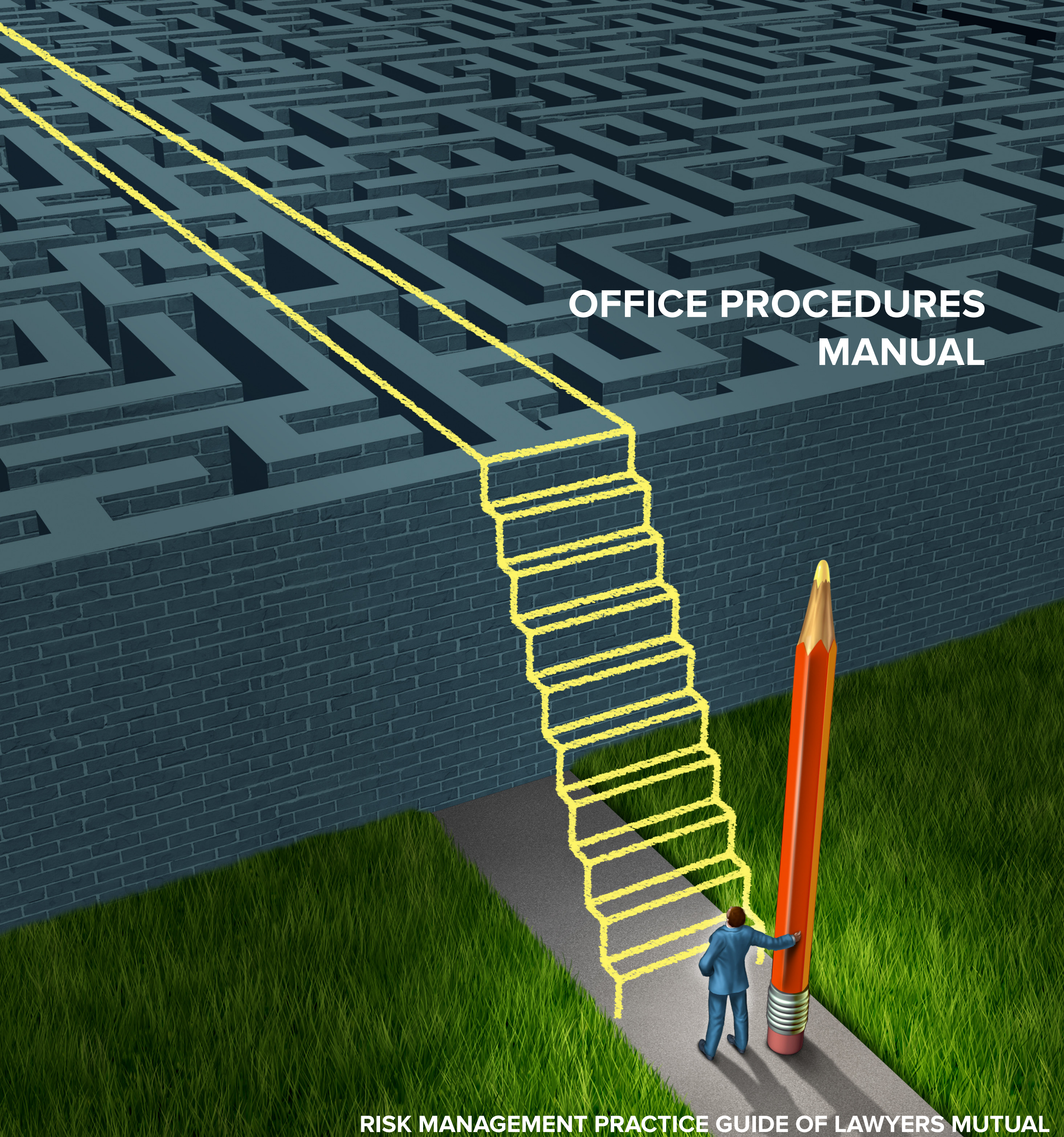
OFFICE PROCEDURES MANUAL



RISK MANAGEMENT PRACTICE GUIDE OF LAWYERS MUTUAL

LAWYERS MUTUAL | LIABILITY INSURANCE COMPANY OF NORTH CAROLINA

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OCTOBER 2016

Office Procedures Manual

RISK MANAGEMENT PRACTICE GUIDE OF LAWYERS MUTUAL

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SAMPLE FORMS

LAWYERS MUTUAL LIABILITY INSURANCE COMPANY OF NORTH CAROLINA

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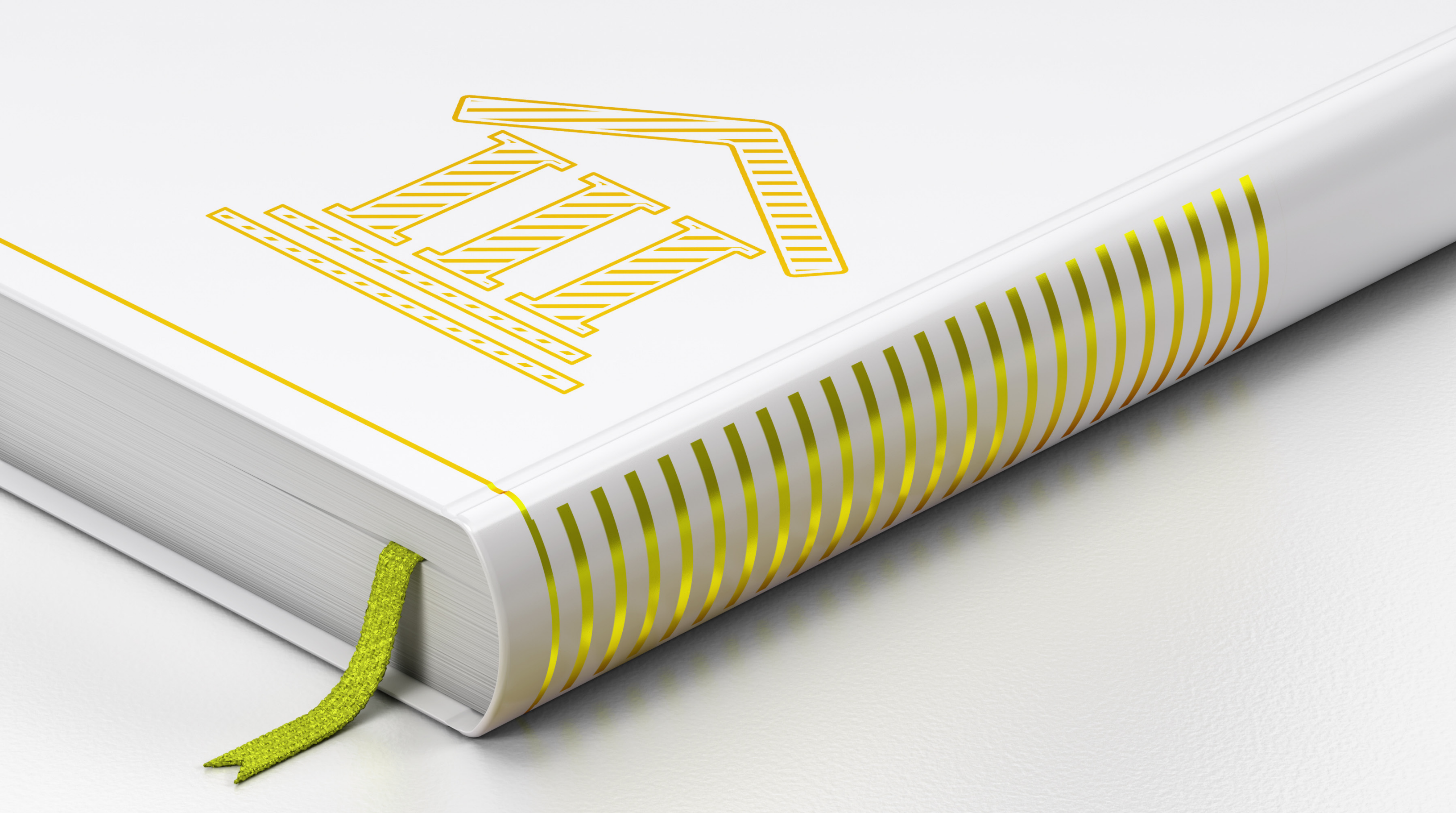

