



BUILDING SYSTEMS FOR YOUR PRACTICE: CHINN'S FORMS, CHECKLISTS, AND PROCEDURES FOR THE FAMILY LAWYER

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"Organize around business functions, not people. Build systems within each business function. Let systems run the business and people run the systems. People come and go but the systems remain constant."

--Michael Gerber, E-Myth Revisited

Whether you're a new family law lawyer, a new solo/small firm practitioner or a seasoned lawyer looking to improve office efficiency, this manual will help organize your practice and ensure a high level of client service. Close your eyes and imagine complaining to a successful colleague about frustrations in your office. Your colleague offers to organize, print (into a bound volume) and download (onto a CD in PDF and Word formats) all the forms, checklists and procedures needed to run your office. Now open your eye. What do you see? The hot-off-the-presses Forms, Checklists, and Procedures for the Family Lawyer, of course!

To be clear, this is not a manual of substantive forms for processing your cases through the courts. ICLE has wonderful resources for those materials, and that's why most serious practitioners have ICLE Partnerships. This manual—and CD—are for the systems you need to have an efficient, effective and enjoyable practice. At \$69.95, this resource is a bargain.

Gerber's E-Myth Revisited was an inspiration for Mark Chinn, who refers to it as a "seminal publication" in his life. So it's only fitting to start at the beginning, with Gerber and move forward with the message Chinn embraced: Build systems for your family law practice, and let your people run the systems.

With a desire to "work smart and not hard," Chinn ran with Gerber's mantra. Rather than reinventing the wheel, Chinn has been developing standard forms and procedures for

over 30 years, all in the hope of providing superior service. With Gerber's guiding light, Chinn expanded his forms and procedures to all aspects of his law practice (three lawyers plus paralegal specialists and staff), adding checklists to ensure that things are done right the first time.

As reflected by the title, this manual contains policies, checklists, procedures, and forms organized into 12 chapters: client intake, initial stages of representation, administrative, client, case management, settlement, mediation, discovery, litigation, trial, file closing and post-closing.

The checklists will promote uniformity within your practice. As Chinn puts it: "No airline pilot flies a plane without checklists and no attorneys should run their office without them." The form letters will keep your clients informed through their divorce court journey. In Chinn's experience: "Educated clients make better clients." And the policies will help you think through challenging issues, such as codes of conduct for lawyers, policies for taking a case from another lawyer, and policies for handling pornography. The chapters help you locate the form you need, as does the index. The CD helps you avoid reinventing the wheel and allows you to customize Chinn's form to your own liking.

As expected, some of the items are straightforward, such as checklists for preparation of court documents, and will not win any literary awards. Still, there are many items that expand on and refine things you may be doing in your own office. The difference is that Chinn has written everything down and organized it. There are very good client education summaries for the processing of the case. There are "tips" and "warnings" for clients covering parallel parenting, custody investigations, depositions, trial and much more. There are even marketing suggestions that will sustain and grow your practice.



To give you a taste of Chinn's suggestions and approach, here's part of his office systems for initial consultations:

WARNINGS TO CLIENT

The intake attorney should issue the following warnings and information:

DATING. A client is not to date until the divorce is final.

ABUSE. If a client is worried about abuse, advise:

- Call police and alert them of potential problems well in advance;
- If confrontation occurs, withdraw to safety;
- If danger persists, call the police;
- If danger merits calling police, follow through with charges.

COUNSELING. Each of our clients is encouraged to engage in personal therapy. This is different from marriage counseling. The name of the client's therapist or recommended therapist should be set forth here: _____

CONDONATION. All clients who have grounds for divorce should be warned that "resuming the marriage relationship" or sleeping with their spouse or forgiving their spouse can wipe out their grounds for divorce.

STD/HIV. All clients should be advised to obtain testing for sexually transmitted diseases, whether they think their spouse is guilty of adultery or not.

MEDICAL EXAM. All clients should be counseled to obtain at least a basic medical examination. We would not want to settle a case unaware of a serious medical problem or disability.

TEMPORARY PROTECTIVE ACTIONS. Clients should be warned to guard against dissipation of jointly held assets and "raiding" of jointly held credit cards. It may be appropriate to advise clients to obtain jointly held assets, or to write letters to bankers and stockbrokers and credit card companies in an effort to protect assets and credit.

Inform client as to how we charge.

Explain financial statement procedure (i.e., documentation/appraisal).

Warn client of potential surveillance and conversation recording (e.g., tap on phone, private investigator following, etc.).

Advise client of need for changes to or creation of Will; Durable Power of Attorney; and Advance Healthcare Directives.

Advise client to take possession of spouse's computer or contents of the hard drive and other removable storage drives and warn client of danger of spouse taking client's computer.

Warn clients not to admit fault either verbally or in writing.

Warn clients not to talk to anyone about this meeting. They could waive their privilege.

Warn clients not to lie to us.

Having practiced for over 30 years, Mark Chinn is a valuable resource available to you. He has a reputation for excellence and ethics, has a successful practice, and has shared his wisdom with attorneys throughout the country. In addition to 2010's Forms, Checklists, and Procedures for the Family Lawyer, Chinn also authored 2006's How to Build and Manage a Family Law Practice, and 2007's Constructive Divorce Guidebook: Empowering Families to Reach Long-Term Positive Results.

Training staff and ensuring continuity of quality service are challenges for every family law practice. This office forms, checklists, and procedures manual will organize your practice around functions, build your systems and document those systems. Some of it will benefit the attorneys, and some of it will benefit the staff. All of it will benefit your practice. Your systems will run your practice, and your people will run the systems.

Mark A. Chinn, Forms, Checklists, and Procedures for the Family Lawyer (2010, American Bar Association). \$69.95.

