

LEGAL MANAGEMENT

JANUARY 2017
VOLUME 36 • ISSUE 1

THE MAGAZINE OF THE ASSOCIATION OF LEGAL ADMINISTRATORS

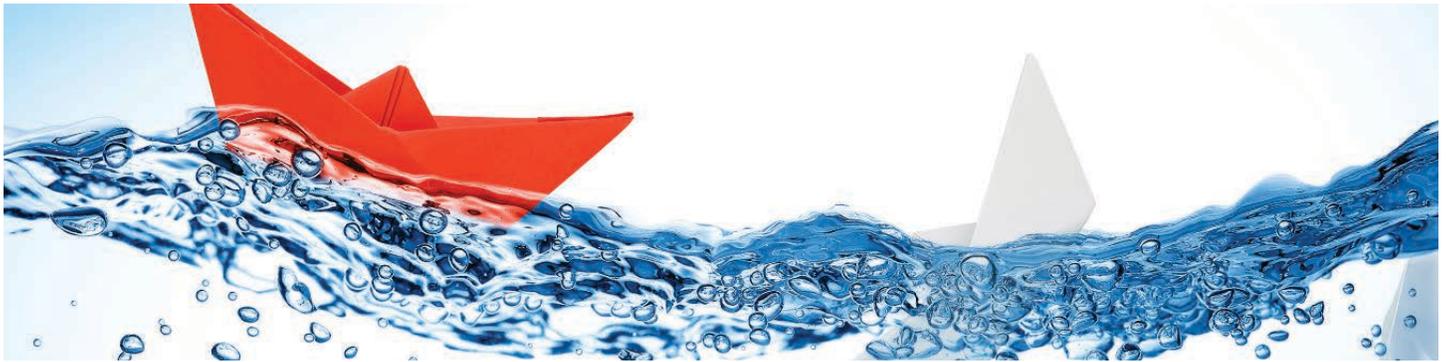


STAYING AFLOAT WHEN DISASTER STRIKES

Natural disasters can strike at any time.
Is your firm prepared?

Getting in the Retirement Game

Long-Term Care: A Threat to Retirement Security



FEATURES

OPERATIONS MANAGEMENT BY KYLIE ORA LOBELL

STAYING AFLOAT WHEN DISASTER STRIKES	16
Natural disasters can strike at any time. Is your firm prepared?	

FINANCIAL MANAGEMENT BY ERIN BRERETON

GETTING IN THE RETIREMENT GAME	13
Big firms aren't the only ones primed to provide a retirement plan.	

COLUMNS

BIG IDEAS	4
A message from ALA's Executive Director Oliver Yandle, JD, CAE	

BP PERSPECTIVE	6
What Analytics Means to Law Firms of All Sizes	

INSURE YOUR SUCCESS	20
Insurance Predictions for 2017	

TEST DRIVE	26
Gadget Reviews with Bill and Phil: Google Home	

THINKING OUT CLOUD	9
2017 Legal Cloud Forecast: Change Is Constant	

DEPARTMENTS

FACTS AND STATS	11
------------------------------	----

INDUSTRY NEWS	22
Long-Term Care: A Threat to Retirement Security	

TIPS AND TRENDS	24
What's Hot and What's Not in the Legal Profession in 2017	

ALA NOW

ALA FACES	28
Member and Chapter News	

AT ALA	31
Association News and Events	

LEGAL MANAGEMENT STAFF

PUBLISHER

Oliver Yandle
oyandle@alanet.org

EDITOR-IN-CHIEF

Theresa Wojtalewicz
twojtalewicz@alanet.org

MANAGING EDITOR

Valerie A. Danner
vdanner@alanet.org

COPYWRITER/EDITOR

Kristina Vragovic
kvragic@alanet.org

ADVERTISING OPPORTUNITIES

Robert Leighton
advertising@alanet.org

ART DIRECTOR

Jeff Wojciechowski
Straight North, LLC

GRAPHIC DESIGNER

Abby Burkle
Straight North, LLC

WEB TEAM

Eric Michalsen
Straight North, LLC

Greg Wixted
Straight North, LLC





Training du jour.

Your people have an appetite for personal development. The problem is many don't like the way training is served.

A modern recipe for talent development features the **LegalMind™ Personal Learning Portal**. Prix fixe programs for lawyers and staff plus thousands of a la carte topics from technical to soft skills, professional development to the business of law. LegalMind is personalized to your taste with just the right amounts of short videos, knowledge checks, tip sheets, assessments and virtual classes served up anytime, anywhere and from any device.

It's time for a tasty new approach to talent development. It's time for LegalMind.



Oliver Yandle, JD, CAE
Executive Director
Association of Legal Administrators

ALA's Vision for the Coming Year

Happy New Year! When I spoke with our publications team about this month's column back in late fall, I suggested focusing on trends and predictions for the legal industry in 2017 — perfect for the start of a new year, right? But then I started thinking about all those political pollsters who got so much wrong, and I figured it was better to stick with something a little less unpredictable.

“

The rapid changes and volatility we are experiencing in the legal industry makes setting goals for law firms and legal departments more challenging than ever — but it's also more important.”

And that is my lack of success in keeping New Year's resolutions. For many years, I approached the new year with a list of things I was going to do — lose weight, learn a new language, write a screenplay, start running again. I didn't write any of this down, of course. Nor did I break those goals down into more achievable steps. I usually didn't share my list with anyone, either. But that first week in January, I was all in — buying Rosetta Stone, downloading screenwriting software, getting new gym shoes.

I would usually make some progress in those first few weeks, until something happened. Maybe it was too cold to go running. Or brunch replaced that two-hour block set aside for writing. Or a movie sounded better than conjugating verbs. Once I was off-track, it was hard to get back on.

As ALA President Laura Broomell noted in her November/December column, I, too, eventually realized that without a detailed plan and clear accountability, I wasn't likely to achieve my goals. I also learned that setbacks are to be expected, and when they occur, they don't have to be fatal to my overall goals. In fact, those are just opportunities to adjust my approach and improve my chances of success.

The rapid changes and volatility we are experiencing in the legal industry makes setting goals for law firms and legal departments more challenging than ever — but it's also more important.

A clear plan with concrete measures is essential to success in today's legal marketplace.

The same is true for ALA. Throughout 2016, the association's board, chapter and committee leaders and staff have been collaborating on the second phase of our strategic plan to "elevate ALA." The three-year strategy builds on the foundations laid by phase one to establish ALA as the undisputed leader in the business of law.



We've identified five key goals as our focus for 2017–2020:

- 1. Define our identity.** As the legal management profession changes and evolves, ALA must clearly define its role and leadership in the industry. Establishing and communicating a compelling and engaging identity is essential to achieving our long-term vision.
- 2. Increase member and business partner value.** ALA has a long history of delivering essential resources, knowledge and networking to its members and business partners. With increasing competition, ALA must continue to build and enhance its reputation for value.
- 3. Enhance industry thought leadership.** Leadership in the business of law requires that ALA take an active role in addressing key issues facing the profession and advance positions to elevate the critical role legal management professionals play in the industry.
- 4. Advance legal management professional development.** As legal management professionals face increasingly complex challenges, ALA must develop educational programs, resources and networking

opportunities to provide them with the knowledge, skills and abilities to succeed.

- 5. Build community and engagement.** ALA members and business partners have identified networking and community as the most valuable benefits of their involvement in the organization. Building on that strong foundation is essential to our continued long-term success.

And for each of those goals, we have established clear measures to evaluate our progress toward reaching them. You can find out more about the plan in the "At ALA" section of this issue of *Legal Management*. We'll provide you with quarterly updates of our progress, and I hope you will share your thoughts on where we are heading as a profession and an association.

And speaking of *Legal Management*, you may notice some changes in this issue, including:

- **A responsive redesign.** Starting with the January 2017 issue, members and subscribers to *Legal Management* will be able to read the publication on any device. The *legalmanagement.org* website has been relaunched with a responsive design that automatically reformats the pages to fit your computer screen, smartphone and tablet dimensions. Readers will also be able to create a PDF of an individual article or the entire issue with one click of a button.
- **Open content access.** Also beginning this month, we are providing open access (no login required) to all content within the current issue, **except** the "ALA Now" section, updates from ALA headquarters, and Certified Legal Manager articles — these sections will remain member-ID protected. The archives of all *Legal Management* back issues are also restricted to members only.

We hope these changes enhance your readership of the magazine and make it easier to share this valuable content with your colleagues. On behalf of the entire ALA staff team, we wish you all the best for a happy, healthy and prosperous New Year and every success in keeping those 2017 resolutions! ■

 oyandle@alanet.org

 www.linkedin.com/in/oliver-yandle-8a98146



What Analytics Means to Law Firms of All Sizes

“

Knowing how quickly each associate responds to emails from partners, clients and other associates gives partners much better insight into whether both individual attorneys and the office as a whole are functioning properly.”