Why you need a manual

Preparing and maintaining an office policies and procedures manual is an essential part of managing a law practice. Although the process may seem tedious while creating the manual, it will save valuable time and headaches in the future. Because an office policies and procedures manual is so valuable, it is important to take sufficient time to compose a good one. A poorly constructed manual could open the firm to legal liabilities and confuse staff regarding responsibilities. Having a clear, all-inclusive manual will help create a stable working environment and assist with your management duties by providing answers to questions that may arise.

An office policies and procedures manual is composed of two distinct sections. The office policies section refers to rules and regulations. These include employment, behavior, and inclement weather procedures. Having an Employee Handbook is strongly recommended. At a minimum, many federal and state employment related laws require that employers have written formalized policies addressing certain issues. Other laws recognize affirmative defenses to employee claims if certain policies exist. Having a formal Employee Handbook that is tailored to the needs of the specific organization and that is regularly updated is the best way to ensure compliance and to minimize risk for employee claims.

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Having a clear, all-inclusive manual will help create a stable working environment and assist with your management duties by providing answers to questions that may arise.

The office procedures section documents the administrative functions necessary for the business to operate properly. These include daily, monthly and yearly procedures. For law offices, procedures include file management, conflicts of interest checking, managing the trust account, and calendaring. Opening mail, answering the phone, and other routine activities should also be included. All of these processes are vital to prevent malpractice claims and grievances.

In reality, the need for an office policies and procedures manual is greater for solo and small firms than in larger firms. Because the trusted assistant is relied upon to do so much, an extended absence could be detrimental to the office if you have to attempt to train a substitute based solely on memory of activities you do not perform. One minor duty could be overlooked and cause a major problem.

An office policies and procedure manual also makes training new employees easier by providing step by step descriptions of job duties. Even though the new employee should be shown how to perform each task, they will not have to rely on memory or continually ask their trainer questions because written instructions are provided.

In essence, the policies and procedures manual will serve as your employees' handbook and the office how-to guide. The manual explains to your employees what you expect from them and informs them of how they can expect you to handle problematic situations should any arise. Have employees sign an acknowledgement that they have read and received their manual. Keep this acknowledgment in their personnel files. Another way to train staff on procedures is to record a series of videos. With the availability of video on smart phones, it is not necessary to have a video studio to accomplish this.

PRACTICE TIP

An office policies and procedures manual is composed of two distinct sections.

The **OFFICE POLICIES SECTION REFERS TO RULES AND REGULATIONS**. Examples include:

- employment
- behavior
- inclement weather procedures

THE OFFICE PROCEDURES SECTION DOCUMENTS THE ADMINISTRATIVE FUNCTIONS. Examples include:

- file management
- conflicts of interest checking,
- managing the trust account,
- calendaring.
- routine activities like opening mail and answering the phone

Writing a Manual

For your office policies and procedures manual to be most effective, you will need to put time and effort into preparing it. You can find several sample manuals, some specifically designed for law offices, that you can edit to your liking. Your manual should not radically change established office policies, so take care not to simply adopt a generic manual as provided.

Use Simple Language

An office policies and procedures manual should be written in simple, easy to understand language. Sentences should be twenty words long or fewer. The idea is that readers can glance at the manual and quickly grasp the concepts being presented to them.

Typically the best method of presenting information is an outline format.

Simple language and detailed structure makes it easy for employees to find the information they are looking for in the manual. Clear, plain language also prevents misinterpretation of information and ensures everyone is on the same page. Your manual should not be confusing to the reader.

The manual should be written in a positive tone. The purpose is to provide a pleasant working environment and produce a cohesive firm identity.

Compiling Content

Before you begin to write your manual, you will need to compile the information that needs to go into it. Since most of the daily administrative tasks may be unfamiliar to an attorney, have office staff record their activities and write down the steps they take to perform these duties. Review calendars for monthly and yearly tasks and record the actions necessary to complete these activities as well.

Avoid specific actions, such as "Preparing a Will" in an estates practice. Instead, there should be a general entry for document preparation that describes the process for accessing standard paragraphs in your word processing system or the location of sample forms. This will prevent your policies and procedures manual from becoming unnecessarily long by repetitively describing the steps for specific document creation when they are essentially the same.

Organizing Content

Once you have the content pulled together, you will need to organize the information into categories that give the manual structure. Create an outline of your manual to assist you with determining where information should be placed. Divide the manual into sections and topics to include specific information underneath.

If you are using a sample manual, it will provide you with the format of how a typical policies and procedures manual would be organized. For those who are creating a manual on their own, general section descriptions are provided in this handout. First and foremost, the organization of your policies and procedures manual should make the

PRACTICE TIP

WRITING THE MANUAL

1. Use simple langue. Sentences 20 words or fewer.
2. Have a detailed structure, such as an outline format
3. Use a positive tone.
4. Compile information before you begin to write the manual. Ask office staff to record their activites and duties to include.
5. Avoid specific actions and instead focus on standard document preparation.
6. Organize information into categories to give the manual structure
7. Create a production schedule. Breaking it down will prevent it from becoming overwhelming.
8. Edit for consistency.
9. Establish a review process, which includes testing the outline procedures.

information easy to find. Use the table of contents and index to ensure staff locate the information they need.

Planning Production

At this point, writing the policies and procedures manual probably seems like a massive, daunting task. Create a production schedule, setting aside a certain amount of time each day to work on the manual. Breaking the work into smaller units will prevent it from being overwhelming. Having a production schedule is helpful to maintain a balanced workflow.

