section. His book, How To Start and Build a Law Practice (5th edition), is the book that is most frequently stolen from law libraries in the United States. It has earned more than $2 million for the ABA, and has been their best seller every year since 1977. Mr. Foonberg is the author of three other important books, all available from the ABA: How to Get and Keep Good Clients (3rd edition); Finding the Right Lawyer; and The ABA Guide to Lawyer Trust Accounts. A much sought-after speaker, Jay has led seminars and taught client relations, malpractice prevention, ethics, and client development in every one of the 50 states and every one of the 6 U.S. territories (the only person ever to have done so) and as far afield as Europe, South America, and Asia in English, Spanish, and Portuguese. Jay earned his JD from UCLA Law School, has done advanced studies at Harvard Law School, Cambridge University, England, and Duke University School of Law. He has received the prestigious Harrison Tweed Award, CLE’s highest honor. He lives and practices in Beverly Hills, California. He is the only person ever to receive four Lifetime Achievement Awards from the ABA Sections. His hobby is running marathons. He ran his 36th marathon in March 2010 at age 75.

Jay Foonberg
Attorney, CPA(inactive), CLE Presenter, Author, Fellow - American College of Law Practice Management, 4-Time ABA Lifetime Achievement Award Recipient
How to Start and Build a Law Practice, 5th ed.
How to Get and Keep Good Clients, 3rd ed.
ABA Guide to Lawyer Trust Accounts
How to Draft Bills Clients Rush to Pay, 2nd ed.
Finding the Right Lawyer
Getting Paid in Good Times and Bad (Dec. 2010)
www.Foonberglaw.com
2010 STATE BAR OF TEXAS ANNUAL MEETING
Ft. WORTH, TEXAS
June 11, 2010
HOW TO GET AND KEEP GOOD CLIENTS
Presented by Jay G Foonberg
Beverly Hills, California
REMINDER

- PLEASE TURN IN PRELIMINARY QUESTIONNAIRE BEFORE PRESENTATION (NOW)

FREDERICK W. SMITH.
CHAIRMAN, CEO. FEDEX CORPORATION
TREATING EMPLOYEES AND PUBLIC WITH DIGNITY AND RESPECT
DOOR PRIZES
April 22, 2010

Mr. Jay Foonberg
716 North Rexford
Beverly Hills, CA 90210

Dear Jay:

When my neighbor told me that Harris had died, my heart sagged. He was a singular individual, and a powerful energetic presence.

Most lawyers will remember Harris for his enormous contribution to our profession with his Whiskey Box approach to organizing repetitive tasks in a law office. I remember Harris more for his bone-deep dedication to continuing legal education.

In the mid-Seventies, the State Bar of Texas, at the insistence of Harris, began offering cassette recordings of live seminars. Upon listening to a few of them, Harris was appalled that he was forced to listen to the speakers telling bad jokes and rambling on with their war stories (he said war stories should only be allowed if they were about the failures of the teller). He prevailed upon the State Bar to hire Paul Kens to edit the tapes so that they would not waste the lawyers’ time.

By 1979, the State Bar also had a studio-produced video CLE program, and it was floundering. To be fair, all of the video CLE programs in the nation were floundering. In the case of the State Bar of Texas, programs were shot in the studio, and then two employees were sent out in vans loaded with a big screen TV, a projector, and a ¾” U-Matic tape player (this was before the days of BetaMax and VHS).

One employee would “ride” the west circuit and one would “ride” the east. Generally, they would go out for six weeks, play the videos at the designated stops, and come back to Austin and quit.

And, not many lawyers showed up for the screenings. Harris, correctly as it turns out, deduced that the poor attendance was due to a lack of personal involvement in the success of the screenings by the local lawyers. He said that every town should have a point person, whose name would be in the brochure.

Instead of sending out vans from Austin, we would simply make numerous video copies of the programs and mail them to the local attorney sponsors. Then they would find a facility with a ¾” player, promote the seminar locally, and send in the proceeds to the State Bar after the showing.