One of the principal challenges in legal management — both for managing individual associate work and entire law offices — is the inadequacy of the billable hour for measuring internal performance.

While billable hours are a convenient way for firms to assess legal fees for clients, they inherently fail to value productivity gains: If a new technique or technology allows an associate to complete the same work in less time, that associate will bill fewer hours per assignment than an associate using obsolete practices, earning the firm less in fees. As clients demand greater transparency for their legal spend, firms will need to show clients ever-increasing productivity per billable hour to justify their billing rates.

FARMING THE NUMBERS

For best practices to evolve and continue to meet more demanding client expectations, firms need more granular metrics to evaluate attorney performance. How quickly does each associate respond to partner emails? How often does she turn in work on time? Does she take less or more time than is typical for similar assignments? Is her work usually acceptable the first time, or do partners often send it back for major revisions?

Some of these factors find their way into performance reviews but are largely based on partners' subjective impressions.

The problem with this approach is twofold. First, even if the partner is trying to be fair to each associate, the partner's perception of each associate inevitably will come from anecdotes that may not reflect the associate's overall performance and are colored by the partner's unconscious biases. Second, if a problem has been recurring often enough to be noteworthy at a performance evaluation, it means that it has already cost the firm.



But now that attorneys use network-connected software to complete most of their legal work, continuous performance evaluation has finally become practical. Virtually everything attorneys do with software generates metadata, from email timestamps to research site logs to document version control. Most larger law firms can gather and compile this metadata on an ongoing basis without requiring attorneys to do anything outside their normal routines.

CHOOSING DATA WISELY

For example, one of the simplest metrics to compile and analyze is associate email responsiveness. Because attorneys conduct most of their communications via email — and because the volume of emails each attorney sends and receives per day is large enough to generate a meaningful data set over time — firms can use email metadata to get a much better sense of whether their attorneys are communicating effectively.

Knowing how quickly each associate responds to emails from partners, clients and other associates gives partners much better insight into whether both individual attorneys and the office as a whole are functioning properly.

Firms can also use data from their time-tracking software to determine whether associates are working effectively. Using this data, firms can compare how much time associates use to complete similar assignments. Particularly for larger firms

generating bigger data sets, algorithms can increase the signal-to-noise ratio to the point where it becomes possible both to track trends in attorneys' efficiency over time and compare different attorneys' efficiency. This allows firms not only to determine whether capital investments are bearing fruit, but also increases transparency to clients in showing them how those investments translate into better value per billable hour.

Knowing how much time associates actually need for each assignment also gives law firms more predictability when offering clients alternative billing arrangements, such as flat fees.

FINDING PATTERNS

The real potential of using analytics based on metrics that more closely reflect day-to-day attorney performance will come not from the obvious ways firms can use them to tinker with policy changes, but from the otherwise invisible patterns that will emerge from the data.

As it happens, Uber was market-testing a side-by-side view of carpooling and individual ride prices in the DC-metro area at the same time ILTACON was happening. For most trips in the area, these cost savings were not significant. But for certain routes, such as passing by Reagan National Airport, the near-certainty of being able to pick up an additional passenger on a quick detour allowed Uber to offer savings of as much as 80 percent, cheaper than even taking the Metro.

Of course, it is impossible to know what kind of dramatic opportunities for attorneys the data will reveal until firms begin to gather them, but we know how to find them. Firms can now analyze the fundamental day-to-day interactions between attorneys in ways that would have been impractical even a few years ago. ■

ABOUT THE AUTHOR

Adam McDonell is the Founder and President of Salladore, a software platform that streamlines assignment workflow and facilitates communication for attorneys at law firms and corporate legal departments.

 adam@salladore.com

 www.linkedin.com/company/salladore

 twitter.com/SalladoreTweets

 www.salladore.com



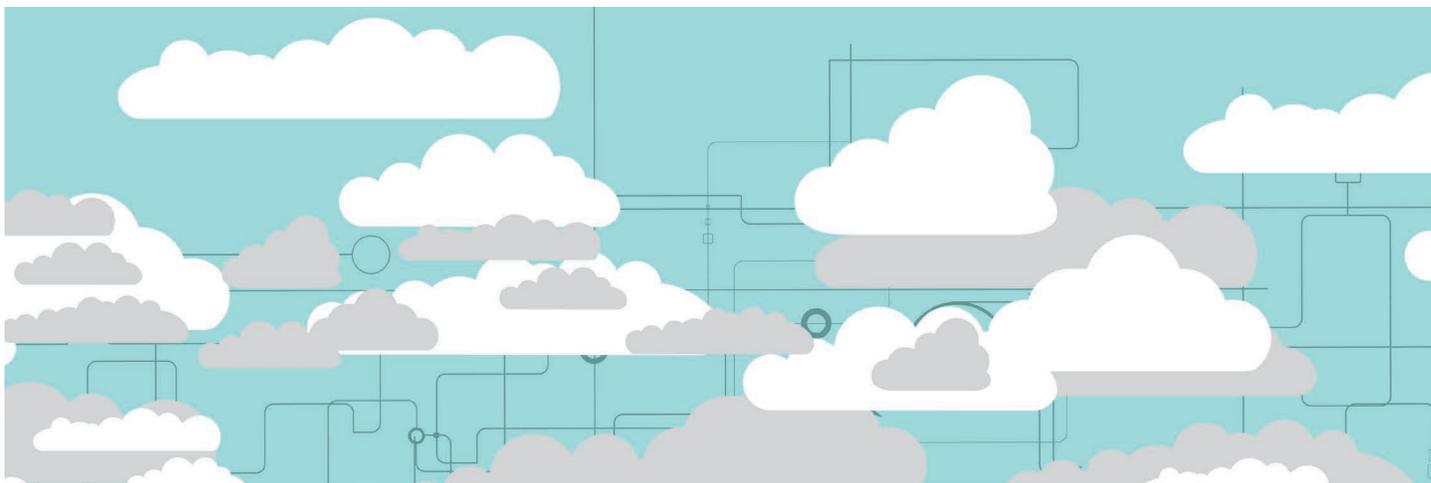
REGISTER NOW FOR 2017 WEBINARS

Get a great value on 5- and 10-webinar bundles.

Purchase individual webinars or bundle packages now to help plan your year. Bundles can be used for 2017 webinars as well as any on-demand webinar! Unlimited subscription packages are also available for 2017.

JAN. 17	Hiring Superstars: How to Strategically Select Top Performers
JAN. 18	Do You Know How Much Your 401(k) Costs?
JAN. 24	What Every General Counsel Needs to Know about Privacy and Security
FEB. 2	Speak Like a Leader: Communicating with Confidence and Clarity
FEB. 7	New Strategies in Reducing External Spend
FEB. 14	Access to Relevant Prior Art
FEB. 15	Employee Morale and Engagement: Unlocking Your Firm's Full Potential by Focusing on Strengths
MAR. 2	The Power of Acknowledgement: Employee Appreciation that Inspires and Empowers
MAR. 15	Communicating with Impact: Women in the Workplace
MAR. 21	Survival and Best Practices for a Personal Injury Plaintiff Firm

Check out the full 2017 schedule: alanet.org/webinars



JOBST ELSTER
 Head of Content & Legal Market
 Strategy, InsideLegal

2017 Legal Cloud Forecast: Change Is Constant

Here's to "Thinking Out Cloud" in 2017, year two of musings on all things legal cloud computing. Since it's that time of year, let's look at some 2017 legal cloud trends and predictions.

“

Statistics indicate that small firms (with fewer than 50 attorneys) are the most aggressive regarding cloud adoption.”

According to the most recent ILTA/InsideLegal Technology Purchasing Survey, short(er) term cloud adoption might finally be on par with other industries, an opinion some of our soothsayers share. Statistics indicate that small firms (with fewer than 50 attorneys) are the most aggressive regarding cloud adoption. Of these firms, 61 percent of respondents indicated that more than half of their software/service offerings could be cloud-based within the next one to three years.

While large firms are not as optimistic statistically speaking, much of what drives their cloud enthusiasm is still being dictated by clients — their technology requirements and security demands.

Alvin Tedjamulia, Chief Technology Officer (CTO) for legal cloud pioneer NetDocuments, believes cloud technologies will start moving from “early adopter” to “early majority” (upward of 40 percent) adoption, resulting in a mad vendor scramble to offer truly native cloud-based technology, as opposed to hosted and other bolt-on options.

Andy Wilson, Chief Executive Officer (CEO) of Logikcull, a cloud-based legal discovery automation software, says traditional resistance to the cloud among firm leadership will continue to ease as firms face more pressure to secure client data and increase profits per partner in a more competitive environment.

“The biggest driver of cloud adoption will be the firm bottom line,” Wilson says. “The cloud can directly impact financial performance by increasing workflow efficiency (e.g., speeding time to document review), increasing realization rates (e.g., less downtime for billable

personnel and fewer billed hours that are written off), and lowering the cost associated with maintaining on-premise solutions (e.g., servers, software/hardware that must be routinely upgraded, etc.).”

