

<b>Professor:</b>	<b>Dr. Ashleigh Barnes</b> Email <a href="mailto:ashleigh.barnes@law.ufl.edu">ashleigh.barnes@law.ufl.edu</a> Office 368-D Office Hours: 1 <sup>st</sup> Seven Mondays Noon – 1pm; otherwise by appointment
<b>Course Number:</b>	6930
<b>Credit Hours:</b>	1
<b>Room Number:</b>	360
<b>Meeting Times:</b>	1 <sup>st</sup> seven Mondays of the semester 1 – 2:50pm

**Required Text:**

This course provides articles that constitute both required and recommended readings.

**Course Description:** This course offers an introduction to the *business* aspects of practicing law. After graduation, you get a law degree. After a successful bar exam, you are licensed to practice law in a particular jurisdiction. Yet (traditionally), neither prepare you to run a business – and this is true whether you are planning to join a firm, run your own practice, or parlay your law degree into a broader business career. As a lawyer, you are *necessarily* a business person: selling your skills to a firm or selling your skills to the public, or both. This course aims to survey some of the business fundamentals of practicing as a lawyer, as well as some of the ethical considerations implicated. Some topics include: how might you structure your firm? How is the firm you are thinking about joining structured? What are the reward, tax, and control issues, given the various possible structures? Beyond firm structure are more practical questions: How do you break into a particular market? How can you leverage recent legal market dynamics? When and how should you specialize? How do you brand and, quite separately, how do you market? How do you build your client base? How can you and how should you build your online presence? How can you reduce your unpaid work that tends to consume small businesses? How do you understand the ethical implications of these decisions?

**Learning Outcomes:** By the end of this course students will be able to

- Explain the differences in legal entities and their relative merits, particularly relating to control and tax implications
- Navigate the process of establishing a law firm
- Identify basic theories regarding marketing and branding
- Describe the components of and write a business plan
- Identify the challenges of owning, operating and managing a law firm and the means to ameliorate them

**Attendance:** Attendance will be taken at the beginning of each class. Missing more than 1 (2 hour) class without prior notice to the instructor will result in referral to Student Affairs. Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with University policies that can be found at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

**Workload/Class Preparation:** It is anticipated that you will spend approximately 4 hours out of class reading and/or preparing for in class assignments for every (2 hour) class. On weeks that assignments are given, students will have less readings. Assignments are due before class begins.

**Evaluation/Grading:** The law school grading policy is available at: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#9>.

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0

B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

Assignments	% Weight
Participation	5%
Assignment # 1	10%
Assignment # 2	20%
Assignment # 3	20%
Final Assignment	45%
TOTAL	100%

Assignments	Description
<b>Assignment #1 (10%)</b>	Write a memo detailing the following: <ul style="list-style-type: none"> <li>• Pick a business form, firm name &amp; location</li> <li>• What local &amp; state licenses are required</li> <li>• Include required paperwork in memo</li> </ul>
<b>Assignment #2 (20%)</b>	Write an operating agreement for your firm
<b>Assignment #3 (20%)</b>	Write a memo detailing the following: <ul style="list-style-type: none"> <li>• Plan for bookkeeping</li> <li>• Plan for compensation</li> <li>• Plan for Marketing &amp; Branding</li> </ul>
<b>Final Assignment (45%)</b>	Write a business plan, which includes <ul style="list-style-type: none"> <li>• Include an executive summary.</li> <li>• Describe the products or services to be offered.</li> <li>• Summarize business history, management, and goals.</li> <li>• Profile the target customer.</li> <li>• Analyze the competition and market trends.</li> <li>• Provide advertising and marketing strategies.</li> <li>• List assets, liabilities, budgets, and time lines.</li> <li>• Forecast sales growth and profits.</li> </ul>

### Tentative Course Schedule

Date	Topic	Reading Assignment or Assignment
1. Jan. 8	Introduction – the Disparate Business of Practicing Law <ul style="list-style-type: none"> <li>• Manager, Legal Counselor (for the business), Tech Support, Administrator,</li> <li>• Marking/Branding, Client Relations, Bookkeeper</li> </ul>	<p><b>Required:</b></p> <p>Pierson, P. "Small Firms Poised to Thrive in Today's Legal Market" 77 Ala. Law. 20-28 (2016).</p> <p>Acker, R. "So You Want to Hang out Your Own Single? Riding the Wave" 71 Oct. Or. St. B. Bull. 34-37 (2010).</p> <p>Hodson, M. &amp; Snively, T. "Starting a Solo or Small Practice Firm" 40-Sum Art. Law 16 – 20 (2005).</p> <p>Freedman, E. "The Lawyer as Entrepreneur" 36-Aug Pa. Law. 20-25 (2014)</p> <p>Herrera, L. "Training Lawyer-Entrepreneurs" 89 Denv. U. L. Rev. 887 – 920 (2012).</p> <p>Phillips, M. "Entrepreneurial Esquires in the New Economy: Why All Attorneys Should Learn About Entrepreneurship in Law School" 8 J. Bus. Entrepreneurship &amp; L. 59 - 77 (2014).</p> <p><b>Recommended:</b></p> <p>Pierson, P. "Small Firms Poised to Thrive in Today's Legal Market" 77 Ala. Law. 20 (2016).</p> <p>Fowler, J. "Practical Considerations in Starting a Solo Law Practice" 39-Dec L.A. Law 10 (2016).</p> <p>Campbell, R. "The End of Law Schools: Legal Education in the Era</p>