It was a brilliant move. We wound up with over 100 locations that would show our offerings in a two week window. And this was before the days of MCLE!

On a personal note, Harris and Barbara showed me a world of Southern grace and charm about which I had previously known nothing. On numerous occasions, they invited me into their lovely home for formal dinners, and they did so because they both possess a nature which is big-hearted and intellectually curious.

I owe a debt to this great man, and am honored to have been able to stand in his shadow.

All my best,

Stan Peyton
“Begin. The rest is easy”. With those words, J. Harris Morgan motivates and encourages tens of thousands of lawyers, directly and indirectly, throughout the world to get serious about better serving their clients. Those words spoken in Harris’ Texas drawl. (He denies having a drawl, accusing others of being the people with odd accents and drawls) were his closing words just after his famous:

“If I have only entertained you and have not encouraged you to do some things differently, then I will have have failed.” Harris never fails.

Harris denies being an “educator”, claiming to be “Just a Texas lawyer sharing information with other lawyers and encouraging them to share information on how to manage their practices.

He organized the “Salvation For The Solo Practioner and Small Law Firm’ series of programs and caused them to be presented throughout the United States during the 1970s and 1980s. In addition to Harris and his charts (this was before the days of power point and videos), Harris looked for and found talent, putting together the future giants of the profession in his traveling circus. Many of the leaders of the legal profession in Texas and throughout the United States got their start on Harris’ “Survival” programs.

Harris is famous for telling the talent he discovered: “I can’t make you rich, but I can make you famous” No one can resist Harris. He is irresistible. He enticed them into positions of leadership. It would take many pages just to list the names of those Bar Leaders and Law Office Management pioneers who got their start working with Harris.

Among some of the more famous leaders discovered by Harris are Roberta Ramo, Past president of the ABA, Sam Smith Past President of the State Bar of California and Jimmy Brill of Houston, Chair of the ABA’s Law Practice Management Section.
His “circus” produced many new and exciting authors and presenters of CLE. (Including the author of these materials). From Washington State to Florida and California to Maine and Kansas and Nebraska and all points in between, with emphasis on Texas, talent came to Harris seeking an audience for their pioneering law office management ideas and Harris provided the audiences who themselves also became the future leaders.

Harris’ titles and positions of leadership is endless, including being Chair of the Economics of Law Practice (Now called Law Office Management) Section of the ABA. He was a Director of the State Bar of Texas and Chair of the Board of The Texas Bar Foundation. He has authored and co authored many books and innumerable articles and created many systems used every day by the lawyers of America. Harris has best left his lasting mark on the field of Continuing Legal Education, long before CLE existed with that title. Through his leadership in the Texas Peer program, he has left an indelible mark on CLE. Working with the giants of the State Bar of Texas, including Bill Horowitz, Gene Cavin, and Pat Nester, he developed many of the CLE systems still used today.

Texas is a big state with a wide geographic distribution of lawyers. Bringing CLE to the lawyers of Texas was no easy task, but Harris figured out how to do it. He was a pioneer in CLE via film video and electronic distribution of information, including the first CLE Broadcasts via satellite, nation wide to Bar Associations throughout America via Satellite. He pioneered the extensive use of film and video. Harris created the publications activity of the Law Practice Management Section, starting with one book, my book, How to Start and Build a Law Practice and Roberta Ramos monographi “How to Create a System” that publishing activity has since published hundred of books on Office Management and Client Relations ranging from “Legal Length” yellow pads to “High Tech”.

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Under his guidance, an Audio Video Studio was created in Austin where videos were made. These videos were then shown throughout the State of Texas in an innovative manner. Typical of how Harris always sees the broader picture. Large trailers were outfitted with chairs, air conditioning, and a monitor. These trailers would be hauled around the state and parked in front of the courthouses. There would be perhaps 3 to 4 hours of videos on varying subjects shown in rotation two or three times/day in each trailer. Lawyers could schedule the videos they wanted to see and went to the trailer at the announced time to see the video. He also made extensive use of audio taping to get the message out to the lawyers of Texas.