Wilson also mentioned a trend we are already seeing more of: With the rise of intuitive, user-friendly cloud solutions, attorneys can more easily perform tasks themselves and, based on the sheer nature of cloud technologies (anywhere, anytime), are better able to bring their legal expertise to bear earlier and more fully.

Mark Garnish, Development Director for global technology provider Tikit Ltd., offers up a bigger picture perspective.

“If firms truly believe in cloud first, they must, almost by definition, start adopting products based on platform rather than functionality,” says Garnish. “We haven’t seen this since Microsoft SQL Server was first introduced in 1989. Cloud is a technology change. Software needs to be rewritten to work in the cloud, and not all firms and suppliers recognize that right now.”

He also expanded on how the cloud evolution will create a truly mobile workflow for lawyers.

“Take mission-critical, lawyer-facing applications, including document management, template management, email management, time recording, along with MS Office,” he says. “Add the on-any-device, anytime cloud availability, and you have the biggest shakeup to law firm technology since the introduction of the PC.”

According to Rob Ameerun, owner of Legal IT Professionals and publisher of *Legal IT Today*, global cloud adoption will depend in large part on data sovereignty and even geopolitical realities.

“A significant number of EU law firms have recently adopted cloud strategies that involve providers with datacenters in the U.K.,” says Ameerun. “This is simply because most of the providers operate from U.K. datacenters and have no plans to open datacenters in other EU countries, especially not the smaller ones. With Brexit in mind, some firms might regret their cloud choices, and firms who didn’t jump on the bandwagon already will now seriously think twice before they sign up for cloud solutions hosted outside their own borders.”



Niki Black, legal technology evangelist for MyCase and frequent writer on all things legal tech, believes that in 2017 more lawyers will begin to recognize the value of cloud-based litigation technology, especially case management software, which is designed to facilitate collaboration between litigation teams.

“Competition in this space has been heating up, with the release of a number of new platforms over the past two years,” Black says. “This software is popular because it offers teams of lawyers a way to collaborate and share notes on case-related evidence and documents in a secure web-based platform.”

Finally, Ed Walters, CEO of Fastcase, provides a reality-based assessment. “When personal computers first became mainstream, people were worried about security and client confidence. The same was true when laptops became mainstream, and when email became popular. In technology after technology — mobile phones, social media and now the cloud — people wring their hands about the perils and pitfalls of X,” says Walters.

“But lawyers are service providers, and clients demand the flexibility of all of these technologies,” Walters adds. “At this point, all of our clients are using secure cloud computing, so it seems inevitable that they will drive us as lawyers to do the same.” ■

ABOUT THE AUTHOR

Jobst Elster is InsideLegal’s Head of Content and Legal Market Strategy. He has served as a legal market strategist for the last 17 years, advising companies entering the legal market, involved in mergers and acquisitions, and expanding strategic operations overseas. Elster regularly writes and speaks on legal technology, market research and leveraging market data, technology innovations and futures, legal marketing and big data.



elster@InsideLegal.com



twitter.com/insidelegal

Facts and Stats



NOT ENOUGH BOOMERS SAVING FOR RETIREMENT

“The Insured Retirement Institute projects 10,000 Baby Boomers will retire per day through at least 2030. Forty-five percent have nothing saved for retirement.”

Read more in this month’s FM feature, “Getting in the Retirement Game.”

QUICK STAT

4 in 10

That’s how many Americans now get their news online. In fact, nearly twice as many adults (38%) get their news online than from print (20%).



Grow Your Skill Set in 2017

ALA
Association of Legal Administrators

ALA's eLearning courses are your anytime, anywhere learning solution.

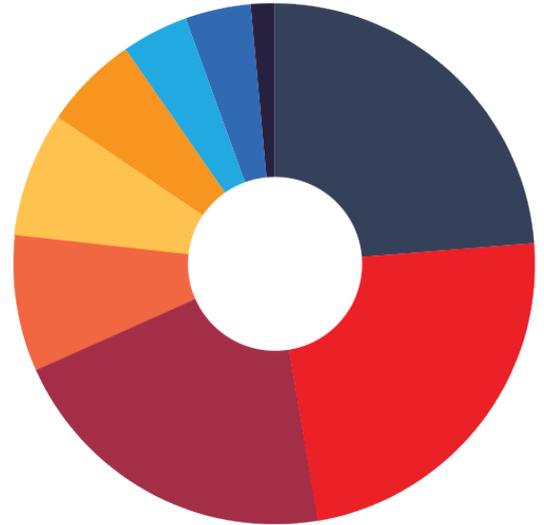
- 6-week instructor-led online courses
- Classes meet live each week for an hour
- Classes are available on-demand later at your convenience

Check out the course schedule: alanet.org/eLearning

OPERATIONAL CONCERNS

Respondents to the 2016 Report on Trends Impacting the Legal Industry answered the question: What area causes the greatest concern for your firm?

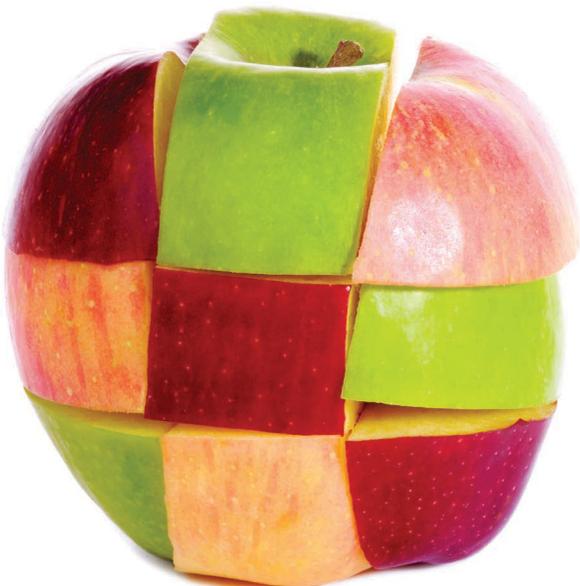
■ Increase net profits	23.8%	■ Increase diversity	4.1%
■ Attract new clients	23.6%	■ Upgrade technology	4.1%
■ Increase revenues	20.9%	■ Other	1.4%
■ Reduce cybersecurity risk	8.4%		
■ Improve workflows	7.8%		
■ Cutting costs	5.9%		



*2016 Report on Trends Impacting the Legal Industry, ALA in partnership with Novitex.

TUNE IN TO OUR LATEST PODCAST ON DIVERSITY

Diversity and authenticity is the topic of the latest episode of *Legal Management Talk*, ALA's podcast. Ritu Bhasin, LL.B., MBA, Founder and Principal of Bhasin Consulting Inc. (BCI), joins the show to discuss her upcoming book *The Authenticity Principle* and the impact of minimization — the suppression of differences between people — on legal culture. Listen online.



WHAT ARE THE RED HOT HOTTEST PRACTICE AREAS FOR 2017?

- Cybersecurity continues to be the number one issue for in-house counsel and is becoming so for consumers.
- Health care and almost every practice area involved. Of course the Affordable Care Act (ACA) will have substantial changes or could even be repealed.

For more 2017 trends to watch out for, read Robert Denney's "What's Hot and What's Not in the Legal Profession in 2017" in this month's Tips & Trends column.





Getting in the Retirement Game

Big firms aren't the only ones primed to provide a retirement plan. If you own a small firm and aren't offering one, you may be missing out on valuable tax savings and other benefits.



ERIN BRERETON

Owner, Chicago Journalist Media

Like many business owners, attorneys who own small law firms have no shortage of daily tasks to take care of.

Small firms, in fact, ranked “spending too much time on administrative work” as their second biggest challenge, according to a 2016 Thomson Reuters study. Solo practitioners spend nearly half their time on non-law practice duties.

Adding one more — researching and implementing a retirement savings plan — isn't a focus for many small firms as a result.

“The administration — government filings, adhering to regulations — can sometimes be overwhelming,” says Sherri Painter, a Senior Vice President with PNC's Retirement Solutions group. “In [some] cases, they've got a partner who's doing not only the legal work, but also the HR and treasury work. It's just a question of where they can allocate their time, energy and resources.”

The Insured Retirement Institute projects 10,000 Baby Boomers will retire per day through at least 2030. Forty-five percent have nothing saved for retirement.

PLAN POSSIBILITIES

During the Great Recession — a period when, according to *The National Law Journal*, revenue per lawyer in small firms dropped by the largest percentage in 25 years — firm owners may not have been in a position to contribute to a plan.

More, however, are starting to think about how they'll leave the workforce, due in part to the Baby Boom generation's impending retirement, according to Howard.

The Insured Retirement Institute projects 10,000 Baby Boomers will retire per day through at least 2030. Forty-five percent have nothing saved for retirement.

