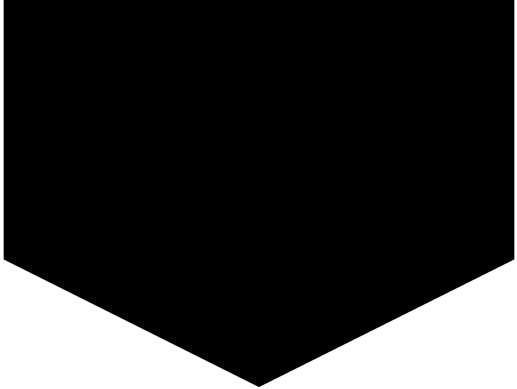




MEMBER ROUNDTABLE: OUTSOURCING EFFECTIVELY



Spring Summit 2021

AMERICAN
ACADEMY

OF ESTATE
PLANNING
ATTORNEYS



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MARK EGHARRI

Outsourcing Medicaid Applications

LONG ISLAND, NY - MEMBER SINCE 1995

- Unique Abilities (UA) has been a focus and learned this at the Academy, which is why he made the decision to outsource this.
 - 2006-2018 hired another attorney to do this in house
 - Represented \$300k- \$400k of revenue
 - Joined MPS & Matson Money (MM) at the same time
 - Discovered UA aligned with MM not Medicaid and made the decision to outsource
- Called a competing non-Academy lawyer, Richard, who was an excellent practitioner, not necessarily an entrepreneur. Was a preeminent lawyer in Medicaid. Called to let him know he wanted to talk about handling Medicaid apps for the office.
- They are now about 50% of the business they get in their office. Has been a win. They have tremendous confidence in handing off the cases to their team. They think of them as their cardiologist. Still caring for them, but bringing the surgeon in to do the application.
- Financial arrangement – the Medicaid attorney proposed $\frac{1}{3}$ of the fee as a referral fee. Mark countered with 25% of the fee. Wanted him to be enthusiastic about the case. When clients do call, it's an opportunity to engage in UA, which is about gathering their assets which is under Eghrari's roof to prepare a seamless handoff to their office. They do charge a fee for this. The other "15%" to do the asset review. Also sets them up for MM conversions.
- They have systematized the handoff:
 - Mark meets with them to discuss assets/investments
 - Sends Richard copy of trust and bio info and preliminary list of assets
 - Works really well
 - Documentation and deadlines were highly stressful, but they no longer have that. Richard handles it well.

QUESTIONS

- What is the standard fee for asset coordination?
 - Standard fee \$3500 - looks at it like an opportunity to market to the client for Matson/AUM and truly assisting the client. The way they refer it over it eliminates extra work and costs.
 - Discounting doesn't work
 - Charging a fee solidifies them as experts and assets moving
- How do you connect with the next generation to manage assets?
 - We want to be involved with the client's family especially the trustee, that they are on board and understand what we're doing.
 - We run a number of client appreciation events that help with those relationships
 - Client's kids are in their 50's and work to get their plans set up
- Does Richard prepare applications and trust?
 - No. Really important. We have very clear lines on what the office does and does not do. We don't want anything leaking out. Need clear expectations of what each firm does. Everything gets referred back to Mark's office (trust or anything other than the applications).
 - Every month, reconfirms with Richard how the relationship is working
- How do you tell the client you are referring them out?
 - When we identify the next step is a Medicaid app, we want the very best for the client, and getting the cardiologist to refer this procedure out
 - We were concerned about the pushback; clients really appreciate we're bringing in the cardiologist
- How large is your team?
 - Team of 5 - Mark is the only attorney. Christine Mennella has the role of an associate attorney
- How much does Richard charge for Medicaid Apps?
 - We were charging more than Richard. In NY, we have a 5-year look-back for Chronic Medicaid support and only a 3-month lookback for Community Medicaid.
 - We were charging \$9,000-\$12,000 for either of those services
 - Richard charges: \$9,000 for chronic and \$7500 for community
 - And \$7500 community Medicaid - most client interested in community homecare