Although it had no name at that time, Harris created the webinar and self study to bring CLE to the Lawyer.

Harris is loved and respected wherever he goes. He is one of the only 2 lawyers who has presented CLE in every one of the 50 U.S. states. (The author, emulating him, is the other). His wife Barbara often accompanies Harris and is as loved as he is wherever she goes.

Jimmy Brill of Texas who with his wife Pat is loved and respected by the lawyers of Texas and all of America often states “Travelers through a desert stop at a well and take away all the water they can carry, they are grateful for the well and the water, but rarely ask : “Who dig that well”. Harris Morgan dug the well of knowledge from which all the lawyers of Texas and America drink daily.
He currently practices law with his law partner of many years, Holly Gotcher, in the firm of Harris and Gotcher, in the same office in Greenville, Texas where his father before him also practiced law.

Prominently displayed in that office is the sign given him by his father:

“Begin: The rest is easy”

This tribute is written in the present tense because Harris was alive when I wrote it to honor him at the 2010 Texas State Bar Annual Meeting in Fortworth Harris died before the meeting. I leave the article in the present tense because Harris will never die. He will live on for many generations through his teaching lawyers and clients yet unborn who will benefit from his teachings and his example.
We are all but actors in a play on the stage that we call life. Like all other plays, the marquee lists the players. The largest letters are reserved for the lead actor. Nowhere were the letters larger or the lights brighter than on the marquee that announced Harris Morgan.

The stage that we call law practice management had but one lead actor Harris Morgan. And what an actor he was. He traveled to every state to motivate lawyers to be more efficient so that we could provide better service to our clients.

He traveled with large posters that illustrated his points and reinforced his message. Those posters got a lot of wear and tear and when they were too banged up, he’d change his talk and get new posters.

In his prime, he had few equals as a speaker. He spoke with the fervor and conviction of a tent revivalist. I always thought of him as the Billy Graham of law practice management. He would spic his talks with humor and sarcasm and would refer to himself as being from the metropolitan community of Greenville, Texas.

My personal favorite Harris Morgan story was his story about working in his Father’s law office and listening to the exchanges between his Father and his Father’s clients. In those days, many offices had transoms above the doors to let the air circulate. They also permitted conversations to be overheard.
SALVATION
FOR THE SOLO
PRACTITIONER
AND
THE SMALL LAW FIRM IV

Houston
Tuesday, June 14, 1977
Imperial Ballroom — Hyatt Regency Hotel
Registration Begins 8:30 a.m.

Sponsored by the PEEP Committee
SALVATION FOR THE SOLO PRACTITIONER & THE SMALL LAW FIRM - IV

Imperial Ballroom — Hyatt Regency Hotel
Tuesday, June 14, 1977 - 9:00 AM

PROGRAM

James B. Bolbro, F. Worth, FEER Committee Chairman, Opens the Program
Moderator: J. Harris Morgan, Gonvilk, Texas

8:00 Welcome & Introduction of Program Moderator
Slimc Gory, Jr., President
Dallas Bar of Texas

8:15 Keynote: Salvation and Survival
J. Harris Morgan

9:35 How to Increase Income by Avoiding Ward Passivating
Irving Kuglen
Los Angeles, California

10:45 — Break —

11:00 Fish - How to Increase Your Productivity Through Motivation
J. Harris Morgan

11:45 — Lunch provided as part of the Program —

1:00 Effective Use of Lay Processors
Law Offices with Betty Turner (attended-participant)
Tandem, Inc., & Social & Chartered
Great Bend, Kansas

1:50 Keys to a Successful Practice for the Small Office: Happy Clients, Productive Staff and Efficient Solvency
Henry E. Winter,
Greene & Greene,
Spokane, Washington

2:45 — Break —

3:05 Building and Taking Care of a Successful Law Practice
Jay Foreshed
Foster & Farley
Sausalito, California

