



PLAN NOW FOR YOUR SUMMER VACATION OR SABBATICAL

Everyone knows that vacations are essential for stress reduction and rejuvenation. Without a change in scenery, the everyday grind of practicing law can wear you down. You owe it to yourself and your clients to take a break and avoid burnout. Your mental and physical health will improve, the cobwebs will clear, and your enthusiasm will be reborn.

Yet even with the overwhelming evidence of the benefits of taking vacations (and the risks of not taking them), many lawyers – especially those in small firms or solo practices – find plenty of reasons not to leave town. Here are two of the top excuses – and some suggestions for getting past them.

“I CAN’T AFFORD IT.”

It’s true that time off means no billable hours and therefore no cash coming in the door. The solution is to budget now. Set aside reserve funds in the months before your trip. To get in the habit of long-range vacation budgeting, every year you should decide how many weeks of vacation you want to take and subtract that number from 52. This gives you the number of weeks available for generating income. Determine the amount of income you want, including vacation expenses, and divide that amount by the number of income-generating weeks. That is the average weekly amount you need to bring in. Although small firms and sole practitioners probably find that their income varies widely, this calculation pro-

vides a good rule of thumb for strategic planning. Also consider that an extended vacation or sabbatical is a long-term investment in the intellectual capital of your firm – you.

“I’M TOO BUSY.”

If you wait to take a vacation until work pressures ease, you might never go. Schedule your time off as you would a trial and jealously guard those dates on the calendar. If you are not naturally a strategic planner, commit yourself to the time off by making non-refundable travel reservations. These advance preparations will force you to do the necessary planning for your cases and get your practice in order before you leave.

LAYING THE FOUNDATION

Generally, the key to taking time off is planning ahead and setting a foundation so the wheels will keep spinning in your absence. If you work in a firm with other lawyers, schedule a planning meeting or retreat to discuss your vacation or sabbatical. Address each of your cases and decide as a firm how to handle them while you are gone. Identify which active cases will need to be temporarily transferred to another lawyer, which cases might settle before your departure, and which cases require a letter requesting that the judge not schedule any proceedings in your absence.

If you are a sole practitioner, develop a buddy system with another lawyer you trust who is experienced in your practice area. The two of you can watch over each other’s cases and coordinate schedules. Be sure your buddy isn’t planning to be

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gone at the same time you are. Consider giving your buddy a power of attorney to act for you in emergencies. Let your clients know about your buddy system. Arranging for a buddy to temporarily manage your law practice fulfills your ethical responsibilities and ensures that your clients' interests are protected.

DRAFTING THE BLUEPRINT

Use the following list to start the planning and organization for your absence:

- **Notify Your Clients.** Let them know the dates you'll be gone. Tell them an experienced lawyer will be watching your cases and will be available in an emergency. Encourage them to contact you with any questions or concerns about their case well before you leave. The key is to give your clients plenty of advance notice.
- **Notify Other Parties.** Notify judges, witnesses, and opposing counsel in writing, as well as any agencies you frequently appear before. If you work with an agency that handles many cases, you may need to send a letter to go in the file of each case you have with that agency, depending on the level of activity you anticipate on the case during your absence. Remember that clients, judges, witnesses, and opposing counsel also take vacations. Be sure to consider their schedules when planning yours.
- **Create a Countdown Schedule.** Make a comprehensive list of everything that needs to be done before you leave, then use that list to create monthly, daily, and weekly to-do lists. Determine which tasks you can reasonably accomplish before the vacation, which you need to delegate, and which should be scheduled for post-vacation. If possible, get cases to a point where they can "rest" while you are gone.
- **Train Your Staff.** Your support staff should know how to screen client calls during your absence and when to contact your buddy or other lawyers in your firm. Your staff should also be able to get in touch with you in a real, life-or-death emergency. Make sure your staff is familiar with your office procedures manual, and that all filing, billing, accounting, calendaring, and record-keeping systems are kept up to date. (The PLF can help you set up these systems if they are not already in place.)

- **Have Your Back-Up System in Place.** Be sure your buddy or other lawyers in your firm know how to access your files. Keep your files well organized and leave a written summary of the status of each case in the file.
- **Clear Your Calendar.** As your vacation approaches, reduce the number of new cases you take on. Block out time to do the work you need to complete before leaving. If possible, don't schedule appointments the week before you leave so that you have time to deal with the last-minute issues that inevitably arise.
- **Maximize the Benefits.** Establish a check-in system with your office that minimizes the number of times you have to check in but allows the office to reach you if needed. Prepare your cases and train your staff before you leave, so that you are only needed in a true emergency. Avoid post-vacation overload. Resist the temptation to catch up on all matters during your first week back in the office. Schedule as few appointments as possible during that return week to allow time to sort through mail, read e-mail, and deal with unanticipated issues.

OTHER RESOURCES

The Professional Liability Fund can help you protect your clients' interests while you take a vacation or sabbatical. The PLF publication, *Planning Ahead: A Guide to Protecting Your Clients' Interests in the Event of Your Disability or Death*, contains several useful resources. Chapter 3 contains a "Checklist for Lawyers Planning to Protect Clients' Interests in the Event of the Lawyer's Death, Disability, Impairment, or Incapacity" that can be modified for an extended vacation or sabbatical. Chapter 4 has a "Power of Attorney – Limited" that you might want to give to your buddy lawyer. Finally, Chapters 1 and 2 discuss the pros and cons of giving access to your trust account. The publication is available on the PLF Web site, www.osbplf.org, or by calling the PLF at 503-639-6911 or 1-800-452-1639.

If you would like help getting organized for your departure, call the PLF at 503-639-6911 or 1-800-452-1639 to make an appointment with one of our practice management advisors.

Tanya Hanson
PLF Loss Prevention Attorney