



THE VIRTUAL LAW OFFICE

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I've received an increasing number of calls from lawyers looking to set up a virtual law office ("VLO"). Of course, they rarely use this term when they call me for how-to information. But often that's what they're referring to. There are some misunderstandings concerning the virtual law office. Let's begin with some clarification.

Telecommuting and virtual law office practice are related, but not the same. A telecommuter is one who works full or part time from a home office. However, aside from the independent home-based work environment, that's where the similarity ends. Telecommuters are employed by a firm occupying a traditional brick-and-mortar office somewhere. In some cases the telecommuting lawyer has a real assistant at the law office, and in other cases the telecommuting lawyer utilizes a virtual assistant. In some cases the telecommuting lawyer has a traditional office available at all times at the firm. At other firms, telecommuting lawyers are "hoteled" in shared offices.

Telecommuting lawyers get to avoid a lengthy commute much of the time. This gives them more time to devote to work. For their firms, they save the overhead associated with office space and equipment, and frequently compromise on compensation in order to earn the "right" to telecommute. Telecommuters may work full or part time, and sometimes work an alternative work schedule other than 9 to 5. However, ultimately telecommuters must make time to meet with their counterparts at the office, and often have to work harder on communications in order to remain "part" of the firm, since out of sight all too frequently becomes out of mind.

Telecommuters require excellent communication skills and tools, and benefit from well-designed home offices. As this segment of the workforce has grown — albeit more outside the legal industry than within— technology has risen to the challenge. And the availability of affordable, good quality home office furniture has helped immensely.

But the advent of increasingly reliable technologies isn't responsible for the rise of the virtual law office. Our long economic recession has a lot more to do with it.

Hordes of unemployed newly minted law school graduates, along with experienced displaced attorneys, are setting up solo practices in record numbers. I get the calls on a daily basis from those who need guidance in the process. In an effort to keep overhead as low as possible, many of these attorneys are setting up home-based practices.

The degree to which a home-based office becomes a true VLO will depend on many factors. In its purest form, a virtual law office operates entirely web-based. The "office" exists wherever the attorney establishes a connection to the internet. All software is hosted online in a secure environment. Client files, client data, all billing and accounting activity and record-keeping is stored online. Clients access their information through a secure online portal. Communications are made through email, instant messaging, fax, and telephone, much like a traditional office. In person meetings are generally held at the client's office, but only when a video-conference won't suffice. Some lawyers utilize office suites and rent conference rooms on an as-needed basis for depositions, client meetings, closings and so forth. Others have arrangements with local law firms when the need arises.

Support services in a virtual law office are rendered through the internet as well. Virtual assistants can do everything from transcription and document production to answering and routing telephone calls. They can manage the calendar, docket important activity on matters, perform research, send out document requests, and so forth. Whether the virtual assistant is a "regular" employee working remotely, or an internet-based service, is entirely up to the lawyer's discretion.

A true VLO practice is ideal for an attorney who wants to work in PA during the warm months, and escape to a more tropical climate during the harshest winter months. Or for an attorney who loves to travel, (think children and grandchildren in other states), but still wishes to maintain an active practice.

The ability to practice from literally anywhere is the true distinguisher of a simple home-based practice compared to a true VLO. For many, the home-based practice still operates much like a traditional practice. As such, it can be accessed remotely, but with some degree of inconvenience or incompleteness. The degree to which the home-based practice embraces the paper-independent paradigm will determine just how "virtually" it can operate.



A VLO isn't limited to a solo practitioner. On a national basis we are slowly seeing an increase in small law firms which operate as VLOs. In this instance, each of the attorneys has their own home-based or truly virtual office, and the firm "exists" in the virtual realm. Lawyers can join together because it makes sense from a client-service perspective, without regard for whether they are in close geographic proximity.

A VLO works especially well for niche lawyers who often find firms in their region lacking in sufficient sophisticated work to keep them busy. On a virtual basis they can achieve a synergy with similarly-talented cohorts, and successfully market their practice on a wider scale with less cost.

Setting up a VLO requires minimal start-up costs, and a low monthly overhead. Ramp-up time is likewise minimal, as there are now several cloud-based turnkey solutions for lawyers looking to hang out their VLO shingle.

When PBA members contact me on the hot line (for help in getting their plan mapped out, the first question I am usually asked concerns letterhead: "Can I use a PO Box on my letterhead and web site, or do I *have* to list my home address?" I refer them to Informal Opinion 2009-053 which advises that they can in fact use a PO Box. [Note: PaRDE 219(d)(1)(ii) requires an annual filing with the Registration Office of an actual street address or rural route box number.]

One of the most important considerations will be maintaining a network of communications with other lawyers. Solo and small firm attorneys in PA have a special appreciation for the value of the PBA section's listserv. It keeps them in touch with their colleagues across the state, and provides an opportunity to obtain and exchange information, and often client referrals, with a few keystrokes.

A newer form of communication which is being increasingly deployed by VLO attorneys is Twitter. It is another tool to assist the attorney fight the isolation inherent in a home-based or internet-based practice. It's a short (140 character maximum) and quick (texting from cell phones or email) method of communication. VLO attorneys are finding Twitter helps them stay connected to legal news and the opinions of other lawyers worldwide. And it provides a wealth of access to general advice on law practice management.

Today's traditional brick and mortar law firms are in no danger of extinction. However, this isn't the model all lawyers must embrace to be successful. And even a traditional law firm can increase its geographic scope or practice areas by



establishing a virtual branch office. Consider your clients, and whether and how you can deliver services and market yourself in less traditional methods. In today's environment, the ability to be more nimble, to differentiate yourself from the competition in meaningful ways, to be able to forge affiliations with talent you could not do otherwise, and to be able to deliver service to clients without associated high overhead, can all provide an unbeatable competitive advantage.

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