You may also elect to assign the writing duties to someone else, or divide sections among staff members. However, it is important that the writing style for the manual remain consistent throughout. Since manuals are composed in simple language, this should be relatively easy to maintain even if you use multiple writers. Editing for consistency will be necessary should multiple writers be employed for writing the manual.

Review

Regardless of who composes the manual, you will need to establish a review process to ensure that it complies with employment laws and accurately describes procedures. The review process is also extremely important to check for phrases such as "with cause" that may limit your rights as am employer. Using the wrong phrases can turn your employee manual into a contract in the eyes of the court.

The review process should also include testing of procedures described in the manual to ensure they are thoroughly described. Since the manual may be relied upon by staff to complete tasks in emergency situations, instructions must include all steps in the procedure no matter how small so that the procedure can be duplicated without training if necessary.

The Office Structure

The best starting point for your manual is a description of your office structure. This introduces employees to your company and defines office organization. Beginning your manual with the office structure section will set a positive tone for the manual instead of beginning with rules and regulations.

> "
> **Beginning your manual with the office structure section will set a positive tone for the manual instead of beginning with rules and regulations.**

Introduction

The first order of business in the introduction section is a welcome to the employee. This letter, gives a personalized element to the handbook. Follow the letter with your firm's mission statement to further emphasize the commitment to goals. Company history will complement the mission statement by showing your progress. The introduction should make an employee feel good about choosing your company.

Building Layout and Access

The next section of office structure should consist of building layout and access procedures, including maps of the building as well as the office layout for your suite. This can help new employees find items within the office without having to ask questions each time.

If your office is located in a building that automatically locks the front doors at a given time, such information should be communicated in this section. Access to the office during non-business hours, such as weekends, should include information regarding alarm systems as well as temperature control standards for unoccupied hours.

Job Descriptions

The manual should include a description of each position to clearly identify who is responsible for tasks. Assigning tasks to specific employees helps balance workload among employees and promote a better work environment. Job descriptions will be more general for smaller law firms and more specific in larger law firms where additional positions allow the firm to narrow the duties of an employee.

Job descriptions assist new employees with knowing whom to ask certain questions. You will have prepared a job description when hiring someone to fill a position; this description can be placed in the manual. You may wish to reword the language to fit the manual, but it is not necessary to create a completely new description. Also, firm size to number of employees will factor into how specific or general the job descriptions should be. A flow chart of firm and division structure may also prove helpful.

Supplies and Equipment

The last piece of the office structure portion of the manual describes office supplies and equipment. Detail where supplies are located within the office as well as the procedure to request more supplies when needed. If supplies are typically purchased on a certain schedule, include procedures for urgent supply requests.

The location of office equipment such as fax machines, scanners and copiers should be detailed. Including information regarding the procedures for changing toner cartridges for office equipment will ensure the equipment can be properly maintained and functioning. If you have personnel whom you would prefer to perform maintenance, identify the responsible party.

PRACTICE TIP

The Manual: **OFFICE STRUCTURE**

INTRODUCTION.
A welcome letter to the employee. Include firm's mssion.

BUILDING LAYOUT AND ACCESS.
Include maps of the building and office layout. Include information about access (such as automatically locking doors, access to the office outside of business hours) and alarm systems.

JOB DESCRIPTIONS.
Include a description of each position to identify responsibility for tasks.

SUPPLIES AND EQUIPMENT.
Detail where supplies are located and procedures to request more supplies. Include locations of office equipment (fax machines, copiers, etc.) and explain procedures for maintaining equipment.

The Manual: Personnel Policies

Personnel policies cover the terms of employment for your office. Wording is crucial in this section to ensure you do not limit your rights as an employer. In some cases, policies manuals have been determined to be contracts between employers and employees. Speak in general terms and avoid words such as "guarantee" when referring to firm actions. You want to avoid determining certainty with regards to how the firm reacts to situations.

General Policies

General employment policies indicate compliance with federal and state employment laws. Policies should include topics such as equal opportunity employer, non-discrimination, confidentiality and privacy. Include your office procedure for harassment in this section.

Employment

This category describes the act of being employed. List classifications of employment as well as any probationary period used by the firm. Describe the process of employee evaluations and how they will be used. Also, include information regarding personnel files and their confidentiality.

Another component of the employment policies section is the disciplinary and termination terms. Include the procedures for disciplinary actions and/or termination without representing that such procedures will be followed for each offense. Some offenses, for example, might be cause for immediate termination.

(If an employee is being considered for disciplinary action, any concerns should be reflected in the employee review. An employee may file for wrongful termination if the review process suggests satisfactory performance and then they are terminated for not performing their duties properly.)

"

Wording is crucial in this section to ensure you do not limit your rights as an employer. In some cases, policies manuals have been determined to be contracts between employers and employees. Speak in general terms and avoid words such as "guarantee" when referring to firm actions.

Conduct

This section of the manual describes the employee's behavior as a representative of the company. Include online representation such as social media, blogging and email since these have permanent impressions and have a farther reaching effect than other behavior. Define your office media policy, including who is allowed to represent the firm to media outlets. Do not neglect web browsing regulations and other uses of office equipment and supplies for personal use. Also determine who is allowed to sign contracts on behalf of the firm.

Your company's dress code policy should be very specific about what is allowable. Be sure to enforce your dress code policy consistently to avoid claims of bias. Also include policies for personal phone calls and audio devices to limit the amount of work interruption and disagreements regarding musical tastes between office workers, especially those whose desks are situated in cubical office layouts.

To ensure that your office presents a professional image, include a section regarding workspace maintenance and personal property. This can serve as a reminder that client information is privileged, so a client visiting the office should not view loose papers on a desk or have access to computer screens.

Another component of the employee conduct is the office dating policy. This policy can be a strict no dating policy or restrict any personal relationships to after office hours. The goal is to prevent personal relationships from affecting office performance.

While it may be tempting to write these office rules heavy handedly, be sure to project a positive attitude and focus on the objective of a good working environment instead of a list of things not to do. To ensure this section ends on the most positive note possible, close the section focusing on employee comments and suggestions to make the office better.

Hours of Work

Now that employees know how to behave in the office, you need to tell them when they are to be present and accounted for. Hours of operation should be provided. Include the time allotted for lunch and/or breaks.

If your firm allows for telecommuting or alternate work schedules, address the procedures for approval of these actions. Detail the importance of attendance and knowing where employees are when they are needed. Include your office's procedures for time reporting. Address late arrival or early departure notification procedures as well.

The last component of this section is the office emergency closing policy. Since this is most often used for inclement weather, outline your policy for informing employees of office closure. In inclement weather situations when the firm is open or on a delayed schedule, provide the policy for how those who cannot come to work will be charged the time.
In the event of emergency evacuations from the office, an emergency exit plan should be in place with a designed employee gathering site to verify everyone has exited the building. If possible, include detailed maps with outlined exit routes in the manual.

PRACTICE TIP

The Manual:
PERSONNEL POLICIES

GENERAL POLICIES. Compliance with federal and state regulations.