"Everybody was so busy five to six years ago trying to just stay afloat," Howard says. "Baby Boomers are saying, 'Oh, now what?' It's hitting home."

Boomer-age and other small law firm owners can reap several benefits from implementing a savings plan. For one, employer contributions are tax-deductible. Thanks to a small employer tax credit, firms may also qualify for money for plan setup costs — up to \$1,500 for the first three years.

Retirement savings plans can also serve as a valuable recruiting and retention tool, according to Todd Heller, President of retirement plan design and administration provider Heller Pension Associates, which works with small- to mid-sized firms.

"Nowadays, that's one of the first questions candidates ask," says Heller, who is also an attorney. "Compensation is probably the most important, and health benefits are second. But the third is likely 401(k) and retirement benefits."

Before deciding to implement a firm-sponsored savings plan, however, firm owners should take these factors into consideration:

- **Who will be responsible?** As plan sponsor, the firm will have certain compliance regulation obligations, such as preparing an annual 5500 filing for the IRS.

If the firm decides to handle most of the plan management internally, a representative will need to be in charge of ongoing maintenance, including regulatory items, contribution calculations and other work.

- **Will the firm use an external service provider?** Firms may opt to outsource some or all of the plan's management. A company that provides a bundled plan structure, for example, might be contacted to perform all recordkeeping, investment and other services.

Firms can also choose multiple providers to handle the plan's design and administrative tasks as part of an unbundled investment platform. Because the fees can vary, confirm what each provider charges for maintenance, transactions and other services.

Boomer-age and other small law firm owners can reap several benefits from implementing a savings plan. For one, employer contributions are tax-deductible. Thanks to a small employer tax credit, firms may also qualify for money for plan setup costs — up to \$1,500 for the first three years.

- **Do firm members have significantly different saving needs?** Several retirement solutions are available for small businesses, ranging from a salary-reduction based SIMPLE IRA, which often involves less administrative paperwork, to a profit-sharing plan, in which employers can make large contributions for employees.

Determining the best type for your firm depends in part on how much key members — which the IRS defines as someone who makes more than \$175,000 a year, owns 5 percent of the business or more, or owns 1 percent

To provide affordable, effective options for all employees, firms may want to offer two plans.

and makes more than \$150,000 — want to contribute, according to Heller.

To provide affordable, effective options for all employees, firms may want to offer two plans.

For example, with a cash balance defined benefit plan and a 401(k) plan, owners could contribute significantly more than with a 401(k) alone — \$200,000 to \$300,000, Heller says, compared to \$53,000 (the limit in 2015). Most non-key employees, however, wouldn't likely need the ability to make such a sizeable contribution.

"Many defined benefit/cash balance plan sponsors will adopt 401(k) profit-sharing plans for one of two main reasons," Heller says. "[An] increase to the total deductible contributions, and testing the two plans together to reduce the contribution cost for non-key employees — which can often result in lowering them by over half."

- **Would getting your own individual plan be better?**

Although solo practitioners may think a personal IRA is their best bet if they only plan on contributing \$5,000 to \$6,000 a year, Heller advises considering other options.

"Often, if you have a firm that's doing well, the owner is going to want to put away substantially more than that to take advantage of the tax rules that apply to 401(k)s," he says. "You get an immediate reduction for contributions going into a plan, and tax-deferred growth while the funds are in the plan. The tax benefits are really what drives most of these decisions."

ON THE RETIREMENT HORIZON

In February 2016, President Obama included a proposition in the 2017 fiscal year budget to allow small businesses to collectively form multiple employer plans (MEP).



If the proposal advances (it's not passed as of press time), it could, Painter says, potentially reduce plan administrative work and expense.

"The thought process is it would be more cost efficient for small employers, because they wouldn't have to establish and run their own plan," she says. "In a traditional MEP environment, the plan still treats each employer separately for various things, like determination testing, so it puts a lot of burden on each individual employer. The [proposal] is really looking at it as one plan."

If the budget proposition doesn't become a reality, however, and a firm wants to establish a retirement savings plan, making it as uncomplicated as possible can help.

"Sometimes we see firms start out with a pretty simplistic plan design — a matching component, fit primarily to mutual funds or some type of asset allocation or other investment," Painter says. "They get it up and running before they start adding unique features like self-directed brokerage aspects."

A retirement plan, after all, doesn't have to be overly complex to encourage both firm owners and employees to start saving, but it does have to be in place.

"Statistics have proven employees who have access to workplace-sponsored plans are far more likely to have savings for retirement than those who don't," Heller says. "In addition, the owner is getting tax benefits for employee-based contributions — it's a win-win for everybody." ■

ABOUT THE AUTHOR

Erin Brereton is a legal industry marketing consultant and freelance journalist who has written about the legal industry, finance, business and other topics for more than 50 legal associations, magazines, websites and other publications.



breretonerin@gmail.com



www.chicagojournalist.com



twitter.com/erbrer09



Staying Afloat When Disaster Strikes

Natural disasters can strike at any time. Is your firm prepared?



KYLIE ORA LOBELL
Freelance Writer

Ten years ago, 70-mile-per-hour winds gusted through downtown Indianapolis. They blew out the windows of Krieg DeVault LLP's headquarters, damaging the framework of the building and sending thousands of papers to the ground below. Immediately, every worker was displaced, and the firm scrambled to get up and running again.

"We had to execute our disaster plan and begin to try to function as normally as possible after that," says Ernie Condra, President of Performance Advisors and former Executive Director of Krieg DeVault LLP.

After relocating and sorting out the damage that was done, the team got back up and running at their downtown location within four months. However, the disaster set them back in terms of productivity and money. They had to move employees around a few times, and ended up spending hundreds of thousands of dollars during the recovery process.

According to President of the American Bar Association Linda Klein, law firms need to extensively prepare for disasters prior to them occurring. "It's not a question of if the next disaster will occur,

Disaster planning needs to include everyone at the firm. There are the team members who actively work together to prepare for a catastrophe, and the ones who need to be clearly communicated with so they can participate if the disaster happens.

but when. Therefore, every law firm must have a plan on how to function and continue to serve their clients when a disaster turns their world upside down.”

The following are some steps that law firms and their management can take to ensure that when disaster strikes, they are ready.

PUT TOGETHER A DISASTER PLANNING TEAM AND PROTOCOL

Disaster planning needs to include everyone at the firm. There are the team members who actively work together to prepare for a catastrophe, and the ones who need to be clearly communicated with so they can participate if the disaster happens.

Chauntis Jenkins, Chair of the Disaster Response and Preparedness Committee at the ABA, says that law firms need to start disaster planning early, as well as review their plans on a yearly basis. “The creation of a disaster response team and disaster protocol for the firm should be mandatory. The creation of this plan should incorporate input from firm management and a core disaster planning team. This team should also be charged with developing a business continuity plan to elicit support from colleagues and communicate the importance of disaster planning throughout the firm.”

Once the plan is in place, Jenkins says it should be drilled and tested on a routine basis, and every person in the firm should be aware of any changes. “Without an effective disaster plan that is communicated to all employees, the personal life of an employee can be thrown into disarray because they are unable to meet personal obligations.”

When coming up with the plan, Scott Teel, Vice President of Marketing for Agility Recovery Solutions, says that law firms should assess the risks they face internally and externally, as well as what would happen if man-made or natural disasters struck. They need to analyze the impact of those risks on critical business functions. “Find out the most important functions of your organization that affect your viability, your regulatory constraints and your overall reputation, brand or ability to serve your clients,” says Teel.

PREPARE FOR ALL KINDS OF DISASTERS

Floods, earthquakes, hurricanes and other natural disasters are not the only incidents that law firms should be worried about.

According to Teel, a lot of people get hung up on preparing for natural disasters. “In reality, most business interruptions are related to isolated events that aren’t necessarily newsworthy,” he says.

This can include the server or email network going down, voice services getting interrupted or a power outage occurring. There should be plans for every single event that could qualify as a disaster for the law firm.

SIGN UP FOR INSURANCE

Insurance to protect the law firm is critical especially when it comes to disasters. There’s the standard business property insurance, which will compensate law firms for any property that was damaged or lost, along with business interruption insurance.

When the winds struck Krieg DeVault LLP, Condra and his team used business interruption insurance to ensure that they would be covered for any losses. “After this disaster, I engaged our insurance agent and we tripled the coverage we had,” he says. “It appeared that we were going to exceed our limits on what we had prior.”

Teel notes it’s important for law firms to have expense coverage added onto the policy. It would provide money for expenses like deploying a generator or relocating an office to a temporary facility, which is crucial for a disaster.

KNOW THE OPTIONS FOR AN ALTERNATIVE LOCATION

The first move that Condra and his team made was finding a space for the lawyers to function out of. They placed 80 lawyers in one of their satellite offices in the suburbs, which previously had 18 employees working there.