4:00 Discussion, Questions & Answers
J. Harris Morgan, President

5:00 — Adjourn —

Program Chairman — Fehlan A. Hilles, Jr., Houston, Texas

ALL LAWYERS must use the enclosed CONVENTION REGISTRATION form. Use the SSS line if you are attending the Convention. Use the OSS line if you are registering for the "Salvation" Institute but not the Convention. Please pre-register so we can determine our lunchtime guarantees. SECRETARIES AND LEGAL ASSISTANTS should use form below Speaker's Picture.
STATE BAR OF TEXAS

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Edwin Gault, Jr.
Hon. E.Derik Ector
Bar Foundation Chairman
William B. Morgan
James E. Bell
Hubert O. Knoll
K. C. Fulsom
Gene Cevon
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George A. Scott
Joe B. Smith
Robbie Ford
Reynolds, Cockery, et al.

INSTITUTE CHAIRMAN

Fleming A. Hickey, Jr.

AWARD WINNER

The State Bar of Texas and the American Bar Association's Award for Excellence in Legal Writing Contest at the Texas Bar Convention, to be held on June 23-25, 1994, at the Convention Center, Austin, Texas. The winner will be announced at the Bar Convention.

DATED MATTER-PLEASE EXPEDITE

STATE BAR OF TEXAS
F. C. Box 1069, Austin, Texas 78711

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OFFICE OF THE GENERAL COUNSEL
STATE BAR OF TEXAS

BRAVO AWARD

Presented to
Jay Foonberg
In Recognition and Appreciation for
his extraordinary commitment
to ethics and law practice management education
through the National Academy of Law,
Ethics, and Management

Presented this 20th day of August, 1995

[Signature]
Certified Counsel
THE TEN STEPS TO A SUCCESSFUL PROFESSIONAL PRACTICE

Jay Foonberg, JD, CPA
Beverly Hills, California

www.FoonbergLaw.com
POLL OF AUDIENCE

• FIRM SIZE
• TYPE OF PRACTICE
• YEARS OF PRACTICE
How to Ethically Manage a Law Practice

Jay Foonberg, JD, CPA
• ETHICS
## STATISTICS FOR TEXAS

**COMPLAINTS AGAINST LAWYERS**  
**SOURCE: 2008 ABA CENTER FOR PROFESSIONAL RESPONSIBILITY**

<table>
<thead>
<tr>
<th>TEXAS</th>
<th>TOTAL U.S.</th>
</tr>
</thead>
<tbody>
<tr>
<td># Active Licensed Lawyers</td>
<td>82,414</td>
</tr>
<tr>
<td># Complaints</td>
<td>7,308</td>
</tr>
<tr>
<td>Lawyers/Complaint</td>
<td>1 complaint for every 113 lawyers</td>
</tr>
<tr>
<td># Dismissed W/O Investigation</td>
<td>5,161</td>
</tr>
<tr>
<td>%</td>
<td>71%</td>
</tr>
<tr>
<td># Dismissed After Investigation</td>
<td>1,675</td>
</tr>
<tr>
<td>%</td>
<td>23%</td>
</tr>
<tr>
<td>Total Dismissed</td>
<td>6,830</td>
</tr>
<tr>
<td>%</td>
<td>93%</td>
</tr>
</tbody>
</table>

Between 71% and 93% of complaints against Texas lawyers could easily have been avoided by simple changes.
AVOIDING ETHICS COMPLAINTS, KEEPING CLIENTS & GETTING PAID

56% of Ethics Complaints Dismissed on Receipt of Complaint
No Ethics Violation
Poor Client Relations

34% of Ethics Complaints Dismissed After Investigation
No Ethics Violation
Poor Client Relations

OF ETHICS COMPLAINTS MIGHT HAVE BEEN AVOIDED WITH GOOD CLIENT RELATIONS

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These complaints are avoidable. Avoiding ethics complaints is also the way to a happier, more rewarding and more profitable practice.
How do you spell SUCCESS?

(A) SUCCESS ?

(B) $UCCESS$ ?

No matter how you want to spell SUCCESS you need CLIENTS to achieve SUCCESS!
SUCCESSFUL PEOPLE

Successful people aren’t born that way. Successful people become successful by doing the things that successful people do, and not doing the things that unsuccessful people do.