EMPLOYMENT. Include classification of employment, information about personnel files and confidentiality, and disciplinary and termination terms.

CONDUCT. Describe acceptable behavior, including dress code. Include online behavior (social media, blogging and email), a media policy, web browsing regulations and uses of office equipment and supplies.

HOURS OF WORK. Hours of operation, and policies around telecommuting or alternate work schedules.

BENEFITS. All information about the benefits package - insurance, retirement and vesting procedures, and tuition reimbursement if applicable.

HOLIDAYS AND LEAVE. List holidays observed by office and information regarding paid time off accrual an duse. Include policies regarding jury duty, military leave and bereavement, as well as any other incentive leave such as school leave.

Benefits

For many employees, the benefits package adds satisfaction to the job they have accepted. Insurance is perhaps the most sought after benefit for employees. Include all types of insurance coverage offered: health, dental, short term disability, etc. Also detail worker's compensation coverage and the procedure for submitting claims.

Employees are also very interested in the firm's retirement plan benefits. The type of plan(s) available should be provided. Also provide any contributions to the plan that will be made by the firm. Your firm's vesting procedures should also be described.

Another benefit offered by many companies is tuition reimbursement for work-related education. Provide the procedure for obtaining pre-approval for education expenses. There can be restrictions as to what kind of educational programs are covered by this policy as well.

Holidays and Leave

This section details the time allotted not in the office. List the holidays which the office will observe by closing. Also detail how many days the office will be closed if the office elects to close multiple days for a holiday, such as Thanksgiving or Christmas. Provide the procedure for informing employees of the yearly dates for holiday observance.

Also provide employees information regarding paid time off accrual and use. Paid time off may be combined into one category or broken down into sick leave, vacation, etc. The procedure for requesting paid time off from supervisors should be included. Short-term disability and/or discharge due to illness also should be addressed.

Policies regarding jury duty, military leave, and bereavement should be included in this section. School leave, taken in hourly segments, can be another incentive to help promote parental involvement in school functions. If compensation is provided for any of these leave categories, detail how much time an employee can expect to be paid within an allotted timeframe. For example, your firm may provide two weeks of paid time for jury duty within a two year period but provide no paid time for military leave unless the employee uses accrued paid time off.

The Manual: Office Procedures

Now that the terms of employment have been fully addressed, the procedures for working in your office should be outlined. This portion of the manual should provide the employee with detailed instruction of how to perform their duties as well as instruction in performing the duties of someone else if needed.

Security

Because a law firm handles confidential information, maintaining security is imperative. Of biggest concern today is electronic security for computer systems and files. (Please see our handout on "Email, Internet and Wireless" in the Risk Management Resources section of our website for more information on developing policies regarding electronic file policies.)

Another aspect of security is the proper disposal of confidential information. Shredding policies for documents should be addressed. If your firm employs a disposal company to shred documents for you, placing confidential documents in secure containers until it is picked up to be shredded should be stressed. Leaving confidential information in a recycle box to be emptied later could be a liability should someone gain access to your office.

To prevent unauthorized access to your office, outline opening and closing procedures that provide security for your staff and your confidential information. Physical access to the office was described in the office structure section, but reiterate security procedures as part of the maintaining confidentiality process.

Emergency or Disaster

Hopefully never to be needed, every office needs an emergency and/or disaster plan. Natural disasters such as hurricanes or flooding should be addressed, but modern disasters such as server crashes must be included as well. Disaster recovery procedures such as recreating files from server backups and alternate work abilities should the office be inaccessible are crucial elements for disaster recovery.

Another portion of emergency planning is the procedure for an on the job emergency. Describe the procedure for reporting injuries. If the incident is a worker's compensation claim, include information regarding proper procedures for notifying management.

Representing Firm

This section furthers the basic code of conduct outlined in the personnel policies. Provide instruction regarding the proper way to greet clients and answer the telephone. While these simple gestures may be second nature to some, having guidelines will present a uniform image of the office.
Maintaining confidentiality is another portion of representing firm. This requires no watercooler gossip within earshot of clients who are visiting the office. Remind employees that they are not allowed to discuss cases in front of clients.

Representing Clients

Of course the most important function of a law firm is the representation of clients. This section describes the proper office procedures for engaging and declining representation. Referring cases to third party lawyers should be delicately handled, for example, when your firm cannot accept a case.

The proper use of engagement letters is crucial for establishing client relationships. Be sure staff know the procedures for using engagement, non-engagement and dis-engagement letters so that representations are clearly established from start to finish. These letters can greatly reduce the headaches caused by misunderstandings between clients and attorneys. (For more information, including sample letters, please see our "Attorney-Client Relationships" handout in the Risk Management Resources section of our website.)

Communications

To facilitate good client relations, you need to establish guidelines for proper etiquette and timeliness in responding to correspondence. This applies to all forms of communication: telephone calls, faxes,

"Hopefully never to be needed, every office needs an emergency and/or disaster plan. Natural disasters such as hurricanes or flooding should be addressed, but modern disasters such as server crashes must be included as well.

emails, mail, and personal visits. If the responsible party cannot timely respond to the client, designate a backup to respond within the appropriate time frame. The rules established by your office for corresponding with clients should be relayed to clients with their engagement letter. Knowing who and when a response will be received by will greatly reduce the agitation of a client, especially if their primary attorney is unavailable at the time.

PRACTICE TIP

The Manual: **OFFICE PROCEDURES**

Detailed instructions on procedures and duties. These include:

- Security
- Emergency or Disaster
- Representing Firm
- Representing Clients
- Communications
- Filing System
- Docket Control System
- Finances

Filing System

A thorough description of your filing system will ensure that everyone follows the same procedures for opening and closing files. Begin with opening procedures and the correct style of labeling a file, including specific fonts and sizes to be completely uniform. Completion of a conflicts of interest check should be included as part of the opening procedures as well.

Once a file is open and active, file management procedures, such as your check out and check in system, should be described. Include file transfer procedures as well. Any other event that may happen to an open and active file should be documented here.

File closing procedures should follow open file activities. Include any changes in file labeling associated with your closed file procedures. Also, note if you have special filing procedures for completed cases that have outstanding invoices. (See our "File Management: Retention and Destruction" handout in the Risk Management Resources section of our website for more information regarding file management and closing procedures.)

Docket Control System

Your docket control system, or calendaring system, will vary depending on your software. Describe the procedures for calendaring that are specific to your firm. Include information regarding appropriate backup calendar maintenance should the primary system be unavailable.

List events that should be calendared, including follow-up dates. Determine responsible parties for actions and designated backups to ensure activities are completed timely. (For more information regarding docket control, see our "Calendar and Docket Control" handout in the Risk Management Resources section of our website.)

Finances

The final piece of your office procedures description is the financial management portion of casework. Timekeeping procedures should be described so all staff uniformly record activities for clients. Your manual should note that duties that should be performed by administrative staff should not be charged at an hourly rate.

