

The Startup Checklist

What you actually need to do to form a law firm, distilled. Grouped by workstream — several run in parallel, and not everything here will apply to every firm. This checklist reflects our own formation and is offered as practical experience, not legal advice.

Companion to [How to Form a Modern Law Firm](#) by Sabrina Poulos, Stephanie Dusaban Gonzales, Kristin Havranek, and Erin Ator Thomson.

FOUNDATION

- ☐ Write a one-paragraph business thesis
 - ☐ Identify your client base
 - ☐ Pick billing model (hourly, fixed fee, subscription, or a mix) early
- ☐ Plan cash for setup and at least two months of payroll
- ☐ Pick an entity type in consultation with tax professional
- ☐ Run a name/trademark clearance search
- ☐ Reserve the domain and alternatives
- ☐ Secure a business mailing address
- ☐ Run a conflicts analysis across all founding partners' prior representations before finalizing the team

LEGAL EXISTENCE

- ☐ Engage outside counsel to draft the partnership agreement
- ☐ File entity registration with the Secretary of State
- ☐ Apply for an EIN
- ☐ Investigate whether the state bar requires LLP registration
- ☐ Docket the annual state bar LLP renewal
- ☐ Check whether you need to foreign-qualify in any state where partners or staff are located. This varies, and not every state requires it.

FINANCIAL MODELS

- ☐ Model revenue with a conservative and an optimistic case
- ☐ Model expenses: salaries, benefits, insurance, technology, banking, research tools, travel, business development, branding
- ☐ Identify and engage a fractional CFO
- ☐ Set up quarterly accounting and tax meetings

TECHNOLOGY

- ☐ Select a managed service provider (MSP) - assess at least two options
 - ☐ Engage your MSP for security monitoring, endpoint protection, data backup, email retention
 - ☐ Engage your MSP to set up firm technology: email addresses, Microsoft 365, phone lines
 - ☐ Create operations email accounts (AP, info)
- ☐ Decide on a client/matter management system - assess at least two options
- ☐ Decide on Document Management Software (DMS) - assess at least two options
- ☐ Identify accounting, expense, travel, metadata-removal, fax, and legal research software
- ☐ Demo AI tools

BANKING

- ☐ Assess banking needs: ACH, wires, foreign wires, IOLTA
- ☐ Select bank
 - ☐ Open an Operating checking account
 - ☐ Open a Money Market savings account
 - ☐ Open an IOLTA account
- ☐ Assess third-party bill pay platform
- ☐ Establish a firm credit card
- ☐ Set up accounting software
- ☐ Establish the chart of accounts

TRUST ACCOUNTING

- ☐ Confirm trust-accounting treatment of your fee model with ethics counsel
- ☐ Check trust-account rules in every state where you have licensed attorneys
- ☐ Report trust-account information to state bar
- ☐ Set up monthly three-way reconciliation

BILLING AND COLLECTIONS

- ☐ Identify how clients will pay you: check, ACH, wire, credit card
- ☐ Design invoicing procedures
- ☐ Design collections procedures
- ☐ Set up an invoicing platform
- ☐ Design the invoice template
- ☐ Set up a credit card payment platform
- ☐ Design a process to receive and pay vendor invoices

INSURANCE

- ☐ Engage insurance broker for malpractice, cyber, general business liability insurance
- ☐ Flag coverage for any non-attorney staff who do substantive work

BRANDING, PR, AND MARKETING

- ☐ Design your brand or hire a branding firm
- ☐ Design consistent firm-wide templates and signature block
- ☐ Set up the firm LinkedIn account, including the attorney-advertising disclosure in the About section
- ☐ Build your pitch and pitch deck
 - ☐ Test your pitch
 - ☐ Engage ethics counsel to review the pitch deck
- ☐ Get firm photos and headshots
- ☐ Order business cards
- ☐ Research CRM options
- ☐ Design a systematic, firmwide approach to business development
- ☐ Submit to legal directories and rankings

