

MEMBER SPOTLIGHT

Introducing LWP Members, Jennifer & Jerad Tomac



Jennifer Tomac
Attorney at Law



Jerad Tomac
Attorney at Law



Brad Gardner
Director of Marketing &
Client Systems

Jennifer Tomac and her husband, Jerad, are the principal attorneys at Tomac & Tomac, an estate planning and elder law firm located in Rapid City, South Dakota. Initially started in Virginia in 2014, the law firm was later relocated to the attorneys' home state of South Dakota, and they are now practicing in both states.

Having joined LWP just one year ago, in April 2020, the attorneys have experienced tremendous successes while re-discovering their love of estate planning law. We sat down with Jennifer, Jerad, and Brad Gardner, their Director of Marketing & Client Systems, to learn more about how they've utilized LWP's offerings to enhance their practice and achieve impressive results within their first year of membership.

How did you choose estate planning and elder law?

Jennifer: I loved my estate planning class in law school. After graduation, I had the unique opportunity of beginning my law career with the Fairfax County Probate system in Virginia, where I worked for five years. I was able to review, audit, and analyze years of wills and trusts. I also helped Jerad get a position as an auditor at the firm.

After that position, our first jobs involved handling probate. Then, we got into the planning side, and elder law was the next natural progression, helping people avoid nursing home expenses.

Jerad: I was in the Army while Jennifer was in law school. I knew that I wanted to go to law school, too, because I loved every aspect of the law. I was "the estate guy" at law school. It was an organic growth from accounting. I worked as an auditor while I was in law school at a larger firm in Fairfax.

At the time we decided to move the firm and our family back to South Dakota, our oldest child was in seventh grade, and he had three brothers behind him. With our oldest soon to be heading into high school, we knew that if we were going to move back, that was the time to do it. We're now practicing out of both states.

What brought you to LWP?

Jennifer: I'd first learned about LWP on Facebook. I'm always looking for ways to make things better, and I had seen an advertisement for a LWP webinar. Prior to that time, I had tried other systems but had not had success, so I signed up for one of the webinars and heard Dave (Zumpano) speak. We had looked at a few different programs at the time and tried them simultaneously.

Jerad: We knew the legal-technical because we had been doing that for so long. We had been WealthCounsel and ElderCounsel members for two years prior, but we were missing systems. I had tried to build them on my own, but doing that meant that the actual legal work wasn't getting done. We actually needed LWP ten years before we knew we needed it. When we hired Brad, he figured out how to use Actionstep and all the systems, and he taught us how to use it. It went from just being us, to adding our secretary, Linda, then we added Brad, and then two others; Jen and Melissa. Our growth then gave us the opportunity to buy a building.

What is the greatest success you've had since you fully engaged with LWP?

Jennifer & Jerad: The last year has been amazing! In a matter of a year, we've experienced a 75% revenue increase, offered retirement plans to our employees, and we bought a building!

Jennifer: But, before LWP, I wanted to stop being a lawyer. I was trying to figure out how to do something else. I was tired of putting out fires. LWP's systems made me like being a lawyer again. I now know things are being done right; your estate plan will

be done in three weeks, and you'll have your yellow binder. Consistency is huge. When you're a small office, it's hard to maintain that consistency unless you have these systems.

Before we found LWP, I was working around the clock and raising four children, aged from nine to nineteen. I was being a lawyer because I had to do it, but now, I'm doing it because I like it!

Jerad: Finding balance for our firm and defining roles for staff was huge for our success. We knew that implementing LWP was going to be a bit of a roller coaster ride, but we did this with the idea that we're always trying to get better.

Jennifer: Initially, Jerad and I were implementing all of this, ourselves. Six months later, we brought Brad in. We initially needed a client services person, but we found that Brad could do a lot more! That was really exciting. Now for the last couple of months, Brad is the LWP contact; he oversees everything. He does marketing, systems, workshops, client intake, and anything else that comes up.

Brad: I started as client services and moved into marketing. I worked with LWP coaches, Phil and Candy. Jennifer and Jerad have a relationship with them, but as lawyers and owners, they have many other things on their plates. So, I work with Phil and Candy, I love what I gain from them, and Jennifer and Jerad can focus on what they need to do.

We had to figure out the first thing to focus on, so we started out in estate planning. I'd write our goals on a huge white board in order to try to take everything in the LWP binder and try to make it happen in our real world. We're now 100% through our estate planning goal. We're though RMS and workshop coordination. We're now growing the Medicaid process. It's not 100% perfect yet, but it's one of my top priorities.

Jerad: Now we've gone from trying to find an exit strategy for Jennifer to her doing most of the legal work. It's been life changing!

What do you believe sets *Tomac & Tomac* apart from your competition?

Jennifer: It's the systems. Every single client that comes through the door is going to get personalized legal services. We know the follow up is going to happen the right way. The clients say that they've never talked with anyone who's had this. It's quality assurance; every client is going to get fantastic service and not get lost.

Jerad: It's also RMS. There are other attorneys who have connections, but this is different. At every client meeting, I explain to them that we have great relationships. This isn't like throwing business cards into the bowl, and then nothing happens; we take control of the situation. We have all of these professional relationships. I don't want the financial advisors and real estate people to have to worry about the legal aspects.

Jennifer: South Dakota has no continuing education requirements, which breeds a lot

of attorneys who know about laws and trusts from the 1970s, but I'm on top of all of this and know what's developing now. I loved LWP's Secure Act materials! We knew we were at the forefront of it, and because of that, I was able to develop a presentation for the whole state of South Dakota and present how we could work with their clients.

Jerad: Also, we don't have a pitch. Instead, we're real people with a family. When we do our presentations, our kids are our first slide, and they're our "Why." That's what is most important to us.