Included a detailed description of your billing statement and the frequency at which it should be sent. Itemize the information that should be included on the billing statement and list typical charges and costs that should be billed. Having a clear, descriptive billing statement aids in client satisfaction, so it is important that staff understand the importance of this document.

Proper documentation for your clients' trust accounts is crucial for firm management. Trust account theft is a serious State Bar violation, regardless of the amount, so it is imperative to maintain strict procedures for writing trust account checks and balancing the account. (See the "State Bar's Trust Account Handbook" for standards regarding trust accounts.)

For duties performed by staff, include reimbursement requirements and petty cash procedures. Reimbursements that are to be charged to a case should require receipts regardless of the amount for the client's information. Petty cash should be available for emergency situations and stored in a secure location with limited access.

The Manual: Standard Formats

Conclude your policies and procedures manual with a section regarding standard formats for forms and letters produced by your office. This section includes generic formats and typographical standards to present a uniform look. Store detailed standard forms in a form notebook and/or accessible server file so they are readily available for staff when they need to create the same or similar document without having to recreate the wheel. If on a server, you may want to write protect the file to prevent the inadvertent editing of the standard form.

Typographical Standards

Although you may believe everyone types the same way, assistants may have different styles of creating documents that include varieties in such things as spacing between sentences, paragraph formatting, and signature placement. Manage your image by listing standards for these and other typography elements such as abbreviations, hyphenations, quotations, and outline formatting. Setting standards ensures documents created by staff will be formatted the same.

Letters and Memoranda

Provide a description of your letterhead and the appropriate margins. Include the fonts and text size to be used. Again, the purpose is to create

PRACTICE TIPS

The Manual:
STANDARD FORMATS
These include policies and standards on the following:

TYPOGRAPHY. Examples include spacing between sentences, abbreviations, hyphenations, quotations.

LETTERS AND MEMORANDA. Including formatting procedures, fonts and text size for your letters, memorandas and fax cover sheets.

PLEADINGS. Include format rules dictated by the courts.

OTHER DOCUMENTS. This might include email formatting, forms, office signatures.

uniform documents. If you have standard paragraphs for letters, list location of these paragraphs and the procedure for properly inserting them in the document.

Also include formatting procedures for creating memoranda and fax cover sheets. Detail the margins and appropriate font and text size use, especially if these vary between heading and body. Be sure to include information regarding disclaimer language, which should be included on your fax cover sheet.

Pleadings

Describe the formatting procedures for creating court documents and pleadings. Stress the importance of format rules dictated by the courts. If you maintain a library of standard paragraphs for pleadings, describe in detail the location and procedure for inserting paragraphs into the document.

Other Documents

Consider any other documentation that does not fall into other categories and include it in the formatting guidelines. You may have specific formatting for email communications, including standard office signatures, to be included here. For forms, describe access to the forms library and/or the location of the forms notebook for reference.

Maintaining a Manual

Once you've written a manual, you must maintain the information included to keep it current. Changes in employment law must be reflected in the policies sections. Updates in software may cause procedures to change, which should be recorded so that staff have correct instruction for performing tasks.

It will also be necessary to periodically review the manual for changes and updates to procedures to accommodate any changes that are made in staffing, policies, etc. You may find you want to change your polices regarding how you proceed during inclement weather, for example. You may decide the current wording is insufficient and text needs to be changed.

If you keep each section on a separate page and placing the manual in a three ring binder, changes to pages can be made easily and do not have to be time consuming. Be sure to indicate the date on any changes made so that everyone can be sure they have the most recent revision in their manual.

To save paper and ensure everyone knows where to find the most recent manual, consider making it available in a read-only format on firm's server. Other forms such as tax forms and change request forms may be kept here as well.

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Once you've written a manual, you must maintain the information included to keep it current. Changes in employment law must be reflected in the policies sections.

Law Office Manual Suggest Table of Contents

Chapter 1	**Introduction**
Chapter 2	**Organization, Management and Administration:** Firm resume, management committee/board of directors, confidential nature of legal work, code of personal and professional conduct.
Chapter 3	**Office Policies:** Equal opportunity employer, policy on sexual harassment, policy on disability, office hours, nepotism policy, charitable and political contributions, attorney publicity.
Chapter **4**	**Personnel Policies and Benefits:** Employee classifications, probation period, leaves of absence, AIDS/HIV and other life-threatening illnesses, termination of employment, smoking, substance abuse.
Chapter 5	**Information Systems:** Removal of file from the file room, conflict of interest information system, master calendar.
Chapter **6**	**Word Processing Services:** Work applicable for word processing center, submitting work to the word processing center, proofreading, standard office formats.
Chapter 7	**Duplicating Services:** Types and uses of available equipment, charges for and recording of copies made, out-of-office document reproduction services.
Chapter 8	**Office Security and Emergency Procedures:** Emergency procedures, medical emergencies, work injuries or accidents, data protection, disaster recovery.
Chapter 9	**Financial Management:** Timekeeping records, petty cash, cash advances and reimbursement of expenses, billing procedures, trust account.
Chapter 10	**Communication Systems:** Telephone system, facsimile machines, electronic mail, mail services, air freight and express services, messenger service.
Chapter 11	**Equipment, Maintenance and Supplies:** Furniture and equipment, maintenance requests, requests for new types of supplies or new products, photographic equipment, computers.
Chapter 12	**Support Personnel and Their Functions:** Principal switchboard operator and receptionist, office attendant, relief personnel, notaries public, litigation services.
Chapter 13	**Travel:** Automobiles, travel agency, reimbursement of travel expenses, taxicab vouchers.
Chapter 14	**Miscellaneous Guidelines:** Office news bulletin, charitable services and pro bono work, community and professional activities.
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Confidentiality Forms

CONFIDENTIALITY FORM A

It is the policy of ___________________ that matters related to the firm and its practice are not to be discussed in the presence of any unauthorized persons. It is understood that some of the matters in the office are sufficiently interesting to tempt personnel to engage in conversation that may breach the rule of confidentiality. Therefore, it is extremely important that everyone exercise extreme care in this area. The information received in the office is the private property of the client and aside from the embarrassment that would result from any unauthorized disclosure, there is the likelihood of creating legal liability and prejudice to the client's case. Additionally, attorneys keep sensitive material that may be of a confidential nature, either as to the firm, its personnel, to themselves, or to their clients. To avoid any violations of that confidentiality in the attorney's absence, under no circumstances should an attorney's office be offered for use to a client, vendor, or other unauthorized person without the consent of the attorney or his or her administrative secretary or, in their absence, the Director of Administration.

In addition to the client matters, some personnel must routinely handle pay and personnel information as a result of their normal duties. This information must be treated with the utmost sensitivity and confidentiality, A breach of confidentiality with respect to any client matter or internal matters, including pay or personnel, will be considered reason for immediate dismissal.

Name of firm: ____

This will confirm that I, the undersigned, have read and agree to abide by the provisions of the foregoing stated policy as it relates to the confidentiality and the law firm.