(adapted from Thackeray)

YOU CAN LEARN TO BE SUCCESSFUL!
I am here to give you the tools to avoid ethics and malpractice complaints—to ethically reap the benefits of a successful practice by doing what successful people do.
A SUCCESSFUL PRACTICE IS A 3-LEGGED STOOL

Getting & Keeping Good Clients

Knowing the Law

Management

Getting the work out the door. Look at CLIO.
Leg 1

Knowing the Law

-Law School
-Continuing Legal Education
-Experience
LEG 2
GETTING & KEEPING GOOD CLIENTS
GETTING CLIENTS

- Every human being or organization with which you have any direct or indirect contact is a potential client or referrer of clients if you know what to say or do when you have the opportunity.
• You can learn how to walk into a room of 300 strangers and walk out with clients.

• You can learn how to answer the question: “What kind of law do you practice?”

• You can learn how to interview clients to get the paying clients you need for cash flow.

• You can be taught if you are willing to learn.
We are dealing with how to interact with clients and potential clients to:

- avoid ethics complaints.
- avoid malpractice complaints.
- ethically increase client base with paying clients including share of pro bono clients.
- work on reestablishing the public’s acceptance of the rule of law and the lawyer’s role in our society.

(Atticus Finch in “To Kill a Mockingbird”)
THE PROBLEM – LAWYERS ARE NOT TAUGHT CLIENT RELATIONS

BEDSIDE MANNER

MD:
1. Learn patient relations in medical school. Third- and fourth-year in patient contact (in clinics and doing rounds).
2. Must pass an examination in patient relations to graduate.
3. Must pass a patient relations test to become licensed.

DESKSIDE MANNER

JD:
1. Zero client relations training in Law School.
2. Client relations courses often do not qualify for CLE credit.
3. Client relations and patient relations do qualify for CPAs & Physicians’ Continuing Education.

Is it any wonder that CPAs are more trusted and Doctors more loved than Lawyers?
They were taught what to say and do.

YOU ALSO CAN BE TAUGHT CLIENT RELATIONS!
TODAY YOU WILL LEARN THE MOST IMPORTANT TECHNIQUES

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# ABF STUDIES

<table>
<thead>
<tr>
<th>Satisfied Clients</th>
<th>Dissatisfied Clients</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Pay Their Bills</td>
<td>Don’t</td>
</tr>
<tr>
<td>2.) Are Cooperative</td>
<td>Aren’t</td>
</tr>
<tr>
<td>3.) Keep Appointments</td>
<td>Don’t</td>
</tr>
<tr>
<td>4.) Answer Interrogatories Timely</td>
<td>Don’t</td>
</tr>
<tr>
<td>5.) Appear For Their Depositions</td>
<td>Don’t</td>
</tr>
<tr>
<td>6.) Don’t Abuse Staff</td>
<td>Do</td>
</tr>
<tr>
<td>7.) Recommend More Good Clients</td>
<td>Don’t</td>
</tr>
<tr>
<td>8.) Don’t File Ethics Complaints</td>
<td>Do</td>
</tr>
<tr>
<td>9.) Don’t File Malpractice Claims</td>
<td>Do</td>
</tr>
</tbody>
</table>
WHAT MATTERS IS NOT THE TASTE OF THE BAIT TO THE FISHERMAN, BUT MORE IMPORTANTLY, THE TASTE OF THE BAIT TO THE FISH
STEP 1

- The Golden Rule of Client Relations is Gone
  (Do unto clients as you would have clients do unto you.)

- The Platinum Rule is Here
  (Do unto clients as they would have you do unto them.)

Effect of Technology
- Digitalization of Information
- Technology
- The Internet
- The Smart Phone

32,000 8” Floppies can be stored in one 8 GB Flash Drive
Digitalization of information and the Internet and smart phones have caused clients to adopt new expectations consistent with the new techniques. Clients want to be treated in accordance with their expectations.
STEP 2
Bombard Your Clients With Paper & Email

• Determine where to send mail
• “For your information – no reply needed”
• Give client a red file with your card stapled to it to hold paper letters and email communications.