Then, they transitioned into a vacant space run by their landlord, where they put out folding tables and configured a wired and wireless network system. There were eventually three more offices and temporary spaces set up so the

Floods, earthquakes, hurricanes and other natural disasters are not the only incidents that law firms should be worried about.

employees could comfortably work. “Communication was important, so we developed ways to communicate with our people and our clients quickly,” Condra says. “That way, everybody could know what was going on.”

Often, Teel says, disaster-planning teams will assume that lawyers will be fine in a work-from-home situation. However, there are many issues with that. “It brings its own complications in terms of data security. They overlook the simple fact that their people need a place to work from. At some point, productivity is lost. You can’t meet clients at home. You need a plan for an alternate facility.”

Teel suggested taking the steps that Condra did, which was to set up a temporary off-site location outside the immediate vicinity, and ensure connectivity.

IMPLEMENT A DISASTER RECOVERY PLAN FOR ELECTRONIC DOCUMENTS

Back in 2006, when Condra’s practice experienced the harsh winds, many firms were still paper-intensive. In today’s climate, everyone is using electronic systems to store their documents. However, this has problems of its own. Hacking, security malfunctions, bugs and malware run rampant. If firms are victims to any of these, they can greatly suffer.

In developing a disaster recovery plan for electronic documents, there are several things to consider. “It’s

important to understand where your documents are stored and how they can be accessed,” says Anthony Kessel, Senior Director of Product Management at Sungard Availability Services. Protecting electronic documents largely depends on the applications that are used to access the documents.”

For example, Kessel says that some applications quickly sort images and documents so that they can be found in a swift manner. If these apps go down for some reason, the documents might not be able to be recovered. Kessel notes that law firms must identify their most critical documents and make sure these documents are regularly backed up.

Law firms also have to think of the logistics surrounding the electronic document recovery as well. “A law firm who has documents protected at an off-site location, but doesn’t have a plan for employees to meet at a new location, or a plan for how they will access phones, desks and conference rooms — has not fully prepared for all disasters,” says Kessel.

The disaster recovery plan should be tested frequently, or at least twice a year, according to Kessel. This is because technology and systems are constantly evolving, and teams have to make sure that everything stays in sync with the ongoing changes in their law firms. “The gaps and issues that a test will reveal can’t be fixed after a disaster strikes, so keeping up with system changes by conducting regular tests is crucial,” he says. “Your [disaster recovery] readiness is only as good as your last test.”



STAND AND BE RECOGNIZED



2017 Annual CONFERENCE & EXPO
April 2-5  Colorado Convention Center, Denver, CO

ALA’s 2017 Annual Conference & Expo is about so much more than education. Join the Association Awards Gala to recognize recipients of

- NEW Elevate ALA Award
- 60 Seconds of Fame!
- IDEA Awards

[Learn more at alanet.org/awards](http://alanet.org/awards) and register at alanet.org/conf17.

The disaster recovery plan should be tested frequently, or at least twice a year. This is because technology and systems are constantly evolving, and teams have to make sure that everything stays in sync with the ongoing changes in their law firms.

If law firms overlook certain steps or are caught off guard by a disaster for any reason, they still have viable options for getting back up and running as quickly as possible.

When the electronic systems went down, Condra immediately got in touch with his in-house IT team. They worked around the clock to ensure that the server was up and running and a remote back-up system was installed. He also contacted the electronic vendors supplying products to his firm, and they helped out a great deal as well with recovery.

Teel says that if firms are facing a disaster head on, they should first take the time to assess the level of impact. "You don't want to take any actions that are dramatic if the interruption is very brief. Assessing will help determine your response." When going over the damage, Teel says that reaching out to individuals would be ill advised. First, firms have to know exactly what happened, and what action they can take to fix any issues.

Unfortunately, in terms of electronic documents, unless firms are working in the cloud or have some sort of off-site backup, their work very well may be permanently lost in a disaster. "Failure to plan is planning to fail," Kessel says.

The logic behind forgoing planning is that people think it won't happen to them, explains Condra. However, that thinking is flawed. "The problem is that once you have a disaster, if you're not well prepared, it's a significant problem. I would encourage management teams to get some level of protection and think of the scenarios." ■

ABOUT THE AUTHOR

Kylie Ora Lobell is a freelance writer living in Los Angeles. She covers legal issues, blogs about content marketing and reports on Jewish topics. She's been published in *Tablet Magazine*, *NewsCred*, *The Jewish Journal of Los Angeles* and *CMO.com*.

 kylieoralobell@gmail.com

 www.linkedin.com/in/kylie-ora-lobell-66354b22

 twitter.com/kylieoralobell

BE PREPARED



Ernie Condra, President of Performance Advisors, will discuss in detail how his large firm recovered from severe windstorm damage. He'll be presenting his lessons learned at this year's ALA Annual Conference & Expo in Denver. In this 90-minute session, you'll get tips for making sure you have all the necessary plans in place to keep your firm up and running should disaster strike.

Register today!





URI GUTFREUND
National Law Firm Practice Leader
Risk Strategies Company

“

Get as much information as you can about how your firm employees utilize health care. Depending on the size of your firm, you can get some information from your current insurer, but most firms will need to create their own data set.”

Insurance Predictions for 2017

Happy New Year! The parties are over, the books are closed on last year, and it's time to look forward to 2017. What is going to happen this year, and what can you do about it?

Let's explore three key insurance predictions and what they might mean for your firm.

1. HEALTH INSURANCE

My first less-than-bold prediction is that something will happen in a huge way in 2017 regarding the Affordable Care Act (ACA). While the implementation of any changes or repeals may not all happen this year, it is likely that there will be changes in the regulatory and plan design environment.

So what can you do about it?

Dig deep into your data. Get as much information as you can about how your firm employees use health care. Depending on the size of your firm, you can get some information from your current insurer, but most firms will need to create their own data set. Lots of experienced health brokers can help you with that process. Then, you will be in a much better position to evaluate the options from insurers and other vendors (health reimbursement accounts, health savings accounts, etc.).

Evaluate your team. Some brokers and insurance agents are too small to always be up-to-date rules and regulations regarding your options and benefit rules. It's a good time to re-interview them to determine if they are ready for 2017 changes.

Engage benefits technology. Human resource tools have come a long way to help you organize and roll out your plans. From open enrollment to timely communication, these HR tools will help you quickly react, comply and communicate changes with your firm employees.

2. PROFESSIONAL LIABILITY INSURANCE

In most states, competition continues to drive down premiums. Even in states where some insurance companies are leaving completely or becoming very selective about which firms they insure, the market still remains very competitive.



So what can you do about it?

Start early. It sounds so simple, yet firms often don't prioritize getting the application done early. There is no immediate tangible consequence to delaying the completion of the application. Rule of thumb: 60 days prior to expiration, send it to your broker for review; 45 days prior to expiration, the final version of the application should be sent out to the insurance companies for the shopping process.

Explore more coverage. Excess coverage (defined as amounts of coverage above \$2 million) is particularly inexpensive compared to past years' pricing. When evaluating the excess options, your broker should evaluate increasing the amount of coverage with your primary company compared with a standalone excess policy.

Some primary insurance companies will offer embedded higher limits, and other primary insurance companies are

better priced only for the primary layer — in which case a standalone excess policy will make more sense.

3. CYBER COMPLIANCE AND CYBER INSURANCE

Demands from clients for cyber indemnity, insurance and infrastructure will grow exponentially in the coming year. Your clients are overwhelmed by regulatory demands and the fear of being the next Target (pun intended). They will continue to push the liability downstream to their vendors — and to their law firms, too — by obtaining contractual indemnification from your firms, requiring you to complete technology and procedure audits and specify that you must buy a cyber liability insurance policy.

So what can you do about it?

Get ahead of the request. Start evaluating a cyber liability insurance policy before you actually need one. Scrambling to put a policy in place when a new engagement requires one is not a good plan of action. It can take up to two weeks to apply and implement a full-blown cyber policy, so plan ahead.

Catch up to your clients' technology. Make sure that your IT defenses and systems are up-to-date. There are now many companies that provide affordable assessments and are experienced with law firm environments.

Have one of your partners become an expert in this new practice area. The first benefit is that they can be a key resource to you in your firm policies. Second, all companies are grappling with these issues, so being an expert in a hot and growing area of law will be rewarding.