This the ___________ day of ________________________________, 20___.

____

Signature

CONFIDENTIALITY FORM B

As an employee of (Law Firm), I acknowledge that I have been instructed regarding the confidentiality of all firm business, activity and records and except as required by law in the course of my duties, or where instructed in writing by management, I am aware that all firm books, records, files and memoranda are to be treated in strict confidence. I pledge that I will not disclose information relating to the firm, its business or its clients during my employment or after the termination thereof whether such termination be voluntary or involuntary. I understand that any breach of confidentiality will be grounds for my immediate dismissal as a firm employee.

This the _________ day of ________________________, 20___.

____

Signature

____

Witness

New Team Member Checklist — HR

Employee Information	
Name:	State date:
Position:	Manager:

Pre-First Day
☐ Send email confirming receipt of Offer Letter and New Hire form with instructions for first day.
☐ Hire the new team member into software program using the completed New Hire form which will trigger the workflow.

Human Resources Orientation – Given by:		
☐ Power Point presentation introducing the firm and review HR policies.		
☐ Policies Requiring Acknowledgement Page	Unlawful Harassment Trading in Securities	Management of Firm Information and Use of Information Processing Facilities
☐ Paperwork to Be Completed (Left Side)	First Day Information Form I-9 Emergency Contact Information W-4	Direct Deposit Pre-Tax Commuting
☐ Review Handouts (Right Side)	Firm Wellness Program EAP-[Insert Firm's EAP Company] Employee Dress Code	Safety & Security Manual Payroll Schedule Holiday Schedule

The undersigned hereby acknowledges that he/she has completed the HR portion of orientation and understands the policies and procedures reviewed during the presentation.

Signature ____ Date ____________________

Computer Training – Trainer:	Time:	Site:
☐ Hardware and software reviews performed including:	E-mail Intranet Microsoft Office System DM	Databases Internet Telephones

Introductions and Tours			
☐ Received introductions to department staff and key personnel during tour.			
☐ Lunch with Manager/Buddy			
☐ Tour of facility, including:	Restrooms Mail rooms Copy centers Fax machines	Bulletin board Parking Central office supplies	Kitchen Coffee/vending machines Human Resources Emergency exits and supplies

Benefits Orientation
☐ Reviewed Benefits Orientation Slide Show
☐ Review and Collect Paperwork

New Team Member Checklist — EMPLOYEE

Employee Name:			
HR Orientation			
☐ View First Day Presentation which includes an introduction to the firm and HR policies.			
Orientation Packet – Human Resources Department – [NAME]			
☐ Policies Requiring Acknowledgement Page	• Unlawful Harassment • Trading in Securities • Management of Firm Information and use of Information Processing Facilities		
☐ Paperwork To Be Completed (Left Side)	• First Day Information Form • I-9 • Emergency Contact Information • W-4	• Direct Deposit • Pre-Tax Commuting	
☐ Handouts (Right Side)	• Firm Wellness Program • EAP- [Insert Firm's EAP Company] • Employee Dress Code • Safety & Security Manual	• Payroll Schedule • Holiday Schedule	
Computer Training			
☐ Hardware and software reviews by IS, including:	• E-mail • Intranet • Microsoft Office System • DM	• Databases • Internet • Telephones	
Introduction and Tours – Manager or Buddy			
☐ Received introductions to department staff and key personnel during tour.			
☐ Lunch with Manager/Department.			
☐ Tour of facility, including:	• Restrooms • Mail rooms • Copy centers • Fax machines	• Bulletin board • Central Office supplies	• Kitchen • Coffee/vending machines • Human Resources • Emergency exits • First aid supplies
Benefits Orientation			
☐ View Benefits Orientation Slide Show.			
☐ Received Copy of Benefits Highlights Handbook.			
	• Beneficiary Forms • Medical Enrollment Forms • Dental Enrollment Forms		

New Team Member Checklist — MANAGER

Employee Information			
Name:		State date:	
Position:		Manager:	
First Day – [Insert Date]			
☐ Prepare for new team member's arrival. ☐ Assign colleague(s) to answer general questions.			
Administrative Procedures			
☐ Review general administrative procedures.	• Office/desk/work station • Purchase request process • Requesting time off • Flexible scheduling option(s) • Reporting absences • Out of office protocols	• Attendance & punctuality • Time keeping (if appl) • Standard Meetings	
Introductions and Tours			
☐ Give introductions to department staff and key personnel during department tour.			
☐ Tour of department/floor, including:	• Managers office • Meeting rooms • Printers	• Filing cabinets • Common areas • Cafeteria	• Colleagues/team work areas • Emergency exits and Department supplies
Position Information			
☐ Introduction to team. ☐ Review initial job assignments and training plans. ☐ Review job description and performance expectations and standards. ☐ Review job schedule and hours. ☐ Review payroll timing, time cards (if applicable), and policies and procedures.			
Computers – [Insert Date]			
☐ Software reviews, based on job, including:	• E-mail distribution list • Meeting requests	• Data on shared drives	• Databases

Employment Termination Form

PeopleSoft Users Only:
Initials: ___________
Date: ___________

Effective Date | Employee ID | Office

Last Name | First Name | Initial

Last Day Worked

Termination Reason - Please Choose ONE:

Please select from these categories for NON-LAWYER departures:

- ☐ Attendance (ATT)
- ☐ Misconduct (CON)
- ☐ Death (DEA)*
- ☐ Job Abandonment (JOB)
- ☐ Misstatement on Application (MIS)
- ☐ Dissatisfied w/ Compensation (PAY)
- ☐ Dissatisfied w/ Company Policies (POL)
- ☐ Staff Reduction (RED)
- ☐ Partial/Total Disability (PTD)
- ☐ Dissatisfied w/ Promotion Opportunities (PRM)
- ☐ Resignation (RES)
- ☐ Unsatisfactory Perf. (USP)
- ☐ End of Temporary Employment (TMP)

Please select from these categories for LAWYER departures:

- ☐ Unsatisfactory Perf. (USP)
- ☐ Mutual Consent (MIT)
- ☐ Death (DEA)*
- ☐ Reduction in Lawyer Force (RIF)
- ☐ End of Temporary Employment (TMP) (e.g. Summer Associates & Contract Attor- neys)

Resignation/Other Position: (Pick ONE from List)

- ☐ Law Firm (RLF)
- ☐ In-House Position (RIH)
- ☐ Public Sector (RPS)
- ☐ Other profession (ROP)
- ☐ Personal/Family (PER)

Exit interview scheduled on ____________ with ____________

***Please complete the following section for deceased employees:**

Contact Name | Relationship to Deceased

Contact Address | Contact City, State, Zip

Home Phone | Work Phone

Company Liaison(s)

Supervisor/Director of Administration | Date | Human Resources Signature | Date

CONFIDENTIAL

Exit Checklist

Name ____________________ Office ____________________

The following is a list for your reference of items that will be discussed with you and items that need to be received from you prior to your departure from the firm. Please sign and return this form, along with the items listed in Section II, to ______________________________ no later than **your last day of work.**