My lawyer kept me informed!

Happy Clients 84%
Unhappy Clients 34%
STEP 3
Never Let the Sun Set on a Non Returned Call

• If you can’t return the call let someone else return it, preferably within 2 hours.

My lawyer returned calls promptly!

Happy Clients 83%

Unhappy Clients 47%
STEP 4

Double your time estimate for the length of time you will need to finish the job. You created the expectation of the due date.

My lawyer did the work promptly!

Happy Clients 83%

Unhappy Clients 47%
STEP 5

Learn to listen to your clients and pay attention to what they say.

- Clients want to tell their story.
- Clients want you to listen to them. You don’t want to hear their long story with irrelevant, immaterial, and inadmissible information.
- Jay and the Pope: shake hands or touch on greeting and leaving. Interrupt and Repeat
- 2 Ears/1 Mouth Observation: Listen 2/3\textsuperscript{rd}s of the time – Talk 1/3\textsuperscript{rd}s of the time
- Ask Foonberg’s magic question: “Is there anything you want to tell me or anything you want to ask me?”

My lawyer listened to me and paid attention to what I said!

Happy Clients 🎉 93%
Unhappy Clients 😞 47%
CONCLUDE THE INTERVIEW WITH

“FOONBERG’S MAGIC QUESTION”

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TOUCHING THE CLIENT HELPS BOND THE RELATIONSHIP

Touching must be appropriate to the client’s gender, age & status.

Cheek to Cheek    Shaking Hands    High Fives    Bumping    Pat on Back or Arm    Hugging

Some Touching may be inappropriate in the culture of the client.
TOUCHING FOR TIPS

Cornell University Hotel Management School:

Tips go up by 29 % when the serving person touches the customer on the back or shoulder.
STEP 6
Give Your Client A Road Map

• Where we are now - the client’s apparent legal position
• What procedural steps await: interrogatories, depositions, trial
• What the time frame will be
• When settlement is likely, if at all
• The client’s financial obligations
• The possible outcomes

*My lawyer explained my legal position and the legal process!*

Happy Clients  95%

Unhappy Clients  50%
STEP 7
The Initial Interview

Demonstrate Intent and Concern

- No Cell Phones or Pagers!
  - Explain emergency only interruptions. (Won’t wait 45 minutes)
- No Interruptions! Interruptions Cause Mistakes
- You Must Demonstrate Interest and Concern by Word and By Deed!
  - Having interest and concern is not enough. You must demonstrate it!

*My lawyer demonstrated interest and concern!*

Happy Clients 91%

Unhappy Clients 47%
STEP 8
Never Lie To A Client

• Have a comprehensive fee agreement describing what you will or will not do for the client.
• Keep accurate time records.
• Record client or matter on time sheets before you start the work to prevent forgetting a matter or task.
• Review all bills before they go out.

My lawyer was honest with me!

Happy Clients 95%

Unhappy Clients 41%
SHELLY’S RULE

AND

FOONBERG’S RULE
STEP 9
Shelly’s Rule & Foonberg’s Rule:

CASH UP FRONT!

Make “Cash Up Front” Your Mantra

Photo of family members on your desk facing you.

5%
Pro Bono
FOONBERG’S INTERVIEW TIPS

1. Foonberg’s Rule: Cash Up Front
2. Interrupt the client & repeat so the client knows you are listening (what the Pope did to Jay).
4. Conclude all interviews with Foonberg’s magic question, “Is there anything you want to ask me or anything you want to tell me? I’m all yours. I don’t want you to feel you didn’t have the opportunity.”
5. Shake hands when you greet. Shake hands or touch when you say goodbye.
6. If you have to eat crow eat it when it’s young and tender not when it’s old and tough.
7. Don’t try to win the ethics war. Try to avoid the ethics war.
STEP 10
THE THIRD LEG

Get the Work Out the Door
Take a Look at CLIO
Foonberg’s Ten Steps To Client Success

SUCCESS!