While no one has a crystal ball, start your year off right by prioritizing these three key areas for focus in 2017. ■

ABOUT THE AUTHOR

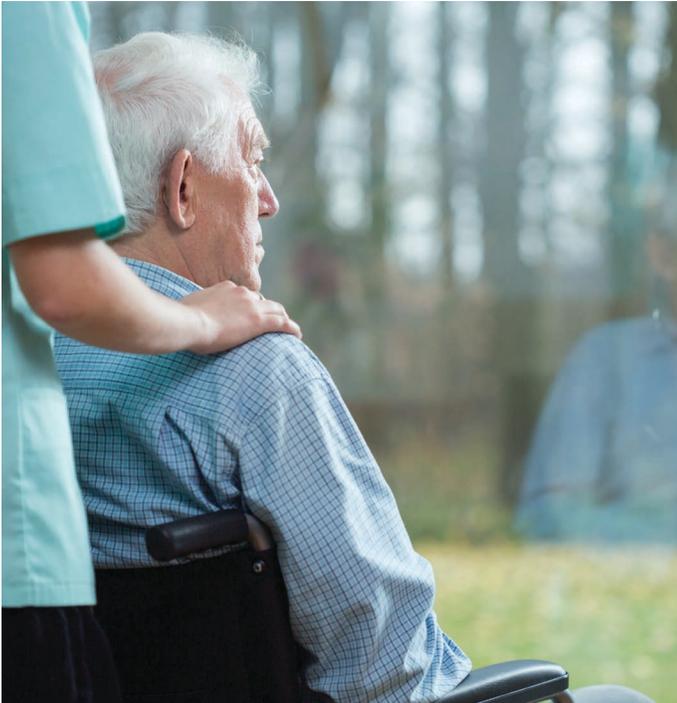
Uri Gutfreund is the National Law Firm Practice Leader for Risk Strategies Company, a national top 25 insurance broker. He and his multidisciplinary team advise law firms on all types of insurance and benefits. Gutfreund is a frequent speaker at legal conferences, and a writer and blogger on insurance and risk management.

 ugutfreund@risk-strategies.com

 www.linkedin.com/in/urigutfreund

Long-Term Care: A Threat to Retirement Security

By Megan Fromm



Employers I've talked to all have the same goal: help employees build a sound retirement plan to achieve financial success and security. Company leadership wants to protect employees during their working years and later in life.

The main components to a sound retirement plan are managing a nest egg, growing investments and safeguarding against uncertainty.

THE MISSING COMPONENT

As an employer, you may be missing a key component in safeguarding against uncertainty: the need for long-term care. According to Genworth's 2013 Cost of Care Survey, 75 percent of people age 65 and older will need some form of long-term care in their lifetimes. However, far fewer are financially prepared to handle that need.

With the U.S. Department of Health and Human Services estimating that nursing home costs average \$84,000 per

year, it's not surprising that many Americans are having to spend down their retirement savings to pay for care.

LONG-TERM CARE INSURANCE

Savvy employers are helping fill the uncertainty gap by introducing long-term care insurance (LTCI) to employees. By championing the benefit, they bring employees the ability to get coverage when they are young and healthy. Plus, employers can offer long-term care insurance plans with reduced underwriting and group pricing that employees wouldn't be able to get as an individual. Better pricing and easier approval make the product accessible to employees that couldn't normally qualify for coverage.

Long-term care education is key to helping employees protect their retirement savings. Without your help, employees can fall victim to widely held misconceptions. They may think:

- Other benefits will cover them.
- The government will pay for their care.
- This type of coverage is only for older people.

The truth is that long-term care insurance is the only benefit that covers this type of custodial care, and government options (Medicaid) are only available to people with low income and limited resources. Planning at a younger age makes financial sense because premiums are based on the age you are when you sign up, and you must qualify medically to get coverage.

Your employees will consider long-term care insurance earlier if you introduce it as a benefit.



JOIN US FOR ANOTHER GREAT YEAR!

Don't forget to renew your ALA membership for 2017.

If you haven't yet visited our new website and accessed your Account Details, this is a great new feature that allows you to renew your membership, edit your contact information and more.

Log in and renew to enjoy all the benefits of membership. my.alanet.org/MyAccount

	401(K)* PLAN	401(K)* PLAN + LTCI PLAN
Employer Contribution	\$5,000	\$5,000
EMPLOYER CONTRIBUTION		
401(k)	\$5,000	\$3,111
LTCI Premium	-	\$1,889
Total Contribution	\$5,000	\$5,000
EMPLOYEE BENEFIT		
401(k) Value	\$1,553,950	\$1,357,108
LTCI Value	-	\$394,200
Total Value	\$1,553,950	\$1,751,308

*401(k) values based upon rate calculator from www.bankrate.com.

401(k) Assumptions: Employee is age 40, earning \$100,000 a year, contributing 10 percent to a 401(k) with an annual rate of return of 10 percent, and planning to retire at age 65. The employer maximum 401(k) contribution is 5 percent of employee's annual salary.

401(k) + LTCI Plan Assumptions: Employee is age 40, earning \$100,000 a year, contributing 10 percent to a 401(k) with an annual rate of return of 10 percent, and planning to retire at age 65. The employer maximum 401(k) contribution is 3.1 percent of the employee's annual salary. The LTC Insurance plan benefit is \$180 per day for six years.

SHIELD AND SUPPLEMENT THE 401(K)

Do you already contribute to employees' 401(k) plans? If so, you can spend the same amount of employer dollars, but provide richer benefits by pairing a 401(k) with long-term care insurance. See the example below, which shows an employer contribution of \$5,000 to the 401(k), in the left column, and then redirecting those dollars to a 401(k) and LTC plan, in the right column.

The majority of LTCI purchasers will hold on to their original plan for life.

By diverting \$1,889 to long-term care insurance, the resulting benefit is almost \$200,000 more to the employee.

Unlike other benefits, where providers may change from year to year, the majority of LTCI purchasers will hold on to their original plan for life. In fact, 99 percent of employees who have the coverage keep it when they move to their next employer, or into retirement. You can think of it as a "legacy benefit" that employees maintain for life to protect their retirement savings. ■

ABOUT THE AUTHOR



Megan Fromm is an Account Executive at LTC Solutions, Inc., an ALA VIP Business Partner.

mfromm@ltc-solutions.com

425-658-7512

What's Hot and What's Not in the Legal Profession in 2017

By Bob Denney



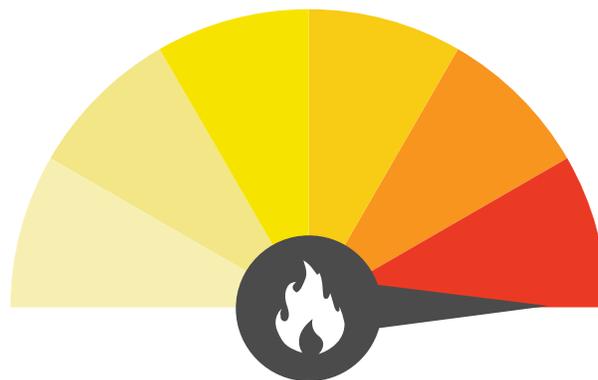
This is our 28th annual report on what's going on in the legal profession. As in all previous reports, it is based on information my colleagues and I continually gather throughout the year from many sources — law firms, other providers of legal services, legal departments, surveys and the legal and general press.

This is just a snapshot of some of the trends we predict for the profession this year.

- **Lateral hiring:** While there are other reasons, the principal one is to increase revenues and, hopefully, profits. However, some statistics indicate that only about half of the lateral partner hirings achieve these objectives. One of the reasons is ...
- **Lateral integration:** All too often it is not adequately implemented. Some firms, such as Benesch, are using client teams and cross-office meetings to improve and accelerate integration into the firm.
- **Project management:** Firms are continuing to invest in this to meet client demands.
- **Artificial intelligence:** This is just being explored by a few firms. It will be the focus of next year's College of Law Practice Management Futures Conference.
- **Competition:** It's no longer just from other law firms. It's now coming from two other directions — nonlegal business entities like LegalZoom and from the clients themselves, who are using their legal departments as well as alternate service providers.
- **Blockchain:** This is the technology behind bitcoin. It is a shared digital ledger in which items or transactions are added at the end of the chain and encryption ensures that it remains unbroken, tamperproof and error-free. It's currently being adopted by banks. Advocates say it has the potential to "change the world," as the internet has done.
- **Fewer equity partners:** In October, *The Wall Street Journal* reported that the average number of equity partner billable hours in Am Law 200 firms had dropped to 1,589. The resulting impact on profits is the principal reason most of these firms are planning to reduce the number of equity partners next year, either by de-equitizing them or asking them to leave.
- **Higher partner contributions:** Due to slow growth and declining productivity, some firms are requiring more contribution from their partners for operating capital rather than attempting to increase their bank loans.
- **Alternate fee arrangements:** While they may account for more than half of the total legal spend, this is due mainly to large firms with clients that have a high amount of litigation and want to drive down the fees. Many clients want billing options, but most firms still cling to the billable hour structure. Therefore, despite continued predictions ... the billable hour is not dead, and won't be.

Some midsize as well as large firms are recognizing the need for more non-lawyer managers, not only in the technology and marketing areas, but also as project management directors and chief operating officers.