WEBSITE

- ☐ Invest in a professional website
- ☐ Have ethics counsel review website
- ☐ Adjust cookie settings and provide for cookie consent
- ☐ Include the necessary privacy disclosures (CalOPPA, CCPA/CPRA, GDPR)
- ☐ California: Include SB 37 disclosures
- ☐ Audit the site for accessibility under current WCAG Level AA standards

HR AND PAYROLL

- ☐ Decide your model: in-house, payroll-only, or a PEO
- ☐ Assess at least two providers for external support
 - ☐ Discuss whether payroll deposit required by external support
 - ☐ Discuss optional benefits for partners and how they will be handled
- ☐ Identify coverage for workers' compensation
- ☐ Ensure withholding, unemployment, and disability are registered in every state where staff are located (a PEO will handle this)

THE DAY-TO-DAY MACHINERY

- ☐ Set up the firm bar account
- ☐ California: set up an agency billing account
- ☐ Prepare the engagement letter
 - ☐ Have ethics counsel review the engagement letter
- ☐ Design a conflicts-checking system
- ☐ Design the intake sequence
- ☐ Design a firmwide client-reporting standard
- ☐ Set a file retention period and destruction process
- ☐ Assign operations roles
 - ☐ Finance
 - ☐ HR
 - ☐ State bar obligations
 - ☐ Own operations email addresses
 - ☐ Training/CLE
 - ☐ Technology
 - ☐ Conflicts/docketing
 - ☐ Marketing/BD/publications
 - ☐ Recruiting
 - ☐ Professional development
- ☐ Standardize preferred outside counsel and vendors
- ☐ Set up a shipping account, an office-supply account, a shredding arrangement
- ☐ Decide on a CLE provider
- ☐ Get CLE accredited in relevant states
- ☐ Set up CLE tracking across every attorney and state
- ☐ Assign administration access to two people for every system and account

INTERNAL POLICIES

- ☐ Draft an AI Use Policy
- ☐ Draft a Cybersecurity / Information Security Policy
- ☐ Draft a Cyber Incident Response Plan
- ☐ Draft an Insider Trading / MNPI Policy
- ☐ Draft a Data Privacy Policy (CCPA/CPRA)
- ☐ Draft a Vendor / Third-Party Risk Management Policy
- ☐ Draft a Business Continuity / Disaster Recovery Plan
- ☐ Draft a PTO and Leave Policy
- ☐ Draft a Parental Leave Policy (PEO may provide)
- ☐ Draft an Anti-Harassment and EEO Policy (PEO may provide)

CULTURE

- ☐ Plan your culture
- ☐ Plan internal communication methods — Teams, Slack, etc.
- ☐ Plan the first firm gathering
- ☐ Build a real, transparent advancement path for associates and agents and write it down
- ☐ Identify and share lawyer well-being resources (EAP through your PEO, state bar lawyer assistance program)

DATA AND PRIVACY

- ☐ If you hold data of EU citizens, assess necessity to obtain a GDPR Article 27 EU Representative
- ☐ Assess need to DPAs in place with vendors handling EU personal data, and SCCs with any based in a jurisdiction not deemed “adequate” for transfers

PATENT PRACTICE-SPECIFIC

- ☐ Evaluate docketing software; assess at least two
- ☐ Establish docketing procedures
- ☐ Assess third-party docketing support
- ☐ Assess searching platforms
- ☐ Establish a USPTO customer account
- ☐ Update partner information in the USPTO OED Portal
- ☐ Submit PTO-2042a to update the Patent Center account email address for each partner
- ☐ Confirm partner removal from prior firm customer number
- ☐ Associate partner(s) with new firm customer number
- ☐ Register a payment method with the USPTO
- ☐ Register a payment method with WIPO
- ☐ Have practitioners sponsor staff access in Patent Center
- ☐ Set up WIPO shared access rights and document linking across all ePCT users
- ☐ Establish policy for annuities — will the firm pay on behalf of the client, or will the client pay directly
- ☐ Assess IDS management software
- ☐ Establish procedures for managing IDS records
- ☐ Create reporting letter templates
- ☐ Create filing checklists

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