AILA’s Immigration Practice & Professionalism Toolbox

CAVEAT
The sample documents and materials in AILA’s Practice and Professionalism Toolbox are just that--samples. Read each one carefully and adapt it to meet your specific needs and jurisdictional requirements; but don’t forget, the law can change quickly, so always review the relevant rules and regulations.

Preface

About the Editors

I. INTRODUCTION: THE LAWYER AS MANAGER

Articles

101. Entrepreneurship 101: How to Be Successful in the Business of Law
   by Vic Goel

102. The Immigration Lawyer as Manager
   by Rami D. Fakhoury, Frieda Garcia, Maurice Goldman, and Sheela Murthy

103. Best Practices for Immigration Law Office Management
   updated by Davis C. Bae and David S. Jones

104. If Times They Are a-Changing, Why Aren't Lawyers Too?
   by Reid Trautz

II. LIFECYCLES OF YOUR PRACTICE

A. Launching an Immigration Practice

Articles

201. The Top Ten Do’s and Don’ts of Starting and Immigration Practice
   by Sandra A. Grossman

   by Ruth McChesney and Eden Minucci

203. Accounting for Start-Up Law Firms: Know the Entity Tax Classification to Know the Accounting Method

   by Clayton E. Cartwright, Jr.

**Samples: Checklists**

204. Start-Up Checklists for a Law Firm

   by Peter D. Roberts

205. Staying in Business: Business Deadlines Checklists

   by Ruth McChesney and Eden Minucci

**B. Merging or Reinventing Your Existing Practice**

**Articles**

206. Reinventing Your Law Practice

   by Reid F. Trautz and Ken Stern

207. Forming and Dissolving Partnerships

   by Hudaidah Bhimdi, Mitch Wexler, and Becki Young

**Sample: Checklist**

208. Pre-partnership Due Diligence Checklist

   by Reid F. Trautz

**C. Planning for Closure or Retirement**

**Articles**

209. When You Go to Heaven Will Your Practice Go to Hell

   by Reid F. Trautz

210. Practical Tips for Contingency and Succession Planning for Solos and Small Firms

   by Jonelle Ocloo, David A.M. Ware, and Becki Young
211. Contingency Planning for Attorneys: The Ethics of Extended Leave, Disability, and Death
   by Jonathan E. Avirom, Steven A. Clark, and Mark Ivener

III. MARKETING: BRINGING THE WORK INTO YOUR PRACTICE

Articles

301. Marketing Your Brains Out Without Losing Your Mind
   by Reid F. Trautz

302. Top 10 Marketing Tips
   by Sandra A. Grossman, Nathan R. Bogart, Jacob Sapochnick, and Rohit Turkhud

303. Legislative Advocacy: Good Citizenship and Good Marketing
   by Greg Siskind

304. AILA’s Media Relations Handbook
   by AILA Department of Communications and Outreach

305. Supercharge Your Client Referrals: Marketing Through Client Service
   by Reid Trautz

306. Tips for LinkedIn Marketing
   by Greg Siskind

307. How-To Guide to Twitter
   by AILA Department of Communications and Outreach

308. Six Content Strategies for Twitter
   by Greg Siskind

309. Untapped Referral Resources Using your Past and Current Clients
   by Greg Siskind

310. How to Choose the Right Domain Name for Your Firm
   by Greg Siskind
311. Are Lawyer Awards Worth Your Time?
   by Greg Siskind

312. Business Card Tips
   by Greg Siskind

313. The Do’s and Don’ts of Email Signature Blocks
   by Greg Siskind

314. How Artificial Intelligence Helps Marketing
   by Greg Siskind

Samples

315. Sample Marketing Plan

316 (a–b). Ideal Structure of an Op-Ed and Sample Op-Ed Introduction
   (a)
   (b)
   by AILA Department of Communications and Outreach

IV. RISK MANAGEMENT

401. Top 10 Things to Know about Legal Malpractice Coverage
   by AILA Malpractice Insurance Program

402. What to Do if a Malpractice Claim Might Be Filed Against You?
   by Reid Trautz

Sample

403. Sample AILA Malpractice Insurance Form
   by Leavitt Group

V. LAW PRACTICE TECHNOLOGY

Articles
501. Immigration and Technology: The Final Frontier
   by Becki Young, Douglas Penn, Tiffany Martinez, and Karol Brown