SECTION I - ITEMS TO DISCUSS WITH DEPARTING EMPLOYEE

☐ N/A	☐ Yes	by: _______	PTO ☐ Accrued ☐ Used ________________
☐ N/A	☐ Yes	by: _______	Medical Benefits/COBRA
☐ N/A	☐ Yes	by: _______	Life Insurance Conversion
☐ N/A	☐ Yes	by: _______	Retirement Savings Plan Funds - [Insert Firm's Contact Information]
☐ N/A	☐ Yes	by: _______	Outstanding Personal Expenses $_______________
☐ N/A	☐ Yes	by: _______	Outstanding Advances $_______________
☐ N/A	☐ Yes	by: _______	Outstanding Expense Reimbursements $ ____________________
☐ N/A	☐ Yes	by: _______	Computer Security Process
☐ N/A	☐ Yes	by: _______	Procedures Regarding References
☐ N/A	☐ Yes	by: _______	Policies Regarding Client Files/Proprietary Work Product
☐ N/A	☐ Yes	by: _______	Eligibility for Reemployment
☐ N/A	☐ Yes	by: _______	Process for Receiving Final Pay/W-2
☐ N/A	☐ Yes	by: _______	Electronic Court Filing Notification Changes
☐ N/A	☐ Yes	by: _______	Other: ____

SECTION II - ITEMS TO BE RETURNED BY EMPLOYEE

☐ N/A	☐ Yes	Resignation Letter	☐ N/A	☐ Yes	Security Pass/Building Keys
☐ N/A	☐ Yes	Final/Signed Time Report	☐ N/A	☐ Yes	Desk Drawer Keys
☐ N/A	☐ Yes	Client Matter Data Sheets	☐ N/A	☐ Yes	File Cabinet Keys
☐ N/A	☐ Yes	Lawyer Time Diary	☐ N/A	☐ Yes	Other Keys
☐ N/A	☐ Yes	Lawyers'/Summer Manual	☐ N/A	☐ Yes	Facebooks
☐ N/A	☐ Yes	Laptop/Disks	☐ N/A	☐ Yes	Long Distance Card
☐ N/A	☐ Yes	Blackberry/Cell Phone	☐ N/A	☐ Yes	Company Credit Card
☐ N/A	☐ Yes	Home PC Equipment	☐ N/A	☐ Yes	Westlaw ID Card
☐ N/A	☐ Yes	Business Cards	☐ N/A	☐ Yes	Lexis ID Card
☐ N/A	☐ Yes	Nameplate	☐ N/A	☐ Yes	Dictaphone
☐ N/A	☐ Yes	Library/Firm Purchased Books	☐ N/A	☐ Yes	Delete Phone Mail Messages
☐ N/A	☐ Yes	Parking Pass/Access Key	☐ N/A	☐ Yes	Other: ____________________

ACKNOWLEDGEMENT/AUTHORIZATION: I have reviewed the information above and authorize the Firm to make a deduction from my final paycheck in the amount of $____________________, as detailed on the attached itemized statement, and will repay the firm in the amount of $____________________ within thirty (30) days of my

______________________________ ____________________

Signature Date

Weekly Time Sheet

Please Print. This Sheet Must Be Filled Out and Signed By Employee.

Employee Name: ______________________________

Department: ______________________ Employee/Payroll #: __________

Week Ending	**Morning**		**Afternoon**		**Overtime**		**Total**	**Total**	
____/___/___	In	Out	In	Out	In	Out	Regular Hours	Overtime Hours	Overtime Approval
Monday ____/____/____									
Tuesday ____/____/____									
Wednesday ____/____/____									
Thursday ____/____/____									
Friday ____/____/____									
Saturday ____/____/____									
Sunday ____/____/____									

Weekly Totals			

EMPLOYEE'S SIGNATURE: ______________________ DATE: ____/____/____

SUPERVISOR'S SIGNATURE: ______________________ DATE: ____/____/____

THIS FORM MUST BE RECEIVED BY PAYROLL BY: _______ A.M. ______ P.M. ON ______________ OF EACH WEEK	PAYROLL ___________ DATE ____/____/____/

provided by FLORIDA STATE BAR LOMAS

Leave of Absence Request: Other Than Required Family or Medical Leave

Name: ____ Date: ____/____/____
Department: ____ Hire Date: ____/____/____
Title: ____ Length of Service: ______________

Status: [ ] Full Time [ ] Part Time [ ] Temporary Employee Payroll #: _____________

To Be Completed By Employee

Leave to Start: ___/___/___ Expected Return Date: ___/___/___

[ ] With Pay [ ] Without Pay

All requests for paid or unpaid Leave of Absence must be accompanied by the appropriate documentation (e.g., Military, Orders, Subpoena, etc.)

Reason: [ ] Personal [ ] Jury Duty [ ] Military [ ] Education [ ] Other

Details: ____
____
____
____

In cases other than leave requested for military or jury duty, I make this request for a Leave of Absence with the full understanding that: (a) my current job may be eliminated during the term of my leave of absence; (b) the vacancy created by my absence may be filled by another employee; (c) in the event that my current job is eliminated or filled by another employee, I may be considered for other positions within the company that would be comparable to my former position; and (d) in the event that no such comparable position is or becomes available during the one month period following the termination of my leave of absence, my status will be changed to that of a terminated employee.

I also understand that if I do not return ready to work on the above date or contact my Supervisor, I will be considered to have abandoned my job.

Employee Signature: ____ Date: ____/____/____

....

Leave Approval

Supervisor: ____ Date: ____/____/____

Payroll Instructions

____
____
____
____

provided by FLORIDA STATE BAR LOMAS

Job/Office Evaluation

By: ____________________ Date: ____________________

Lawyer(s)
Legal Assistant(s) to Whom Assigned: ____________________

Please give us your thoughts about the office to help us identify problem areas, find reasonable solutions, and make the office a better place to work and your job personally satisfying. We would like your comments and suggestions about your work assignment and about the office practices generally. Please be as specific as you can. Completion of this form is not mandatory.

WORK ASSIGNMENT

How could your job be made more interesting?

How could your job be made easier and more productive?
(Examples: Supervisors to give deadlines for work. Give files with dictation.)

Would you like more responsibility? If so, in what areas?

What could you do for your immediate supervisors to make their work easier?

What could you do for your department to make it run more smoothly?

Do you feel you have good communication with your immediate supervisor(s)? With other lawyers, legal assistants, staff?

Do you know how well your work is received?

Do you feel there are any areas/skills you need to improve and/or do you have any goals or objectives for the next year?

General Comments regarding your work assignment:

OFFICE PRACTICES

What practices in the office would you like to see changed and why?

Please give any suggestions as to how the above could be changed.

Do you receive cooperation from other departments and personnel?