- **Cybersecurity:** While many firms have developed plans for reacting to a cyberattack, many more have still not developed or implemented cybersecurity plans to prevent such attacks. One overlooked factor is what actually constitutes a breach. Some firms regard any unsanctioned access of a firm system as a breach, while others do not regard it as a breach until something — data, files or money — has been taken.
- **Mergers:** These soared to a record high in 2015 and may surpass that number this year. For the acquiring firm, the objective is usually to increase revenues and, hopefully, profits. For the acquired firm, it's usually to survive — in some form.
- **Leadership:** While effective management is needed in all firms regardless of size, this is not enough. To survive, firms also need leadership to execute the vision, strategy and culture established by the leader.
- **Fewer private practice jobs for law school graduates:** According to the National Association of Law Placement's 2015 survey, although the number of jobs in large firms increased, the overall employment total was the lowest since 1996. While the percentage of graduates who obtained jobs has increased slightly, this was the result of the steep drop in overall law school enrollment, which continues. It's not a good picture for the future. But what can be done to improve it?
- **Scamblogging:** A category of online writing by debt-burdened law school graduates who are convinced their law schools misled them about their opportunities for employment.



- **Changing lawyer structure:** Because many firms of all sizes are being faced with overcapacity, there will be fewer equity partners, more nonequity partners and “permanent” associates, as well as greater use of contract lawyers.
- **Changing management structure:** Some midsize as well as large firms are recognizing the need for more non-lawyer managers, not only in the technology and marketing areas, but also as project management directors and chief operating officers. The term “legal engineers” is being used more widely to describe these positions.
- **Student debt:** A few firms, such as Orrick, Herrington & Sutcliffe, are beginning to offer new associates cash to help them pay their student loans until they qualify to receive a bonus. ■

Excerpted from “What’s Hot and What’s Not in the Legal Profession,” November 2016 Legal Communique by Robert Denney Associates, Inc. Reprinted with permission.

ABOUT THE AUTHOR



Robert Denney Associates Inc. provides strategic management and marketing counsel to law firms throughout the United States and part of Canada.

- ✉ bob@robertdenney.com
- 🖱 robertdenney.com



BILL & PHIL
Partner, Neal & Harwell,
Phil Hampton, Consulting President,
LogicForce

“

And unlike some human assistants, Google Home follows through without a peep of protest. They should have named this device Nirvana.”

Welcome [Google] Home

More than a year ago, Amazon introduced the Amazon Echo. It was a surprise hit. We quickly bought it and dragged it around with us to demonstrate at all of our Bill & Phil Show presentations.

The feedback we got from all quarters was that this little digital assistant/music player/babysitter/etc. was incredibly popular both at home and in the office. Google (and others) must have heard the same rave reviews that we did, because it quickly went to work on a competitor.

Then, in the fall of 2016 as Google was unveiling its first branded smartphone, the Pixel, it also introduced its own digital assistant device, Google Home. Of course, we snatched one up (actually two) immediately.

So what distinguishes Google Home from Amazon Echo? For starters, it's less expensive (\$129 compared to \$179). It is a little more compact and comes in different color combinations, which might make it blend in more aesthetically in a home setting. But the functionality is basically the same as Echo, with some added twists.

ANATOMY OF A DIGITAL ASSISTANT

What Home (like Echo) does is sit on your counter at home or on your desk in the office, connect to your Wi-Fi network, and wait for you to tell it what to do.

Home will wake up when you say “OK, Google.” Then, it will respond to your voice command. While we couldn't get it to attend a seminar for us or write a brief, it certainly does perform many entertaining tasks — playing music from our Spotify account, giving news briefs, answering trivia questions, giving stock quotes, etc. The speaker is of decent quality, but it's not going to take the place of high-quality Bluetooth or Wi-Fi speakers.

The real evolution of these digital assistant devices is their integration with other internet-connected devices, such as smart home devices. For example, via voice command, we can



tell Google Home to set our thermostat at a certain level, turn on the lights, dim the lights, turn on a sprinkler, even brew a pot of coffee.

And unlike some human assistants, Google Home follows through without a peep of protest. They should have named this device Nirvana.

The Google connection is what really sets the Home device apart. Because of Google's vast database of general knowledge, we are able to ask just about anything on any subject and Google Home will have an answer. It's sort of like having a digital encyclopedia that you can quiz with oral questions.

LIKE MAGIC

Another distinguishing characteristic of Home is its connectivity with video and audio devices that have Google's Chromecast installed.

For example, without touching a keyboard or remote, we can vocally instruct Home to play a YouTube video on a TV screen that has Chromecast installed on it — and like magic, it happens. Similarly, we can instruct Home to play a specific song or playlist on our Chromecast-enabled audio speakers in the next room.

We love to use this functionality to amaze visitors to the office and persuade them that we do, indeed, have magical powers. But the magic is in the Google Home technology.

Supposedly the artificial intelligence technology behind the Home's speech recognition and response system, dubbed Google Assistant, is superior to other systems. The only real evidence that we could discern is that in certain circumstances you can ask Home follow-up questions and it will answer in context of the original question. For example, we can ask Home, "OK, Google, how late is Martin's BBQ open?" Home will respond with the hours of operation for that day. We then follow up with "OK, Google, where is it located?" Home responds with the correct address for the restaurant without renaming the restaurant.

Conversely, Amazon Echo has some tricks that Home cannot perform. For example, as of this writing, when you ask Google Home to add an appointment to your calendar, she responds that she "can't add appointments to your calendar yet." So apparently this feature will be added to Home in the future, but in the meantime, we are able to add calendar events just fine using Echo. Also, since Echo has been on the market longer than Home, there are quite a bit more integrations.

Clearly the market for these digital assistants is hot. Other companies are rumored to be coming up with their own versions. Of course, these are just new iterations of technology that most of us have been using for a while in Apple's Siri, Microsoft's Cortana or Android's Google Now. But Echo and Home have expanded the functionality of these voice recognition systems to be more conversational and to provide connection to more objects used in our everyday lives.

We believe these virtual digital assistants will continue to evolve beyond primarily entertainment devices and become more integrated with how we work in and out of the office. We don't care if you call our assistant Alexa, Google or Helga — we are just thrilled that this assistant will listen to us hours on end and never complain. Not yet, at least. ■

ABOUT THE AUTHOR

William Ramsey, Partner at Neal & Harwell, and LogicForce Consulting President **Phil Hampton** are best known for The Bill and Phil Show. The duo tours often and provides technology news and reviews on their website, www.thebillandphilshow.com.



www.thebillandphilshow.com



twitter.com/billandphil

Anniversaries, Awards and Appointments

MEMBERS ON THE MOVE >>>>



Connie E. Bergstrom, member of the Sacramento Valley Chapter, is now Controller at Olson Hagel & Fishburn LLP in Sacramento, California.



Sherry Macey, member of the Dallas Chapter, is now Firm Administrator at Brusniak Law PLLC in Dallas, Texas.



DeAnna Williams, CLM, member of the Golden Gate Chapter, is now Office Administrator at Sheppard Mullin Richter & Hampton LLP in San Francisco, California.

ALA CONGRATULATES ITS 2017-2018 BOARD OF DIRECTORS AND REGIONAL REPRESENTATIVES

ALA is pleased to announce the 2017-2018 Board of Directors and Regional Representatives.

The Board of Directors, nominated by the Association Nominating Committee elected by ALA members, oversees the association's strategic direction at the international level.

Supporting the board in these efforts are six Regional Leadership Teams. These teams are comprised of a Regional Director, an At-Large Director, and three to four Regional Representatives recommended by a Regional Nominating Committee, also comprised of members from across the association and ratified by the currently seated Board of Directors.

Search. Find. Solve!

Find solutions to your office challenges in ALA's exclusive supplier directory: the **ALA Legal Marketplace**.

ALA has fostered relationships with business partners in countless categories. Search by category, business need, keyword or company name to connect with your next business partner today.

legalmarketplace.alanet.org

Meet Your 2017-2018 Board of Directors and Regional Leadership

The highest volunteer positions in the Association of Legal Administrators are those on the ALA Board of Directors. These exemplary professionals will chart ALA's strategic direction in the coming year.

ALA also elects volunteer Regional Representatives every year to oversee Association initiatives, activities and finances in six geographically defined areas. Members of the Board of Directors and the Regional Representatives for the 2017-2018 term were recently announced and will begin their responsibilities in April at the close of the Annual Conference & Exposition in Denver, Colorado. Meet them all below.