502. Cyber Security and Ethics of Protecting Client Data
   by Ruby Powers, Kimberly Sutton and Patrick Kolasinski

503. Mobility Management: Taking Your Practice with You on the Road
   by Ruby Powers, Allen Orr, and Greg Siskind

504. Three Automation Tools to Consider Implementing in Your Practice
   by Ruby Powers

505. Technology/Cybersecurity Management & Policies
   by Sharon D. Nelson, Esq., John W. Simek, and Michael C. Maschke

VI. ONBOARDING CLIENTS, GETTING THE WORK DONE, AND GETTING PAID WHILE STAYING ETHICAL

Articles

601. The Importance of Advanced Business Planning in the Initial Representation Decision
   originally submitted by Roxana C. Bacon and updated by Reid F. Trautz

   by Reid Trautz

603. Winning Tips for Winning RFPs
   by Reid F. Trautz and Greg Siskind

604. Case Management and Ethical Considerations for an Immigration Law Practice
   by Davis C. Bae

605. Understanding the Needs of Your Clients and Your Role as an Advisor: It’s Not Just Filling Out the Forms—Ethical Issues in Representing Corporate Clients
   by Paul Zulkie, Sara DeBlaze, and Lori Chesser
606. Conflicts of Interest and Waivers in Family Practice
   *by Scott Titshaw*

607. Current Issues from the AILA Ethics Compendium: Unauthorized Practice of Law, Multijurisdictional Practice of Law, and Conflict of Interest for Current Clients
   *by Alan B. Goldfarb, Kenneth Craig Dobson, and Meghan Moore*

608. Representation of the Joint Sponsor on an I-864 is Both Permissible and Prudent
   *by Cyrus Mehta*

609. Ethical Consideration for Immigration Attorneys in Three Emerging Areas
   *by Romy Kapoor, Cyrus Mehta, Reid Trautz, and Rami Fakhoury*

610. The Ethics of Balancing Humanity and Lawyering: Ethical and Cultural Challenges Involved in Zealously Representing Vulnerable Immigrants
   *by Michael S. Vastine and Charles Shane Ellison*

611. Getting Paid: A Primer for Immigration Lawyers
   *by Reid F. Trautz and Carl Falstrom*

612. Breaking the Self-Imposed Barriers: Ideas and Solutions for Workplace Success—Gender Parity in the Workplace
   *by Ruth L. McChesney and Sonal Mehta Verma*

613. Creating the Best Representation Agreement for Your Immigration Practice
   *by Reid Trautz*

614. Driving Profits—It’s Not About How Much Revenue You Bring; It’s About How Much You Keep
   *by Ruth McChesney and Eden Minucci*

615. Ethical Challenges of Engagement Agreements and Fees
   *by Melissa Chavin, Robert Juceam, Ruby Powers, and Helen Sklar*

616. Accepting Advance Flat Fees Means Thinking About Having to Return Them
   *by Alan Goldfarb*
617. Withdrawal of Representation in Immigration Practice
   by Cyrus Mehta

**Samples: Intake and Workflow Forms**

618. Prospective Client Phone Information Sheet Introduction
   Prospective Client Phone Information Sheet
   by Bonnie Stern Wasser

619. General Immigration Questionnaire Introduction
   General Immigration Questionnaire
   by Janet H. Cheetham

620. Addendum to Client Immigration Questionnaire (for Potential E Visa, EB-5, and L-1 Start-Up Ventures) Introduction
   Addendum to Client Immigration Questionnaire (for Potential E Visa, EB-5, and L-1 Start-Up Ventures)
   by Bonnie Stern Wasser

621. Asylum Intake Questionnaire
   by R. Mark Frey

622. Client Communication Preference Form Introduction
   Client Communication Preference Form
   by Reid F. Trautz

623. Sources of Referrals Form Introduction
   Sources of Referrals Form
   by Bonnie Stern Wasser

624 (a–b). Service Center Tracking Logs (one in MS Word and the other in MS Excel)
   (a)
   (b)
   by Bonnie Stern Wasser

625. Inactive File Memorandum Introduction
   Inactive File Memorandum
626. General Client Feedback Questionnaire Introduction
   General Client Feedback Questionnaire
   by Reid Trautz

Samples: Workflow Checklists
627. Solo/Small Law Office Procedures Checklist
   by Reid F. Trautz

628. Onboarding Clients: New Client Matter Checklist
   by Ruth McChesney and Eden Minucci

Samples: Representation Forms
629. Basic Representation Agreement
   by Reid F. Trautz