- You hand off Medicaid applications, but do you do a final signing video for them?
 - We have a typical Academy process for prep of the Trust. We do not use the video, we have the traditional signing process. For some clients, we just do planning. Other times, clients come in and they need the full planning plus the Medicaid. We call it the planning phase and the application phase.
- How do you sell the Asset Review?
 - We don't "sell" the asset review - we reiterate being the trusted advisor
 - On returning clients who have had something come up - that is where the asset review comes up.
 - Some don't need an asset review because we've seen them recently
 - Or some we do need to review
- Mark, as an Academy veteran, what type of marketing do you currently do?
 - With the pandemic we had 4x as many clients pass away as the year prior. We throttled back our outreach to new clients and worked exclusively with our current clients.
 - Throttled back marketing for new clients - a little worried about that
 - In the last year, have been almost exclusively email marketing with existing clients database of 2,700 clients
 - Also working with the next generation, the children of our clients. We've reduced our marketing costs pretty dramatically. Newspaper is unhappy with us.

RYAN FENDER

Outsourcing Paralegal Work

REDLANDS, CA - MEMBER SINCE 2018

- Uses Lawfecta for paralegal services
- Found a paralegal that just does outsourced work for multiple law firms
- Peace of mind knowing she had skills and talent, plus also mentoring on cases
- 20+ years in experience so she was fast and efficient
- More value for clients
- Was working too many hours and couldn't get away from practice
- Ideal with COVID situation and safety to have her work remote
- Was also able to expand search beyond local talent to fit unique skills I was looking for
- Found a paralegal outsource company that handles everything
- Paid for time block - 20 hours per week
- Looked for specific type of drafting he needed, for probate and court matters, research analysis, etc. It allowed me to send her parameters on research items. I would normally get lost in the details and she could handle it to free up my time to work on other items. What would take me a lot of time, took her a couple of hours.
- Didn't want to deal with employee issues, HR, labor law, etc.
- Wasn't ready to commitment payroll for a full-time employee
- Allowed me to mix and match skills
- Can use 2 or 3 individuals to complete something
- Costs: last year \$760 average per month - 11 or 12 hours per month
- Saves me 20-25 hours per month, and mentally freeing
- Sends over 6 or 7 files and his time is freed up as well as the mental energy

QUESTIONS

- What will be the tipping point to eventually bring someone in?

- The decision to hire someone full-time will be when I'm utilizing outsourcing labor 25+ hours a week consistently. Part of this will also be based on norms with returning to office Post-Covid.
- What tasks do you not outsource?
 - Everything related to TA and Probate work, court documents, research, writing legal briefs
 - No EP work, do 100% of that internally
- Did outsourcing affect your Malpractice? Or are you relying on contractual clauses to ensure results are consistent with your state law?
 - Checked with his carrier - he did not need to. 1 Paralegal carries their own.
 - At the end of the day, I'm still responsible for any work that goes out. Still personally reviewing everything that goes out.
- Are probate attorney fees fixed by state?
 - Fixed fee for % of estate. Some things are billed hourly, but generally easy to be billed out because I don't need to worry about time tracking to bill back out.
- How do you share your files with the outsourced paralegal?
 - Sends them the pertinent info, not access to the system. They return it and they send it back and Ryan adds to CP8.
- Are there a case management status meetings?
 - Gives them a timeframe depending on the task. E.g. - Don't spend more than an hour on this. If it requires additional time, they need to let me know.
 - If time sensitive, keep him updated so he can pick it up
 - Needs to be careful that they are not viewed as a regular employee
- Do you allocate any client communication to paralegals?
 - No. They don't correspond with the clients. They do this work, but generally don't. Very limited basis they will have them reach out to get a piece of info.
- Do you have the paralegal draft up the procedure?
 - No, if drafting a petition for the court system, send her a sample of petition, facts are relevant to the case. She sends it to him for review and then he sends it to the client for review before filing with the court.
- What are you paying?
 - Averages \$69 per hour, one paralegal is \$110 per hour, but she's very efficient - it might take me an hour and it takes her 20 minutes