PAST PRESIDENT
Laura Broomell, CLM
Greene Espel PLLP
Minneapolis, Minnesota



PRESIDENT
Gary Swisher, II, CLM
Clark Partington
Pensacola, Florida



PRESIDENT-ELECT
April Campbell, JD
Perkins Coie LLP
Seattle, Washington

at-large directors



Katie Bryant, CLM
Udall Shumway PLC
Mesa, Arizona
Term: 2015-2018



Michael Bumgarner, CLM, CPA, CGMA
Flaherty Sensabaugh
Bonasso PLLC
Charleston, West Virginia
Term: 2017-2020



Julie Logan, SPHR, SHRM-SCP
Newmeyer & Dillon, LLP
Newport Beach, California
Term: 2015-2018

regional directors



REGION 1 DIRECTOR
Joe Samarco, MBA
Drinker Biddle & Reath, LLP
Philadelphia, Pennsylvania
Term: 2017-2020



REGION 2 DIRECTOR
Vicki Smith-Bilt, CLM, SPHR, SHRM-SCP
Greenberg Traurig, PA
Miami, Florida
Term: 2016-2019



REGION 3 DIRECTOR
Debra Elsbury, CLM
Threlkeld & Associates
Indianapolis, Indiana
Term: 2016-2019



REGION 4 DIRECTOR
James Cornell, III
Graves Dougherty Hearon & Moody, PC
Austin, Texas
Term: 2015-2018



REGION 5 DIRECTOR
Lori Hughes
Miller Nash Graham & Dunn LLP
Portland, Oregon
Term: 2017-2020



REGION 6 DIRECTOR
Shaun Morrison
Allen Matkins Leck Gamble
Mallory & Natsis LLP
Los Angeles, California
Term: 2016-2019

2017-2018 Regional Representatives

Regional Directors rely on their team of Regional Representatives to mentor chapter leaders within the region, as well as bring creative strategies that promote ALA programs and initiatives.

region 1



Stacy O'Connell Joyce, CLM
Locke Lord LLP
New York, New York
Term: 2017-2019



Audrey Serban
Fisher & Phillips LLP
Murray Hill, New Jersey
Term: 2016-2018



Brenda Syle, CLM
Coughlin & Gerhart, LLP
Binghamton, New York
Term: 2016-2018



Virginia Wentzel
Saidis Sullivan & Rogers
Mechanicsburg, Pennsylvania
Term: 2016-2018

region 2



Brian Gilman, CLM, CPA
Smith Debnam Narron Drake
Saintsing & Myers, LLP
Raleigh, North Carolina
Term: 2016-2018



Elena Lopez-Lee
McGuireWoods LLP
Atlanta, Georgia
Term: 2017-2019



Mark Tallent
Farrar & Bates, LLP
Nashville, Tennessee
Term: 2016-2018



Valerie Williams
Pender & Coward, PC
Virginia Beach, Virginia
Term: 2017-2019

region 3



Kimberly Ess
Nilan Johnson Lewis PA
Minneapolis, Minnesota
Term: 2016-2018



Lisa Fox
Pines Bach LLP
Madison, Wisconsin
Term: 2017-2019



Robin Weis
Koley Jessen, PC, LLO
Omaha, Nebraska
Term: 2016-2018

region 4



Candace Childress
Blank Rome LLP
Houston, Texas
Term: 2016-2018



**DeAnna Lopez, CLM,
SPHR, SHRM-SCP**
DLA Piper LLP
Houston, Texas
Term: 2017-2019



Tim McKay, CPA
Harris Fingley & Bogle, PC
Fort Worth, Texas
Term: 2017-2019

region 5



Maria Mason, CLM
Goodsill Anderson Quinn & Stifel, LLP
Honolulu, Hawaii
Term: 2016-2018



Barbara Paige, CLM
Dorsey & Whitney, LLP
Seattle, Washington
Term: 2016-2018



Lisa Sterritt
Lane Powell
Seattle, Washington
Term: 2017-2019

region 6



Debra Burgos
Boies Schiller & Flexner, LLP
Las Vegas, Nevada
Term: 2016-2018



**Terri Oppelt, CLM, SPHR,
SHRM-SCP**
Klee Tuchin Bogdanoff & Stern, LLP
Los Angeles, California
Term: 2017-2019



Shelley Strong
Morrison & Foerster, LLP
Palo Alto, California
Term: 2017-2019

What's Happening at Headquarters?



2017 ANNUAL CONFERENCE & EXPO REGISTRATION IS OPEN

The time is now to reserve your spot for the 2017 Annual Conference & Expo at the Colorado Convention Center in Denver, Colorado, April 2-5. Here are just two of the many reasons this year will be better than ever:

- **Education Tracks by Category.** Check out sessions devoted to Legal Project Management, or what the business of law will look like in 2020. You may also choose tracks based on your level of experience.
- **Refer a Colleague.** Have you attended an Annual Conference since 2013? For each conference attendee you refer, you'll receive a \$25 gift card. Plus, you'll be entered into a drawing to win a \$100 gift card.

NEW STRATEGIC PLAN AVAILABLE

ALA leaders have developed the 2017-2020 Strategic Plan to consist of five main goals: define our identity, increase member and business partner value, enhance industry thought leadership, advance legal management professional development, and build community and engagement. Specific tactics will be developed each year as part of the association's budget and plan of work.

[Read the full strategic plan.](#)



HAVE YOU CHECKED OUT THE NEW ALA.ORG?

Some of the outstanding features of the new website include:

- **Improved site search:** HawkSearch will allow you to find all the site content related to your keywords easily and quickly.
- **Easier navigation:** The megamenus are intuitive, and site architecture makes it simple to find what you're looking for in a few easy clicks.
- **One sign-on for all services:** Whether visiting the Online Community, finding a webinar, reading *Legal Management* or enrolling in an e-learning course, you will be recognized across all third-party service providers.
- **Mobile-friendly:** The design is adaptable to multiple devices, and you can browse the site in mobile, tablet and other screen sizes without losing content.
- **Fast, convenient member record updates:** Users will be able to see the information ALA has on file, and update as needed.

We welcome your feedback! Please send comments and questions to membership@alanet.org.

RENEWING YOUR ALA MEMBERSHIP IS EASIER THAN EVER

It's that time of year when we look to all the exciting things ALA has in store for the year for our members. Your ALA membership keeps you connected to your peers — people who understand the challenges you face each day at work, while also giving you access to the resources you need to keep your firm running smoothly.

See how easy it renew your membership today with the new ALA website.



2017 E-LEARNING REGISTRATION NOW OPEN

ALA's first e-learning course of 2017 will be HR1: Employee Selection & Promotion. The course will run January 16 to February 26.

A discounted HR1 and HR2 package is also available. Upon completing both HR e-learning courses, you will have the opportunity to take an exam and earn a Human Resources Specialist Certificate from ALA.

ELEVATE YOUR POTENTIAL

#ALACONF17

ALA
Association of Legal Administrators

2017 Annual CONFERENCE & EXPO
April 2-5 Colorado Convention Center, Denver, CO

What's New in 2017?

- LPM** New education tracks: Legal Project Management and 2020 Education
- Keynote Speaker Archie Manning Explains His Key Leadership "Plays"
- Refer a Colleague Program with \$25 and \$100 Gift Card Rewards

...And More!

Register by February 13 for early bird savings up to \$200!
alanet.org/conf17



CALENDAR

JANUARY 1
HAPPY NEW YEAR!

JANUARY 13-14
ALA BOARD OF DIRECTORS MEETING
Memphis, Tennessee

JANUARY 16
MARTIN LUTHER KING JR.'S BIRTHDAY OBSERVANCE
ALA Headquarters Closed



JANUARY 17
HIRING SUPERSTARS: HOW TO STRATEGICALLY SELECT TOP PERFORMERS

We all want to hire passionate, top-performing employees to help carry out and reinforce our vision, mission and core values, yet we're often disappointed after they've come on board. We're puzzled because their resumes looked great, their skills matched perfectly, they worked for terrific companies, wowed us in the interview, and yet they still failed. What are we doing wrong? Join this session to hear some surprising answers. Based on the latest hiring research, you'll learn the "secret sauce" for determining if a candidate is likely to be a top performer who is aligned with your organizational and talent management strategies, saving you and your firm time, money and aggravation.

Questions about this event? Contact Peggy Siems at psiem@alanet.org.



JANUARY 18
DO YOU KNOW HOW MUCH YOUR 401(K) COSTS?

Few people know how much they pay each year in 401(k) fees. Why? Because all of the expenses are paid directly out of the plan, by the participants. But guess what? The people who have the most money in the plan are paying the most, and yet they get the same service as the ones with the least amount of money in the plan. But, the recent Supreme Court Decision of *Tibble vs. Edison* is a game changer — if you can't tell each of the partners exactly how much they are paying in 401(k) fees, this webinar is for you.

Questions about this event? Contact Peggy Siems at psiem@alanet.org.



JANUARY 24
WHAT EVERY GENERAL COUNSEL NEEDS TO KNOW ABOUT PRIVACY AND SECURITY

Privacy and cybersecurity have become priority legal compliance risk areas for companies in recent years, underscored by the proliferation of high-profile security breaches. This presentation will provide an overview of key trends in privacy and security law for 2017 that every general counsel and in-house lawyer should be acquainted with.

Questions about this event? Contact Peggy Siems at psiem@alanet.org.