

Checklist for Opening a Law Office

- ❑ Decide what form of entity your business will be. (For solos: sole practitioner, professional corporation, single-member LLC. For multi-member firms: professional corporation, partnership, LLC, LLP.)
- ❑ Name your business. If you form a PC, LLP, or LLC, comply with statutory requirements. See ORS 58.115, ORS 67.625, and ORS 63.094, respectively.

The name of your business must not be misleading on the identity of the lawyers practicing under the name. Use of “and Associates” violates the Rules of Professional Conduct if there are no associates or no relationship exists among lawyers in an office share attempting to use this designation. “Group” violates the rule if the practice comprises a sole proprietor and no other lawyers. (The common meaning of “group” implies two or more individuals.) See ORPC 7.1 and 7.5(a).

Use of trade names and historical names of deceased or retired lawyers is permitted. For more information, review Sylvia E. Stevens, “What’s In a Name: Things to consider before hanging that shingle,” *Oregon State Bar Bulletin* (November 2006), available online at <http://www.osbar.org/publications/bulletin/06nov/barcounsel.html>.

- ❑ Choose a location (downtown, suburbs, virtual, or home office).
- ❑ Choose space option (rent office space, share office space, executive suite, virtual office, and/or home office).
- ❑ Determine office needs:
 1. Furniture:
 - a. Lawyer’s office (desk, chair, guest chairs, file cabinet, chair mat, wastebasket)
 - b. Reception area (chairs, coffee table, lamp, pictures, magazine rack)
 - c. Staff (desk, chair, chair mat, wastebasket, file cabinet)
 - d. Conference (table, chairs)
 2. Equipment:
 - a. Dedicated business telephone – landline, VoIP, or cell/Smartphone
 - b. Voicemail or virtual receptionist
 - c. Secure Internet connection
 - d. Desktop computer or laptop (tablet if desired)
 - e. Laser printer (consider wireless printer if using a tablet)
 - f. Digital copier/scanner
 - g. Paper shredder
 - h. eFax service (www.faxcompare.com, www.comparethatfax.com)
 - i. Software, including office productivity; security (firewall, anti-malware); practice management/accounting (calendar, docketing, file tickling, conflicts, document management, billing, trust, and general accounting); voice recognition if desired (Dragon NaturallySpeaking Legal Edition – www.nuance.com)

3. Supplies (stationery, business cards, paper, envelopes, ball-point pens, highlighter pens, pencils, stapler, staple remover, post-it notes and flags, two and three hole punch, copy stamp, date stamp, file folders, rubber bands, tape and tape dispenser, paper clips, phone message pads, legal pads, coffee pot and cups).
 4. Personnel (secretary/administrative assistant, paralegal, receptionist, bookkeeper).
 5. Law library (resources besides those available free online, which include: BarBooks™, Oregon Revised Statutes, case law, the Oregon Rules of Appellate Procedure, Oregon Rules of Civil Procedure, Uniform Trial Court Rules, and Supplementary Local Rules.) Use Fastcase, the OSB's free online legal research service, Google Legal Scholar, or follow the links to other online resources from the bar's web site at www.osbar.org. Download PLF practice aids at www.osbplf.org.
- Develop business plan, start-up budget, and monthly budget. Identify potential client markets and capital needed to carry business through first three months.
 - Open bank accounts (general office, IOLTA). See Notice to Financial Institutions at www.oregonlawfoundation.org for instructions on opening an IOLTA account.
 - Obtain necessary insurance (professional liability, excess professional liability, premises liability, property, casualty, disability, life, health, cyber liability, valuable papers).
 - Obtain a business license (if required)
 - Consult with a CPA or accountant concerning your tax liabilities (business personal property tax, business income tax, excise tax, withholding or estimated tax payments).
 - Determine what type of marketing and advertising you will use (Web site, lawyer referral listing, brochures, business cards, sign for office, announcements). Review ORPCs and OSB Formal Ethics Opinion No. 2007-180. Download the PLF marketing materials at www.osbplf.org.
 - Establish necessary office systems:
 1. Docket/calendar
 2. Ticker
 3. Accounting (general office and trust)
 4. Time and billing
 5. Filing (open files, closed files, organization of electronic documents)
 6. Conflict
 - If you plan to use cloud-based solutions to store confidential client information or wish to have a paperless law office, see the file management and technology practice aids available on the PLF Web site, www.osbplf.org. Obtain client consent to store files digitally or in the cloud by customizing your engagement letter or fee agreement. Use free encryption software to encrypt or encode sensitive data and client file materials so that only an authorized person with the encryption key (you) can decrypt or decode the information.

- ❑ Take advantage of Web resources, including:
 1. [Oregon Corporation Division Home page](#) and [Business Registration Services](#).
 2. [Answers to Frequently Asked Questions](#) from the Business Information Center.
 3. [Oregon Business Wizard](#) (provides customized information to help you start and operate an Oregon-based business.)
 4. Oregon Business Guides – [How to Start a Business in Oregon](#) and [Employer's Guide for Doing Business in Oregon](#).
 5. [Small Business Administration](#) – tools and resources to start and manage your business, including [how to write a business plan](#), [marketing your business](#), [preparing your finances](#), and more. (Live links to these resources are available when you access the “Opening a Law Office Checklist” practice aid on the PLF Web site, www.osbplf.org.)

- ❑ Call the PLF’s practice management advisors at 503-639-6911 or 1-800-452-1639 for assistance or answers to questions.

IMPORTANT NOTICES

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