
Contents

About the Author	xi
Chapter One: Virtual Law Practice Basics	1
Introduction	1
What Is a Virtual Law Practice?	4
What Is a Client Portal?	4
What Is Not a Virtual Law Practice?	6
Changing Technology	8
What Are the Benefits of a Virtual Law Practice?	8
What Are the Risks of a Virtual Law Practice?	9
Chapter Two: Choose a Structure for Your Practice	11
Case Study: From a Traditional Solo Practice to a Web-Based Practice Dawn Elaine Bowie	13
Integrating a Virtual Law Practice into a Traditional Law Office	17
Moving Existing Clients from E-mail to the Virtual Law Office	17
Transferring Data and Compatibility Issues with Existing Law Office Data	19
Completely Web-Based Virtual Law Office	20
Contract Lawyers	21
Unbundling and Working with Pro Se Individuals	21
What Is Unbundling?	21
Case Study: Unbundling Legal Services Richard Granat	24
Document Automation and Assembly in Unbundled Legal Services	26
Case Study: Document Automation Marc Lauritsen	27
Collaborating with Other Lawyers in a Virtual Law Firm	29

Case Study: Two-Lawyer Virtual Law Office Charlene Quincey and Kathryn C. Sheehan	32
VLO Startup Checklist #1: Putting It Together	34
Case Study: Adding a Virtual Law Office to a Traditional Firm Mark Spencer Williams	35
Chapter Three: Choosing the Technology	39
Cloud Computing and Software as a Service (SaaS)	39
Case Study: Advice from a Senior Programmer & IT Security Specialist Benjamin Norman	42
Research the Software Provider and Hosting Company	45
Downtime for Maintenance or Upgrades	47
Case Study: Advice from an Attorney, Author & Legal Technology Enthusiast Nicole Black	47
Support Future Law Office Growth	49
Cost of the Product	49
Data Return and Retention Policies	50
Third-Party Hosting	51
Offshore Servers	51
Geo-Redundancy	51
Data Escrow	52
Compliance with Federal Regulations	52
Unlimited Liability for Confidentiality Breaches—Unreasonable?	53
Case Study: Advice from a Legal SaaS Provider & Chief Software Architect Larry Port	54
Creating a Virtual Law Practice by Combining Separate Software Applications	57
Case Study: Virtual Law Office Formed with Piecemeal SaaS and Other Applications Operated in Conjunction with a Brick and Mortar Law Office Robert N. Grossbart	58
What to Expect in a Provider's Service Legal Agreement (SLA)	60
VLO Startup Checklist #2: Choose the Technology	62
Case Study: Advice from a Practice Management Advisor Erik Mazzone	63
Chapter Four: Practical Setup and How-to Basics	67
Choose a Name for Your Virtual Law Office	67
URL Address	68
Build a Web Site	68

Design Requirements for Professional Responsibility	70
Case Study: Advice from a Lawyer & Founder of a National Coaching/Consulting Firm Susan Cartier Liebel	73
What Are the Startup Costs? Laying Out a Business Plan and Budget	74
When Can You Expect to See Steady Client Revenue?	75
Costs and Your ROI Analysis	75
Hardware Costs	76
Software Costs	76
Case Study: Solo Virtual Law Office Bernardo Granwehr	78
Having a Home Office or Working Remotely	80
Expenses That You Don't Need to Start Up Your Virtual Law Practice	80
Forming the Business Entity for Your Virtual Law Practice	81
Billing Methods for Online Legal Services	82
Online Payment Options	82
Value Billing—Offering Fixed Fees on Your Virtual Law Office	84
Collaborating with Other Lawyers to Create a Virtual Law Firm	85
Case Study: Advice from a Senior Consultant Jordan Furlong	87
VLO Startup Checklist #3: Business Setup	90
Chapter Five: Managing a Virtual Law Office	91
Providing Customer Service in Your Virtual Law Office	91
Terminating the Online Relationship	94
Daily Best Practices	95
Securing Mobile Devices	95
Checklist of Daily Best Practices for the Use of Technology	97
Marketing Your Virtual Law Office	98
Case Study: Virtual Law Office Web Site Design Tips Dave Ryan	99
Leverage Free Press	102
Free Online Advertising and Lawyer Listings	102
Join Online Forums and Use Linking	103
Advertising Methods to Avoid	103
Create One or More Blogs That Cover Your Practice Areas	104
Case Study: Blogging Tips from a Content Writer Manager Meaghan Olson	104
Comment on Blogs Related to Your Specific Practice Area	107
Twitter	108

Make a Video	108
Check Out Google's Marketing Tools	108
Case Study: Using Search Engine Optimization (SEO)	
Meaghan Olson	109
Rules and Regulations for Online Advertising by Lawyers	112
Case Study: Social Networking and Law Practice Management	
Carolyn Elefant	114
Set Up a Social Networking Policy for Your Practice	119
A Starting Point for Developing Social Networking Policies	119
Create an Online Network of Lawyers for Referrals and Support	121
Keep Your Clients Updated	122
Update Your Business Plan	122
Consult with a Marketing Professional	123
Marketing a Multijurisdictional Virtual Law Firm and Avoiding UPL	123
Working with Virtual Assistants and Virtual Paralegals	124
Case Study: Virtual Assistants	
Tina Marie Hilton	124
Case Study: Virtual Paralegals	
Denise Annunciata	129
Case Study: Virtual Secretarial and Paralegal Services	
Laurie Mapp	131
Chapter Six: Ethics and Malpractice Issues	133
Where Do State Bars Stand on Virtual Law Practice?	133
Malpractice Insurance Coverage	134
Insurance for Your Hardware	136
Case Study: Malpractice Insurance Carrier	
Camille Stell	137
Preventing Malpractice through the Use of Technology	140
Unauthorized Practice of Law	140
UPL in Other Jurisdictions	142
UPL with Multijurisdictional Virtual Law Firms	144
Residency Requirements and UPL	144
Providing Competent Online Representation	146
Conflict of Laws	149
Authentication of the Client's Identity: Is It Our Duty to	
Prevent Fraud?	151
Defining the Scope of Representation Online	153
Establishing the Attorney-Client Relationship Online	154
Clickwrap Agreements	155

Protecting Client Confidences	158
Storage and Retention of Client Data	160
Electronic Discovery	162
Case Study: Impact of Virtual Law Practice on Electronic Discovery Sharon D. Nelson	163
Chapter Seven: Conclusion	165
Appendix	167
Terminology	167
Sample Virtual Law Practice Terms and Conditions for a Completely Web-Based Virtual Law Practice Providing Unbundled Legal Services Online	172
Sample Virtual Law Practice Terms and Conditions A Virtual Law Practice Providing Unbundled Legal Services Online in Conjunction with a Physical Law Office	178
SaaS Providers and Products for Delivering Legal Services to Clients Online	185
Further Reading	185
State Bar Ethics and Advisory Opinions and Other Resources by Topic	186
A. Delivering Legal Services Online	186
B. Specifically Addressing Unbundled Legal Services	196
C. Addressing Electronic Storage of Law Office Data	198
D. Multijurisdictional Practice Issues	199
E. Web Sites and Domain Names in General	199
F. Electronic Communications in General	202
G. UPL over the Internet	205
H. Establishing the Attorney-Client Relationship Online	206
I. Duty to Prospective Clients Online	206
J. Accepting Credit Card Payments from a Client	207
K. Residency Requirements Affecting Virtual Law Practice	207
Index	209