630. Sample Evergreen Retainer Provisions
   by Reid F. Trautz

631. Fee Agreement
   by Sarah E. Buffett

632. Representation Letter in Connection with Immigration Matter
   by H. Ronald Klasko

633. Basic Fee Agreement (Massachusetts)
   by Denis P. Bergin

644. Engagement Letter (Paying Client)
   by Robert E. Juceam

645. Engagement Letter (Pro Bono Client)
   by Robert E. Juceam
646. (Family-Based) Legal Representation Agreement  
   by Meghan Moore

647. H-1B Representation Agreement to Employer Letter  
   by Linda Rose and Chéryl Williams

648. Limited Dual Representation Letter in H-1B Matter  
   by Janet H. Cheetham

649. Retainer Agreement—Adjustment of Status  
   by Cyrus D. Mehta and David A. Isaacson

650. Retainer Agreement—PERM, Adjustment of Status, Removal Proceedings  
   by Cyrus D. Mehta and David A. Isaacson

651. Family-Based Hourly Dual Representation Letter  
   by Janet H. Cheetham

652. Employment-Based Hourly Dual Representation Nonimmigrant Visa Letter  
   by Janet H. Cheetham

653. Employment-Based Hourly Dual Representation Immigrant Visa Letter  
   by Janet H. Cheetham

654. Conflict Letter of Disclosure and Mutual Consent Form  
   by Edward R. Litwin

655. Conflict of Interest and Disclosure Information Waiver  
   by Steven Clark and Vincent W. Lau

656. Waiver Conflicts Letter for Employer Regarding an H-1B Petition  
   by Cyrus D. Mehta
657. Waiver Conflicts Letter for Employee Regarding an H-1B Petition
   by Cyrus D. Mehta

**Samples: Declining or Ending Representation Forms**

658. Non-Engagement Letter
   by Robert E. Juceam

659 (a–b). Simple Routine Disengagement Letters (two versions)
   by Robert E. Juceam and Reid F. Trautz

660. Notice Regarding Discharge of Attorney Introduction
   Notice Regarding Discharge of Attorney
   by Michael W. Schoenleber

661. Letter to Client Terminating Representation on the Basis of Dual Representation Conflict(s)
   by Edward R. Litwin

**VII. MANAGING YOUR PEOPLE: YOUR MOST IMPORTANT ASSETS**

**Articles**

701. Introduction to Human Resources
   by Janet Parker

702. Building the Strongest, Most Flexible Team
   by Ruth McChesney

703. Attracting, Developing, and Keeping the Best and the Brightest
   by J. Anthony Smith, Magali Suarez Candler, and Amy Novick

704. You Are Not Alone: Creative Practices in Managing People
   by Davis C. Bae, Steven Garfinkel, and Linda Rahal

705. Why and How to Conduct Pre-Interview Testing of Immigration Legal Assistants and Paralegals
   by Cletus M. Weber
**Samples: Forms**

706. Employee/Contractor Confidentiality Agreement  
   *by Reid Trautz*

707. Staff Teleworking Agreement  
   *by Reid Trautz*

708 (a–e). Skills Assessment Test for Legal Assistants and Paralegals  
   (a)  
   (b)  
   (c)  
   (d)  
   (e)  
   *by Cletus M. Weber*

709. Performance Evaluation of Legal Support Staff Introduction  
   Performance Evaluation of Legal Support Staff  
   *originally submitted by Paul McLaughlin and updated by Adam J. Rosen*

**Sample: Checklists**

710. Professional Development and Compensation Factors Checklist  
   *by Reid Trautz*

**VIII. ATTORNEY WELLNESS**

801. The New Billable Hour: Increase Your Productivity by Focusing on Your Wellness  
   *by Ritu Goswamy*

802. Holistic Lawyering: How to Live Long and Prosper  
   *by Ritu Goswamy, Lisa T. Johnson-Firth, Alexandra Kennedy, and Donusia Lipinski*

   *by Lory D. Rosenberg*
804. Substance Abuse: Identifying the Problem and Getting the Help You Need

by Irma Pérez, Rachel R. Ray, and Ritu Goswamy

805. Competency: Mindfulness, Secondary Trauma, and Self-Care

by Douglas Chermak, Ritu Goswamy, and Galia Schechter

IX. APPENDIX

Using AILA Resources in Your Immigration Practice
List of Additional Resources