- 2nd paralegal was \$52/hr through Lawfecta now contracting with her directly at \$40/hr
- As you grow and start hiring staff, will you still consider outsource paralegals?
 - Yes. If bringing someone in to train, will use outsource paralegals to bridge the gap. Or if I am in need of some skills or experience that no one on the team has.
 - Tip: With Lawfecta your contract is with them. Be clear on who your contract is with. When his paralegal left, they forced him to use his remaining 10 hours of time (that he paid in advance).
- Do you have any negative examples and how you have overcome them?
 - It's been positive. Can say with one paralegal that's drafted court proceedings, the first couple of times she drafted something, she was going off the templates and the legal analysis arguments weren't applicable, so there was a little more training on how to think about it and approach.
- How do you handle not having witnesses?
 - Had a notary in his office who served as witness
 - New office has notaries that he pays for separately
- Lawfecta has 3 plans which do you use?
 - Hire legal secretary or paralegal - did hybrid of x# of hours for each. Eventually used more paralegal work.
 - You pay for in advance of blocks of hours - you have a limited timeframe to use them though. E.g. - 60 days to use them.
- Is the paralegal you're working with accepting new clients?
 - I'll check and let you know

TAB ARTIS

Outsourcing Reception Services

GLENDAL, CA - MEMBER SINCE 2018

- Mostly solo, does have some family support.
- Wife works full time with another attorney but works in the evenings
- Daughter and son help out
- There's a law of diminishing returns the more his focus is divided
- Main concern initially in EP - accessibility to clients and callers - in a consult or webinar - wanted someone to be live to take calls
- Previously had 2 paralegals and office manager when doing litigation was now by myself
- Setting up a virtual receptionist was critical at the beginning. Setup the Academy recommendation, Ruby Receptionist
- Cost considerations - did research on the expense to hire a receptionist before going this route. Made the decision to use Ruby because he lacked revenue to hire anyone part-time or full-time.
- Has a monthly allotment of minutes and it's an additional fee per minute over.
 - Costs about \$2,600 per year; \$220 per month which includes the 5% discount provided by the Academy through this relationship
- Universal positive feedback from clients
- To increase availability to clients... work hours often fall under after work hours and they are available until 9pm
- With the Ruby app on the cell, can make outgoing calls on cell and shows up as office calling.
- Lists staff on Ruby profile - call will be directed to their cell phone, if unavailable they will take a message
- Can also text with Ruby app to let callers interact with them and they don't get access to their personal cell number
- They are warm and professional and effervescent
- Also outsource live chat on the website
 - Martindale Nolo offered a program called "Engage"

- \$35 per lead and some months didn't pay anything. Highest month paid was \$125. Lead is anyone with name, address phone number. Got a credit if it was in other areas of law. If in a different area, they would credit him.
- Most live chat responders were not native English speakers and it became clear that the conversation was not always clear and was concerned about the message it was sending to prospects and quality
- Live Chat - Now uses Melu based out of Oxford, England
 - Pay \$25 per qualified lead
 - Have 4 people dedicated to answering live chat on website
 - Only pays for qualified leads
 - Spent time creating detailed FAQs for their operators to use
 - Created different funnels on different inquiries
 - E.g.: How much do you charge for a trust? These people are directed to the workshops page on his website. They can attend live or watch On Demand.
 - For Trust & Probate inquiries
 - Additional questions to drill down on their needs
- 14-day test period for free in Jan. Replaced Engage with Melu for 14 days. Operators were getting trolled and they remained positive and clear even though they were getting trolled.
- Doesn't replace email or phone interaction.
- The FAQs direct visitors to the resources on the website. If they cannot direct it, they let him know and he follows up.
- If operator cannot send to an FAQ, they set up appointments
- These free up my time and have retained 2 clients from live chat