Brad: Yes, throughout this whole firm, everyone is treated as family and with the utmost respect. It's refreshing!

What is your favorite LWP tool?

Jennifer & Jerad: Actionstep. We used everything in the past. We used an Excel spreadsheet for the first six to ten clients. Then, we went to Clio before they did their revamp. At the time, it was very "old style." Then, MyCase came out, and it was more user friendly, and we switched. Then, MyCase got expensive, and Clio revamped, so we tried that again. We migrated a total of 5 times. Now, we're migrating everything to Actionstep, even the older cases.

Actionstep has been excellent, but it does have its speed bumps. We wish it had Clio's broadness across all its users. However, the workflow and step progress keeps us organized. Brad has built out a registration form for our website that asks for name, phone number, and email address. He has linked the form through Zapier so that it creates a new matter in Actionstep and assigns a role and an attorney.

Brad: For me, it's the marketing tool kit. When we were working on the nursing home presentation, I used it for my research to create ours. That was a big starting point. Our blog and newsletter are not where we want them to be right now, but the content is helping us for that, too. I can find content that someone else has made and use it as a starting point to "Tarmac-ize" it.

What is your favorite part of TAPER?

Jennifer & Jerad: Our favorite part of TAPER is the breakout session in which we do the focusers. We developed the nursing home RMS which is now incredible! We never would've taken the time to do that. We sat down with the focusers, came up with goals, and our goal is now happening. We still have a way to go. Nothing works perfectly, but to see the benefit of what has happened so far shows that it's so promising to develop and plan.

How tightly do you follow LWP's systems and processes?

Jennifer & Jerad: We are 100% following the systems and processes. At our weekly Monday meeting, we fix whatever we didn't do the prior week, and we make sure that it's at the right step. We also go through our focusers. At first, at the thought of having weekly meetings, we all rolled our eyes, but our LWP coach kept pushing us to have

that Monday meeting. Implementing it helped us begin our week with structure because we are all hearing the same information.

Jerad: I will qualify that by saying that there are some things that we've modified in order to personalize them. That's what I love about Actionstep. A perfect example is Medicaid. We do tear off sheets, and we are adding a couple of steps before the initial meeting.

What kinds of changes, if any, are you currently seeing in your market?

Jennifer: We are seeing many individuals who need access to nursing home planning. We have seven nursing homes in our city, and there are zero other attorneys who are marketing to them. One of our staff members used to work at one and had connections.

We did a lunch-and-learn called "Ensuring Medicaid Payments", and we got administrators, business managers, and social workers. Brad used the LWP presentation, and everyone commented, "This is great!" I never thought a nursing home would want to work with us because we're saving the client's money, but they understand. They'd rather have Medicaid paying than no one. We said to them, "Let us be your back office." We converted the LWP asset protection analysis into packets of 50 tear off sheets that they can complete if they have someone who is a "no pay bed."

Jerad: Another change I think we're going to be able to make is to get into the hospitals. The hospital's collection company makes the patient complete a Medicaid application, but this can cause a lot of problems by locking the patient into a penalty period. No one is doing the analysis! So, we reached out the hospital and said, "Let us come in and do an analysis." LWP has given me the confidence to go into the hospital, financial advisor's office, or nursing home with the ask.

Do you have a client success story that you'd like to share?

Jennifer: I know I have saved Medicaid applicants well over \$2 million this year. I've saved one person \$400,000 alone! In another case, we were trying to get Mom qualified, and Dad had set up a trust. In South Dakota, I was able to decant that trust into a new trust; Medicaid sent it to the state office and got it approved. Trust decanting is one of those new legal strategies, and because I was able to do that, I saved the client \$150,000.

Jerad: In another case, a client whom we had helped before joining LWP, called us again. In that case, we had helped Dad get Mom into a nursing home. Now, they were calling back because Dad wanted to go into the nursing home. It was their son calling to assist because Dad didn't remember who had helped him previously. Once the son talked with Jennifer, he said it was the first good phone call that he'd had in months because Jennifer had given him real advice.

Jennifer: Right! In our market, one of the hardest battles has been making prospective clients believe that what we do is real because they've heard a totally

different story from other attorneys. We explain our fee schedule to them, in which we charge \$2,500 for the Medicaid application, and we explain our knowledge, experience, and understanding to do the application and put it into place. Then, we explain which strategy we'll use, and how we charge a fee of 3% of the amount we've saved them, and we set a maximum. We won't charge more than \$20,000. Our market really likes that.



Linda Bad Yellow Eyes
*Legal Assistant & Office
Manager*



Jen Barringer
Legal Assistant



Melissa Voorhees
Client Services Coordinator

FUN FACTS

Share something about yourself that most people don't know.

Jerad: If someone gets to know me, they know that I like to work on cars. I have a ranch, and I drive a one ton pickup truck. However, I also very much like to decorate cakes and cookies.

Jennifer: I'm a passionate boardgame aficionado. I'm highly competitive. Besides that, I am the typical attorney: I like to read and learn.

Brad: I used to sell Tupperware professionally. I did it for three years. I did so well with it that I drove a free Tupperware car. I'm also a former Disney cast member.

What is your favorite book, and how did it impact your life?

Jennifer & Jerad: For us, it's *Exodus* by Leon Uris.

Jerad: I've read it three times, and I want to read it again. I also like Viktor Frankl's *Man's Search for Meaning*.

Jennifer: I'd like to read it again, too.

Brad: Mine is a short story by Shirley Jackson called, "*The Lottery*." It may be a short story, but it has a lot of meaning. It's an allegory about the dangers of doing what's been done, just because it's always been done.