1. Platinum Rule - Golden Rule
2. Keep Client Informed With Paper and Emails
3. Return Calls Promptly (Within Two Hours)
4. Double Your Time Estimate for Completion of the Work
5. Listen; Pay Attention; Ask Foonberg’s Question
6. Give the Client a Road Map
7. Demonstrate Interest & Concern No Interruptions
8. Accurate Time Records & Fee Agreement
9. Foonberg’s Rule: Cash Up Front!
10. Get the Work Out the Door
RECAP

Foonberg’s Ten Steps To Success

1. Golden Rule is Gone – Platinum Rule is Here
2. Bombard Clients With Paper & Email
3. Never Let the Sun Set on a Non Returned Call
4. Double Your Time Estimate to Compete the Job
5. Listen & Pay Attention to Your Clients – Ask Foonberg’s Magic Question
6. Give Your Client a Road Map
7. Initial Interview: No Interruptions – Demonstrate Interest & Concern
8. Never Lie to a Client – Be Honest With Time Records
10. Get the Work Out the Door
“BEGIN.
THE REST IS EASY.”

J. Harris Morgan, Texas
THANK YOU!

Books and CDs Available

www.FoonbergLaw.com

Email:

Jay@FoonbergLaw.com
KEYS TO SUCCESS

1. Long Hours? NO!

2. More Education? NO!

3. Luck? NO!
Successful people plan. They have goals. They plan their day, their week, and their year. They plan their work and work their plan.

Unsuccessful people do not plan to fail. They fail to plan.

List making is the basic tool of planning. Have both “Due Dates” and “Do Dates” on the list.
HOW TO PLAN

The key to all planning is HAND-WRITTEN LIST MAKING!

If you want to SUCCEED in anything, the first step is to be a COMPULSIVE LIST MAKER!

All (99.9%) of SUCCESSFUL people are LIST MAKERS!
HOW TO LIST MAKE

“TO DO” LIST (AKA LIST OF UNKEPT PROMISES)

1. Prefer handwritten list to keyboard (like signing a contract with yourself).
2. Add things as they come up.
3. Do it – Delegate it – tell the other person you won’t do it.
4. Your list should have:
   - Due Dates – when the work is due.
   - Do Dates – specific calendar dates to do the work (can be multiple dates to do parts). Leave adequate time between “Do Dates” and “Due Dates.”
5. Make lists at the end of each day before leaving the office – concept of “sleeping on it.”
PLANNING IS A CRITICAL MANAGEMENT SKILL
ALL SUCCESSFUL PEOPLE PLAN

• Average Employed Person (month to month) Can only plan 30 days in advance.

• Leaders – Political Leaders – Heads of Companies Plan 5 years in advance.

• Small Business – Most Entrepreneurs Only plan 1 year or less in advance. (May explain high failure rate.)

• Lawyers – Successful Entrepreneurs Typically plan 2 to 3 years in advance.
PLANNING

Plan Your Work!
Work Your Plan!

H.J. Foonberg (Jay’s Dad)
PLANNING REQUIRES GOALS

1. Planning and Strategic Goals – Where you want to be on your 2 to 3 year time line and your 5 year goal.

2. Planning and Tactical Goals – What you have to do to get to your goal.
CONCLUSION

1. You can learn to be successful.
2. Every contact is a potential client or referrer of clients.
3. Follow the “Ten Steps To Success”
4. Plan your work – work your plan
5. Always be proud to be a lawyer. The legal profession created and maintains the system that makes America a Great Nation!
• PLEASE TURN IN EVALUATION FORMS AFTER PRESENTATION

I TREAT QUESTIONS AND EVALUATIONS WITH DIGNITY AND RESPECT
Jay G Foonberg

If you have questions, feel free to send Mr. Foonberg an email to:  
[JayFoonberg@aol.com]

If you are interested in purchasing any of Mr. Foonberg’s books or CDs, they are available from the American Bar Association with section membership discounts or from the website:  
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