		<p>of Legal Service Businesses” 85 Miss. L. J. 1 (2016).</p> <p>Steinberger, K. “The Orientation Express Teaching Your Lawyers about the Business of Law” 28 No. 8 Legal Mgmt. 48 (2009).</p> <p>Wood, A. “The Tale of Two Solo Practitioners” 25-Nov CBA Rec. 43 (2011).</p>
2. Jan. 22	<p>Business Formation</p> <ul style="list-style-type: none"> <li>• The Legal Entities</li> <li>• The Process</li> </ul>	<p><b>Required:</b></p> <p><a href="https://www.dcbbar.org/bar-resources/publications/washington-lawyer/articles/april-2016-uncertain-future.cfm">https://www.dcbbar.org/bar-resources/publications/washington-lawyer/articles/april-2016-uncertain-future.cfm</a></p> <p><a href="http://startmyfloridalawfirm.com/">http://startmyfloridalawfirm.com/</a></p> <p>“Choosing an Entity Comparison Chart (FL)”, Practical Law Corporate &amp; Securities</p> <p>“Essential Startup Firm Guide”, Practical Law Institute.</p> <p>Martin-Rhodes <i>et al</i>, “Law Firms’ Entity Choices” Business Entities (July/August 2014).</p> <p><b>Recommended:</b></p> <p><a href="https://pri.floridabar.org/new-practice/(videos)">https://pri.floridabar.org/new-practice/(videos)</a></p> <p>Adams, E. “Rethinking the Law Firm Organizational Form and Capitalization Structure” 78 Miss. L. Rev. 777 (2013).</p>
3. Jan. 29	<p>Implications of Business Formation</p> <ul style="list-style-type: none"> <li>• Tax</li> <li>• Control – Planning for a “Divorce”</li> </ul>	<p><i>Assignment # 1 Due</i></p> <p><b>Required:</b></p> <p><b>Recommended:</b></p>
4. Feb. 5	<p>Promotion</p> <ul style="list-style-type: none"> <li>• Marketing – Using Data for Growth</li> <li>• Branding</li> </ul>	<p><i>Assignment # 2 Due</i></p>
5. Feb. 12	<p>Processes</p> <ul style="list-style-type: none"> <li>• Minimizing Administration/Process: Tech Support, Office Management, &amp; Bookkeeping</li> <li>• Managing Employees: Hiring, Training &amp; Letting go</li> </ul>	
6. Feb. 19	<p>Handling Clients (Guest Speaker)</p> <ul style="list-style-type: none"> <li>• Building a Client Base</li> <li>• Retaining Clients</li> </ul>	
7. Feb. 26	<p>Planning from the Beginning</p> <ul style="list-style-type: none"> <li>• Billing, Budgeting, &amp; Financial Planning</li> <li>• Writing a Business Plan</li> </ul>	<p><i>Assignment # 3 Due</i></p>
		<p><i>Final Assignment Due February 19, 2018 by 5pm</i></p>

**University of Florida Policies:**

**University Policy on Accommodating Students with Disabilities** – Students requesting accommodation for disabilities should register first with the Office of the Dean of Students (<https://www.dso.ufl.edu/drc/>). The Office of the Dean of Students will provide documentation to the student who then must provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or

taking quizzes or exams. Because accommodations are not retroactive, students should contact the Office of the Dean of Students as soon as possible in the semester for which they are seeking accommodation.

**University Policy on Academic Misconduct** – UF students are bound by The Honor Pledge, which states: “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: ‘On my honor, I have neither given nor received unauthorized aid in doing this assignment.’” The Honor Code (<https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor.

**University Policy on Course Evaluation** – Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations typically are open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at: <https://evaluations.ufl.edu/results/>.

**Disclaimer:** This syllabus represents my current plans and objectives. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Such changes, communicated clearly, are not unusual and should be expected.