QUESTIONS

- What resources can you now do by outsourcing this rather than hiring internally?
 - With the reception - didn't want to deal with people constantly calling my cell - couldn't distinguish between personal & professional
 - Ruby is helpful to weed out solicitors
- Can you again provide the website for "Melu"?
 - Meluchat.com
- Are you willing to share your FAQ's?
 - Yes will share

- Did Melu offer any language services as well? E.g. There is a strong community of Spanish speakers that I can't address on my own.
 - I've had callers who speak Spanish and they've sent those callers to me. I have found there is a need by the Spanish speaking community in my area. Both services provide services in Spanish. Armenian is another language.
- How do you handle signings?
 - Wife is the notary and will meet them at their home - patio, driveway, front porch, park. 15-20 minutes max. Put the binder together after.
- Do you allow Ruby to make your calls to webinar attendees, reminders, etc?
 - No, only use them for reception
 - They don't do any substantive work
 - Use my daughter Kaitlyn and uses firms' office line via her cell

HUNTER MONTGOMERY

Outsourcing Online Marketing (website, online promos)

BLUFFTON, SC - MEMBER SINCE 2017

- Thought he'd be able to figure this out. Do you understand HTML, the background linking, Google Analytics, tips and tricks? I don't, I spent a lot of time trying to do it and figure out on my own. It was an absolute waste of time.
- We believe in specialization of labor. That applies to online marketing. You have clients, staff, etc. to deal with.
- Before deciding to go with OMG, did consider other options. Tried to create our own using a basic GoDaddy webpage. Couldn't figure out the keywords and everything else that needs to go into it.
- Was heavily marketed to by a local newspaper where newspaper ads for seminars are run. They were pitching "we have our digital platform." Asked me to upscale to create an online presence. It was not much better than the simple GoDaddy page.
 - Was paying about 10x the basic GoDaddy site and was only slightly better.
- We are a very small firm, with almost 2 paralegals and his wife who helps with some things, but is unpaid. If I wanted to have online marketing in house, it would have been inefficient. We don't have time nor the skill set. Needed online marketing.
- Outsourcing to the Academy's OMG program has saved an immense amount of time, was expensive up front, but it more than pays for itself in 3 major ways:
 1. Branding and name recognition
 - Paying for high end magazine - the information provided on the websites is voluminous
 2. Assists prospects to decide if we're estate planning experts
 3. We are now very easy to find.
 - The 75 and up crowd is on the internet and they are on the internet.
 - Other online services don't really know our industry
 - #2 in google search in Bluffton, SC
- Some things that weren't being done
 - Articles/blogs - provided by OMG

- Have had clients come in for review meetings and they are holding up printouts of blogs on my website.
- Spends about 10 minutes a week on site content before it was several hours
- Everything is posted out to Facebook and increased engagement
- Had a simple Splash page put up as soon as he made the decision to switch
- Seminar page captures the attendee info and sends follow up email
- Lead magnet offering an EP worksheet to capture leads
 - Firm follows up with every lead and encourages attending their seminars/webinars
- Retention rate for people at seminars hovers around 80% so high likelihood when someone has requested more information about our seminars/webinars. More than pays for the service.
- Would have had to hire someone part-time to even consider having this in-house.
 - Would have been more costly. It would require oversight by me and I don't have the time
 - That person I would have brought in-house - they would not know our industry. OMG are laser focused on our industry. I don't have to experiment.
- Have assigned one team member to be the point of contact with OMG. She communicates with Roberta about 1 hour per week. Then she comes to me to share content that is lined up. I approve of the content or not. Frees me up to the lawyer and do what I love.

QUESTIONS

- Hunter, what level of OMG do you have?
 - Started with the Platinum and went down to the Gold. Going to stick with the Gold to link things through Facebook.