Please give any suggestions which you think would make this office a better place in which to work.

provided by FLORIDA STATE BAR LOMAS

Performance Evaluation Form

Employee:	____________________	Position:	____________________
Supervisor:	____________________	Department:	____________________
Date:	____________________	Time in Position:	______________

SECTION I - GENERAL PERFORMANCE STANDARDS

Consider each standard separately. Mark an X in the appropriate box which most reflects the evaluator's response. A substandard performance rating on any performance standard must be supported by specific comment in the space provided. Use additional sheets if necessary.

1. JOB KNOWLEDGE, SKILLS, AND ABILITIES: The knowledge, skills and abilities necessary to perform work satisfactorily.

- ☐ Does not have the basic knowledge, skills and abilities to perform work satisfactorily.
- ☐ Has the basic knowledge, skills, and abilities to perform work satisfactorily.
- ☐ Has exceptional knowledge, skills, and abilities to perform work.

COMMENTS:

____

____

____

2. QUALITY OF WORK: "Customer" satisfaction; accuracy and caliber of work submitted; comparison of specifications or instructions to final output.

- ☐ Work is sometimes inaccurate or incomplete; fails to meet departmental standards.
- ☐ Work is usually accurate and thorough; work meets departmental standards.
- ☐ Work is consistently of excellent quality, accuracy, and detail.

COMMENTS:

____

____

____

3. PRODUCTIVITY: Efficiently uses time through setting priorities; completes required objectives; average turn-around time on projects compares to agreed delivery.

- ☐ Works slower than expected; work is of substandard consistency and timeliness.
- ☐ Completes work on time, with consistency and efficiency; meets departmental standards.
- ☐ Quickly completes work, often ahead of schedule; effectively prioritizes works; exceeds departmental standards.

COMMENTS:

____

____

____

4. RELIABILITY: Meets deadlines and promises to management and customers. Attendance and punctuality for work hours, meetings and other time commitments.

- ☐ Sometimes is not dependable and conscientious in performing work; unwilling to accept responsibilities.
- ☐ Consistently dependable and conscientious; usually accepts responsibilities; meets departmental standards.
- ☐ Extremely dependable; follows through promptly on all tasks; accepts responsibilties; exceeds job goals; show high level of initiative.

COMMENTS:

5. COMMUNICATION: Quality and effectiveness of written and oral communication skills, both internally and externally.

- ☐ Communication skills impair work performance.
- ☐ Possesses the required communication skills and is effective in the position; meets departmental standards.
- ☐ Has excellent communication skills; very effective in verbal and written interactions.

COMMENTS:

6. TEAM WORK/ WORKING RELATIONSHIPS: Ability to build effective relationships with peers, management, customers and outside contacts to positively affect Company objectives; considers others' ideas and suggestions both positive and critical..

- ☐ Has trouble getting along with other employees, supervisors, and the public.
- ☐ Has a generally positive approach in assisting others; maintains effective working relationships; meets departmental standards.
- ☐ Exceeds departmental standards; highly cooperative; works hard to promote positive work relationships.

COMMENTS:

7. SECURITY/CONFIDENTIALITY: Adheres to the rules and regulations to ensure confidentiality standards are met.

- ☐ Fails to follow rules and regulations; falls below departmental standards.
- ☐ Follows rules and meets departmental standards.
- ☐ Exceeds departmental standards for mantaining security and confidentiality..

COMMENTS:

SECTION II - JOB PERFORMANCE STANDARDS

This section is designed to be "job specific". Refer to the "Job Performance Standards" of the employee's position description. Briefly list the major job duties specifically related to the performance of this job. Check the standard which represents the employee's work performance. Additional job performance standards may be attached. In the comment section, provide information to explain and support ratings that indicate substandard performance.

BELOW STANDARD: Job performance generally falls below standards required for the position.
MEETS STANDARDS: Job performance satisfactorily meets the requirements for the position.
EXCEEDS STANDARDS: Job performance consistently exceeds the standards for the position.

	BELOW STANDARD	MEETS STANDARD	EXCEEDS STANDARD
1. Comments:			
2. Comments			
3. Comments:			
4. Comments:			
5. Comments:			

SECTION III - OVERALL WORK PERFORMANCE

Check the standard which matches the employee's OVERALL work performance. An overall work performance rating which does not meet "Job Requirements" requires specific explanation in the comment section. Explanation must include the specific job performance areas requiring improvement. Attach additional sheets as necessary.

- ☐ Performance needs improvement to meet Job Requirements.
- ☐ Performance meets Job Requirements
- ☐ Performance exceeds Job Requirements.

COMMENTS:

____
____
____

SECTION IV - EMPLOYEE COMMENTS *

Comments are encouraged either agreeing, disagreeing or acknowledging the supervisor's evaluation. Attach additional information if needed.

____
____
____

Employee's signature:_______________________________________ Date:________________

Supervisor's signature:_______________________________________ Date:________________

Chief Administrator's signature:________________________________ Date:________________

**Attach the Employee Self Evaluation Form to this Performance Evaluation Form before submitting.*

Section IV - EMPLOYEE SELF EVALUATION

EMPLOYEE NAME: ______________________________ HIRE DATE: ____________________

SUPERVISOR: ______________________________ TITLE: ____________________

1. List both goals and objectives set by your manager and those you set for yourself.

____
____
____

2. What impact did you have on meeting your customers' needs? How did your performance against your goals and objectives contribute to the overall success of the Company?

____
____
____

3. Comment on what goals and objectives were not accomplished and why. What could you have done to be more successful?

____
____
____

4. Having reviewed your position description, do your areas of responsibility fit your position description? If certain areas do not, what adjustments do you feel should be made?

____
____
____

5. Are there any areas of the operations of the department or Company which are a hindrance to your achieving your objectives? If so, can you provide suggestions for improvement?

____
____
____

6. How do you feel about your career development with this firm and as comparable to similar positions in city/town?

____
____
____

7. Suggest areas for professional, skills and/or career improvement and development.

____
____
____

8. Where do you see yourself two years from now?

____
____
____

Once this self evaluation has been reviewed by the employee and evaluator, it should be attached to the employee's Performance Appraisal.

Additional Resources

Law Office Policy & Procedures Manual, Sixth Edition. Hatoff, Howard and Wert. Robert. Published by the American Bar Association. Available at: http://shop.americanbar.org/eBus/Store/ProductDetails.aspx?productID=128964432

In the Lawyers Mutual Lending Library:

"Law office procedures manual for solo and small firms." Dimitriou, Demetrious. Published by the American Bar Association. Available at www.abanet.org or by phone at 800.285.2221; product code 5110522. Price is $79.95 for members of the ABA and $69.95 for members of the Law Practice Management Section.

"North Carolina small law office resource manual." Published by the North Carolina Bar Association. Available at: https://www.ncbar.org/cle/bookstore/slm11.aspx; member price is $199.00 for book. $279.00 for book and CD or $255.00 for CD. Other pricing options are available.